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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Assembly Chambers, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska

Minutes for Regular Meeting of May 16, 2006

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1. CALL TO ORDER

The Assembly Meeting was convened by Chair Sullivan at 5:04 p.m. in the Assembly Chambers, Room 108 of the Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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2. ROLL CALL A Quorum was achieved with Assemblymembers present.

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PRESENT: Allan Tesche, Janice Shamberg, Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Dan Coffey, Ken Stout, Dick Traini and Pamela Jennings.

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ABSENT: Chris Birch, excused.

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3. PLEDGE OF ALLEGIANCE Assemblymember Tesche led the pledge.

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4. MINUTES OF PREVIOUS MEETINGS

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4.A. Regular Meeting – April 11, 2006

Ms. Fairclough moved, to approve the Regular Meeting Minutes of
Mr. Traini seconded, April 11, 2006,
and this motion was passed unanimously.

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4.B. Regular Meeting – April 18, 2006

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Mr. Traini moved, to approve the Regular Meeting Minutes of
Ms. Jennings seconded, April 18, 2006,
and this motion was passed unanimously.

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5. MAYOR'S REPORT None.

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6. ASSEMBLY CHAIR'S REPORT None.

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7. COMMITTEE REPORTS

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Ms. Ossiander reported the Title 21 Committee would continue to meet weekly at the Planning and Zoning Conference Room from 9:30 to 11:30 a.m. Starting next week they would meet on Thursdays to begin review of the chapter on Development Standards. Meeting notes could be found on the Planning Department website.

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Mr. Stout reported that the recent Ethics Committee meeting were continuing their review of the provisions applicable to the Assembly. A worksession would be scheduled in June. Progress was continuing to be made with this effort, with assistance from Assembly Council Julia Tucker, Municipal Attorney Fred Boness and the Ethics Board. Mayor Begich had given his full support. Chair Sullivan thanked him for his work on this matter.

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8. ADDENDUM TO AGENDA

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Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AM 387-2006, AIM 59-2006, AIM 67-2006, AR 2006-139 and AR 2006-137 were added and assigned to Agenda Numbers 9.C.4, 9.E.3, 9.E.4, 9.F.14 and 9.F.15, respectively. With no items to be added, he called for a vote to incorporate the Addendum items into the Consent Agenda.

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Ms. Ossiander moved, to approve the inclusion of the Addendum items
Mr. Bauer seconded, into the Consent Agenda,
and this motion was passed, 10-0.

67
68

AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Stout, Traini and Jennings.

69

NAYES: None.

70

ABSENT: Birch, excused.

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Chair Sullivan called the Question on the Consent Agenda.

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Ms. Jennings moved, to approve the Consent Agenda,
Mr. Coffey seconded,

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77

Chair Sullivan called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.

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2 **9. CONSENT AGENDA**

3 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

4 9.A.1. Resolution No. AR 2006-116, a resolution of the Anchorage Municipal Assembly recognizing and
5 honoring **Mary Ann Moseley** for her 29 years of service with the Municipality of Anchorage; Mayor
6 Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout,
7 Sullivan, Tesche and Traini.

8
9 Chair Sullivan requested this item be discussed on the Regular Agenda. (See Agenda item 10.A.1)

10
11 9.A.2. Resolution No. AR 2006-117, a resolution of the Anchorage Municipal Assembly recognizing and
12 honoring **Jerry Kral** for his 21 years of service with the Municipality of Anchorage; Mayor Begich;
13 Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan,
14 Tesche and Traini.

15
16 9.A.3. Resolution No. AR 2006-127, a resolution of the Anchorage Municipal Assembly thanking the **Alaska**
17 **State Legislature** for recognizing the needs of the Municipality of Anchorage through substantial
18 appropriations for capital improvements and operating costs, and reaffirming the Assembly's
19 commitment to provide the citizens of Anchorage with property tax relief; Assemblymember Coffey.
20 **(Addendum)**

21
22 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See Agenda item 10.A.3)

23
24 **9.B. RESOLUTIONS FOR ACTION - OTHER**

25 9.B.1. Resolution No. AR 2006-118, a resolution of the Municipality of Anchorage appropriating \$1,715 from
26 the **World Winter Cities Association for Mayors (WWCAM)** to offset costs for participation as the
27 WWCAM Secretariat of the Subcommittee for Measures Against Terrorism in Northern Cities; Mayor's
28 Office.

29 a. Assembly Memorandum No. AM 331-2006.

30 9.B.2. Resolution No. AR 2006-119, a resolution of the Municipality of Anchorage appropriating \$15,120 from
31 the State of Alaska through the State Historic Preservation Officer to the State Categorical Grants
32 Fund 231 to the Department of Neighborhoods, for the **Fairview Historic Survey**; Department of
33 Neighborhoods.

34 a. Assembly Memorandum No. AM 332-2006.

35
36 **9.C. BID AWARDS**

37 9.C.1. Assembly Memorandum No. AM 345-2006, recommendation of award to Northern Security, Inc. for
38 furnishing **miscellaneous duty, training, & specialty ammunition** to the Municipality of Anchorage,
39 Anchorage Police Department (ITB 26-B022) (\$102,157.29); Purchasing.

40 9.C.2. Assembly Memorandum No. AM 346-2006, recommendation of award to Construction Unlimited, Inc.
41 for the **Spruce Park Excavation Project** for the Municipality of Anchorage, Project Management &
42 Engineering Department (ITB 26-C018) (\$141,710); Purchasing.

43
44 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See Agenda item 10.C.2)

45
46 9.C.3. Assembly Memorandum No. AM 356-2006, recommendation of award to Marshall & Associates for
47 furnishing **RICOH Digital GPS cameras and accessories** to the Municipality of Anchorage, Traffic
48 Department (ITB 26B028) (\$143,458.30); Purchasing. **(Addendum)**

49 9.C.4. Assembly Memorandum No. AM 387-2006, recommendation of award to City Electric, Inc. for the
50 **Substation No. 6 Upgrade Project** for the Municipality of Anchorage, Municipal Light & Power (ITB
51 26-C022); Purchasing. **(Laid on the Table)**

52
53 Mr. Coffey moved to add to the Addendum, seconded by Ms. Ossiander and there were no objections.

54
55 **9.D. NEW BUSINESS**

56 9.D.1. Assembly Memorandum No. AM 355-2006, **Mt. Park/Robin Hill Limited Road Service Area Board**
57 **of Supervisors** appointments (Krystal McGinnis, William Smith); Mayor's Office.

58 9.D.2. Assembly Memorandum No. AM 329-2006, **Nino's Italian Eatery #4576** – New Restaurant/Eating
59 Place Liquor License and Restaurant Designation (Midtown Community Council); Clerk's Office.

60 9.D.3. Assembly Memorandum No. AM 330-2006, **Istanbul Café #4581** – Restaurant Eating/Place Liquor
61 License and Restaurant Designation (Midtown Community Council); Clerk's Office.

62 9.D.4. Assembly Memorandum No. AM 347-2006, Amendment No. 7 to the professional services contract
63 with Unwin Scheben Korynta Huettl, Inc. (USKH) for the **Ship Creek Trail Project**, Project No. 95-12
64 (\$325,000); Project Management & Engineering.

65 9.D.5. Assembly Memorandum No. AM 348-2006, Amendment No. 1 to professional services contract with
66 USKH for the **100th Avenue Extension, Minnesota Drive to King Street**, Project No. 01-09
67 (\$286,000); Project Management & Engineering.

68 9.D.6. Assembly Memorandum No. AM 349-2006, Amendment No. 2 to professional engineering services
69 contract with HDR Alaska, Inc. for the **Fish Creek Corridor Improvements, Phase IVc**, Project No.
70 00-16c (\$264,270); Project Management & Engineering.

71 9.D.7. Assembly Memorandum No. AM 350-2006, Amendment No. 1 to the professional services contract
72 with ASCG, Inc. for **land survey services** (\$150,000); Project Management & Engineering.

73 9.D.8. Assembly Memorandum No. AM 351-2006, Amendment No. 3 to contract with MKB Constructors,
74 **Ship Creek Point Road and Bridge Improvements, Ship Creek Point Crossing**, Project No. 02-01
75 (\$135,923.80); Project Management & Engineering.

76 9.D.9. Assembly Memorandum No. AM 352-2006, Change Order No. 1 to Purchase Order 251272 with
77 VPSI, Inc. (VPSI) for **van pool management and administrative services** for the Municipality of
78 Anchorage, Public Transportation Department (\$422,390); Purchasing.

- 1 9.D.10. Assembly Memorandum No. AM 353-2006, proprietary purchase of **Detroit diesel engine and**
2 **Allison transmission parts and services** on an "as needed" basis from Pacific Power Products for
3 the Municipality of Anchorage, Public Transportation Department (\$90,000); Purchasing.
4 9.D.11. Assembly Memorandum No. AM 354-2006, Contract Amendment No. 6 to Purchase Order 230706
5 with Clean Harbors Environmental Services Inc. for **hazardous waste collection facility operations**
6 for the Municipality of Anchorage, Solid Waste Services Department (\$855,718.96); Purchasing.
7

8 **9.E. INFORMATION AND REPORTS**

- 9 9.E.1. Information Memorandum No. AIM 62-2006, **contracts awarded between \$50,000 and \$100,000**
10 **through formal competitive processes** for the month of March 2006; Purchasing.
11 9.E.2. Information Memorandum No. AIM 63-2006, **Sole Source Procurement Report** for the month of
12 March 2006; Purchasing.
13 9.E.3. Information Memorandum No. AIM 59-2006, approval of a public safety site selection and site plan
14 review for the **Anchorage School District** for the administrative offices; Anchorage School District.
15 **(Laid on the Table)**
16

17 Ms. Ossiander moved to add to the Addendum, seconded by Mr. Coffey and there were no objections.

18 Mr. Tesche requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.E.3)*

- 19 9.E.4. Information Memorandum No. AIM 67-2006, report to the Assembly on favorable results of the **2006**
20 **Legislative Session** and the substantial funding Anchorage received for capital projects and other
21 items; Mayor's Office. **(Laid on the Table)**
22
23
24

25 Mr. Coffey moved to add this item to the Addendum, seconded by Mr. Traini and there were no objections.

26 Mr. Tesche requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.E.4)*

27 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 28
29 9.F.1. Ordinance No. AO 2006-75, an ordinance of the Municipality of Anchorage creating **Special**
30 **Assessment District 06-15** for reconstruction of 58th Avenue between Arctic Boulevard and Silverado
31 Way, and determining to proceed with proposed improvements therein; Project Management &
32 Engineering. *(Public Hearing 6-06-06)*
33 a. Assembly Memorandum No. AM 340-2006.
34 9.F.2. Ordinance No. AO 2006-76, an ordinance authorizing an **electrical easement** across municipal
35 property to Chugach Electric Association, Inc., in the NW ¼ SW 1/4 Section 34, T13N, R3W, S.M.
36 Alaska, located in Far North Bicentennial Park, Tax #008-141-03; Project Management & Engineering.
37 *(Public Hearing 6-06-06)*
38 a. Assembly Memorandum No. AM 341-2006.
39 9.F.3. Ordinance No. AO 2006-77, an ordinance authorizing disposal by sale of **Heritage Land Bank**
40 **Parcels 2-153, 2-154 and 2-155**, individually by sealed bids for not less than fair market value plus
41 costs; Heritage Land Bank. *(Public Hearing 6-06-06)*
42 a. Assembly Memorandum No. AM 342-2006.
43 9.F.4. Ordinance No. AO 2006-78, an ordinance repealing Ordinance 80-161 concerning **Remnant Parcel**
44 **32A of T12N, R3W, Section 8, S.M., AK**, and amending the zoning map and providing for the
45 rezoning of approximately 6.025 acres from I-1 SL (Light Industrial) with Special Limitations to I-1 SL
46 (Light Industrial) with Special Limitations for Remnant Parcel 32A, located within T12N, R3W, Section
47 8, S.M., AK; generally located on the east side of the new Seward Highway between Abbott Road to
48 the north and Otis Place (Extended) on the south (Abbott Loop Community Council) (Planning and
49 Zoning Commission Case 2006-002); Planning Department. *(Public Hearing 6-20-06)*
50 a. Assembly Memorandum No. AM 343-2006.
51 9.F.5. Ordinance No. AO 2006-79, an ordinance amending the zoning map, and providing for the rezoning of
52 approximately 4.6 acres from B-3 SL (General Business District with Special Limitations) to B-IB SL
53 (Community Business District with Special Limitations) for **Chester H. Lloyd Subdivision, Lots 12A**
54 **and 12B**, generally located at 3751 West Dimond Boulevard (Sand Lake Community Council)
55 (Planning and Zoning Commission Cases 2005-083 and 2006-009); Planning Department. *(Public*
56 *Hearing 6-20-06)*
57 a. Assembly Memorandum No. AM 344-2006.
58
59

60 Mr. Coffey declared a conflict of interest because of his association with the family involved with this matter. Chair
61 Sullivan ruled that Mr. Coffey did have a conflict of interest and ordered him to abstain from participation.
62

- 63 9.F.6. Resolution No. AR 2006-120, a resolution of the Municipality of Anchorage appropriating \$416,890 as
64 a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
65 Security and Emergency Management and appropriating \$15,090 as a contribution from the 2006
66 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
67 state Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**
68 **response and prevention equipment**. *(Public Hearing 6-06-06)*
69 a. Assembly Memorandum No. AM 333-2006.
70 9.F.7. Resolution No. AR 2006-121, a resolution of the Municipality of Anchorage appropriating \$142,514
71 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice
72 Assistance Grant, and appropriating \$5,130 from the Anchorage Metropolitan Police Service Area
73 Fund (151), Anchorage Police Department 2006 Operating Budget as a contribution to the Federal
74 Categorical Grants Fund (241) Anchorage Police Department, for the purpose of **underwriting**
75 **projects** to reduce crime and improve public safety; Anchorage Police Department. *(Public Hearing*
76 *6-06-06)*
77 a. Assembly Memorandum No. AM 334-2006.

- 1 9.F.8. Resolution No. AR 2006-122, a resolution of the Municipality of Anchorage appropriating \$198,260 as
2 a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
3 Security and Emergency Management and contributions from 2006 operating budgets of \$1,840 from
4 the Anchorage Metropolitan Police Service Area Fund (151), Police and \$5,260 from the Port of
5 Anchorage Fund (570), Port of anchorage to the State Categorical Grants Fund (231), Municipal
6 Manager, Office of Emergency Management, for the purchase of terrorism response and prevention
7 equipment for this **Buffer Zone Protection Program**; Office of Emergency Management. (*Public*
8 *Hearing 6-06-06*)
9 a. Assembly Memorandum No. AM 335-2006.
- 10 9.F.9. Resolution No. AR 2006-123, a resolution of the Municipality of Anchorage appropriating \$112,420 as
11 a contribution from the Zylon Litigation Settlement Fund to the Miscellaneous Grants Fund (261)
12 Anchorage Police Department for a **Zylon vest final settlement distribution**; Anchorage Police
13 Department. (*Public Hearing 6-06-06*)
14 a. Assembly Memorandum No. AM 336-2006.
- 15 9.F.10. Resolution No. AR 2006-124, a resolution of the Municipality of Anchorage appropriating \$311,013 as
16 a grant from the Alaska Department of Fish and Game to the Office of Economic and Community
17 Development, State Grants Fund (231), for the **Salmon in the City Initiative**. (*Public Hearing 6-06-06*)
18 a. Assembly Memorandum No. AM 337-2006.
- 19 9.F.11. Resolution No. AR 2006-125, a resolution approving the purchase and acquisition of real property
20 legally described as **Tract Lt E-3A, Campbell Creek Commercial Park** currently owned by Triple A
21 Self Storage for fair market value for an amount not to exceed \$3,300,000; Solid Waste Services.
22 (*Public Hearing 6-06-06*)
23 a. Assembly Memorandum No. AM 338-2006.
- 24 9.F.12. Resolution No. AR 2006-126, a resolution of the Municipality of Anchorage appropriating \$618,243,
25 from the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) to the State
26 Categorical Grants Fund (231) under the Traffic Department for enhancement of **Traffic Safety**
27 **Database System**; Traffic Department. (*Public Hearing 6-06-06*)
28 a. Assembly Memorandum No. AM 339-2006.
- 29 9.F.13. Resolution No. AR 2006-128, a resolution approving an amendment to the Anchorage Municipal
30 Employees Association (AMEA) providing for **On-Call Forensic Examiners**; Employee Relations.
31 (*Public Hearing 6-6-06*). (**Addendum**)
32 a. Assembly Memorandum No. AM 357-2006.
- 33 9.F.14. Resolution No. AR 2006-139, a resolution approving East 84th Avenue and Spruce Street **water**
34 **service line extension**, providing for assessment of related charges to benefit properties at time of
35 connection; Project Management & Engineering. (*Public Hearing 6-06-06*) (**Laid on the Table**)
36

37 Mr. Traini moved to introduce, seconded by Mr. Coffey, Mr. Tesche was the concurring third and Public Hearing was
38 set for June 6th. There were no objections.

- 39
40 9.F.15. Resolution No AR 2006-137, a resolution of the Anchorage Municipal Assembly amending Anchorage
41 Municipal Code of Regulations Section 21.20.007 to **exempt temporary banners, balloons,**
42 **pennants, ribbons and streamers** form bonding requirements; Assembly Chair Sullivan. (**Laid on**
43 **the Table**) (*Public Hearing 6-06-06*)
44

45 Mr. Bauer moved to introduce, seconded by Mr. Traini, Mr. Stout was the concurring third and Public Hearing was set
46 for June 6th. There were no objections.

47
48 Chair Sullivan put the Question on the remainder of Consent Agenda.

49
50 and this motion, as amended, was passed, 10-0.
51 with Mr. Coffey abstaining on item 9.F.5, due to a conflict of interest.

52
53 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Stout, Traini and Jennings.
54 NAYES: None.
55 ABSENT: Birch, excused.
56 ABSTAIN: Coffey abstained on item 9.F.5.

57
58 The amended Consent Agenda was approved and Chair Sullivan proceeded into discussion of the pulled items.

59 60 **END OF CONSENT AGENDA**

61 62 63 **10. REGULAR AGENDA**

64 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

- 65 10.A.1. Resolution No. AR 2006-116, a resolution of the Anchorage Municipal Assembly recognizing and
66 honoring **Mary Ann Moseley** for her 29 years of service with the Municipality of Anchorage; Mayor
67 Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout,
68 Sullivan, Tesche and Traini.

69
70 Mr. Bauer moved, to approve AR 2006-116,
71 Ms. Shamberg seconded,
72 and this was passed without objection.

73
74 Mr. Bauer read and Mr. Stout presented the resolution to Mary Ann Moseley for her 29 years of service with the
75 Anchorage Police Department as a supervisor with the Community Work Service and Park Ranger Programs and as a
76 Principal Code Enforcement Officer for the Department of Health and Human Services. Ms. Moseley thanked the
77 Assembly, Mayor Begich, Municipal Manager Denis LeBlanc, Deputy Municipal Manager Michael Abbott, Police Chief

1 Walt Monegan and Health and Human Services Director Beverly Wooley for the recognition. She thanked all her
2 coworkers for their team efforts and support for her exciting career.

3
4 10.A.3. Resolution No. AR 2006-127, a resolution of the Anchorage Municipal Assembly thanking the **Alaska**
5 **State Legislature** for recognizing the needs of the Municipality of Anchorage through substantial
6 appropriations for capital improvements and operating costs, and reaffirming the Assembly's
7 commitment to provide the citizens of Anchorage with property tax relief; Assemblymembers Coffey,
8 Fairclough, Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
9 **(Addendum)**

10
11 Mr. Coffey moved, to approve AR 2006-127,
12 Ms. Jennings seconded,

13
14 Mr. Coffey stated the money appropriated by the Legislature was significant. He urged approval and requested a
15 signed copy be sent to the Legislature, affirming the commitment that funds appropriated would result in lowering
16 property taxes.

17
18 Mr. Tesche supported the resolution and thanked Mr. Coffey for sponsoring.

19
20 Ms. Fairclough acknowledged the Assemblymembers and Municipal employees who had lobbied in Juneau, including
21 herself, Mr. Coffey, Mr. Stout, Chair Sullivan, Municipal Light and Power General Manager Jim Posey, Municipal CIP
22 Coordinator Jim Lamson and the professional lobbyists of Legislative Consultants, Incorporated. She thanked the
23 State Legislators who worked with the Municipal Legislative Team, including Representatives Mike Hawker, Bill Stoltze
24 and Kevin Meyer. She urged consideration of supporting a new resolution to Governor Murkowski, acknowledging and
25 supporting the proposed Legislative efforts with sharing the wealth to all Alaskans and specifically to Anchorage.

26
27 Chair Sullivan, as Chair of the Legislative Committee and working with Co-Chair Mr. Stout, reported this was a very
28 good year for Alaska with the opportunity to share oil revenues throughout the state. Revenue sharing had been
29 recognized by the Legislature and the resolution properly recognized them.

30
31 Deputy Municipal Manager Michael Abbott requested a minor amendment to Line 30 and Mr. Coffey accepted this as a
32 friendly amendment.

33
34 Mr. Tesche moved, to amend AR 2006-127 Page 1, Line 30, *by adding*, to read:
35 Mr. Coffey accepted as a friendly amendment, ...reduction to municipal revenues realized through real "and
36 and there were no objections. personal" property taxes,

37
38 and the main motion, as amended, was passed without objection.

39
40 **10.B. RESOLUTIONS FOR ACTION - OTHER** None were pulled for review.

41
42 **10.C. BID AWARDS**

43 10.C.2. Assembly Memorandum No. AM 346-2006, recommendation of award to Construction Unlimited, Inc.
44 for the **Spruce Park Excavation Project** for the Municipality of Anchorage, Project Management &
45 Engineering Department (ITB 26-C018) (\$141,710); Purchasing.

46
47 Ms. Fairclough moved, to approve AM 346-2006,
48 Mr. Coffey seconded,

49
50 Ms. Fairclough stated this appropriation for a sledding hill was coming from a 2005 road bond. Municipal Engineer
51 Howard Holtan responded the project was requiring improvements to 84th Avenue and Spruce Street, where material
52 would be excavated and replaced with classified fill. The waste material could be moved to an adjacent site to save
53 money and could incidentally be used to create a sledding hill. If the material was contaminated, the material would be
54 disposed of, in accordance with state regulations. Ms. Fairclough stated the wording of the document indicated the
55 sledding hill was the primary purpose.

56
57 Mr. Traini thanked Mr. Holtan for his sensitivity to that site, which had previously been declared as contaminated
58 because it had been a former junkyard and the soil was saturated with hydrocarbons and fluorocarbons.

59
60 and this motion was approved without objection.

61
62 **10.D. NEW BUSINESS** None were pulled for review.

63
64 **10.E. INFORMATION AND REPORTS**

65 10.E.3. Information Memorandum No. AIM 59-2006, approval of a public safety site selection and site plan
66 review for the **Anchorage School District** for the administrative offices; Anchorage School District.
67 **(Laid on the Table)**

68
69 Mr. Tesche moved, to accept AIM 59-2006,
70 Mr. Coffey seconded,

71
72 Mr. Tesche stated this memorandum offered by Ms. Ossiander on behalf of the Anchorage School District (ASD),
73 summarized the relocation of the School District Headquarters to the Boniface Mall. He thanked the owners of the
74 Boniface Center and the ASD for bringing this matter forward and he urged acceptance. He requested an opinion from
75 Assembly Council Julia Tucker, on any additional Assembly responsibilities with the matter.

76
77 Ms. Ossiander stated this memorandum was not necessary, but was an acknowledgment from ASD of what had
78 already occurred.

1
2 and this motion was accepted without objection.

3
4 10.E.4. Information Memorandum No. AIM 67-2006, report to the Assembly on favorable results of the **2006**
5 **Legislative Session** and the substantial funding Anchorage received for capital projects and other
6 items; Mayor's Office. (*Laid on the Table*)

7
8 Mr. Tesche moved, to accept AIM 67-2006,
9 Mr. Coffey seconded,

10
11 Mr. Tesche thanked the Administration for sponsoring this important document and requested this be posted on the
12 Municipal website. Municipal Clerk Barbara Gruenstein responded it would be posted the following day. Mayor
13 Begich responded there would be a press release on the matter.

14
15 Ms. Fairclough declared a possible conflict of interest, due to her association with Standing Together Against Rape
16 (*STAR*), which was a direct beneficiary of United Nonprofits, listed under Alaska Community Funds. Chair Sullivan
17 ruled that Ms. Fairclough did not have a conflict of interest because this document was simply for sharing information.
18 He ordered her to participate.

19
20 To Mr. Coffey, Mayor Begich responded that the \$23 million, listed on Line 29, would be used for energy assistance,
21 PERS reimbursement and property tax relief. The tax cap would not be lowered because of this disbursement.

22
23 Chair Sullivan requested a legal opinion from Municipal Attorney Fred Boness, explaining how reducing tax money
24 would not lower the tax cap.

25
26 and this motion was approved without objection.

27
28 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION** None were pulled for review.

29
30 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

31 11.A. Resolution No. AR 2006-92, a resolution of the Municipality of Anchorage appropriating \$1,226,867
32 from Alaska Housing Finance Corporation (AHFC) as a grant to the State Categorical Grants Fund
33 (231), the Department of Neighborhoods, to fund the **Weatherization Assistance Program**.
34 1. Assembly Memorandum No. AM 255-2006.
35 (*Postponed from 5-2-06*)

36
37 Chair Sullivan read the resolution title and stated there was a motion on the floor from May 2, 2006. He called the
38 Question.

39
40 Ms. Jennings moved, to approve AR 2006-92,
41 Ms. Fairclough seconded,
42 and this motion was passed, 9-0.

43
44 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Stout and Jennings.
45 NAYES: None.
46 ABSENT: Birch, excused.
47 (*Clerk's Note: Mr. Traini was temporarily out of Chambers at the time of the vote.*)

48
49 11.B. Ordinance No. AO 2005-163, an ordinance of the Municipal Assembly amending Anchorage Municipal
50 Code Chapter 21.47, **Sign Standards**, regulating nonconforming signs and other minor revisions;
51 Assemblymember Sullivan.

- 52 1. Information Memorandum No. AIM 3-2006.
53 2. Ordinance No. AO 2005-163(S), an ordinance of the Municipal Assembly amending
54 Anchorage Municipal Code Chapter 21.47, Sign Standards, regulating nonconforming signs
55 and other minor revisions; Assemblymember Sullivan.
56 3. Ordinance No. AO 2005-163(S-1), an ordinance of the Municipal Assembly amending
57 Anchorage Municipal Code Chapter 21.47, Sign Standards, regulating nonconforming signs
58 and other minor revisions; Assemblymember Sullivan.
59 4. Information Memorandum No. AIM 41-2006.
60 5. Ordinance No. AO 2005-163(S-2), an ordinance of the Municipal Assembly amending
61 Anchorage Municipal Code Chapter 21.47, Sign Standards, regulating nonconforming signs
62 and other minor revisions; Assemblymember Sullivan.

63 (*Continued from 1-10-06, 2-28-06, and 3-28-06; Public Hearing was Closed 4-11-06; Action was*
64 *Postponed to 5-2-06; Carried Over from 5-2-06*)

65
66 Mr. Coffey moved, to approve AO 2005-163(S-2)(Revision 4),
67 Ms. Ossiander seconded,

68
69 Mr. Coffey stated the main differences in the S-2 Version involved amortization and grandfathering rights. There had
70 not been a real understanding of the substantial costs to the business community, particularly wrapping pole signs,
71 which involved engineering and design, addressing foundations and the depth of the sign. Amortization had never
72 been used for structures unless there was a public health or safety issue, which did not apply to signs. There was no
73 compelling reason to mandate changes to signs, that when initially installed, were lawful and legal. The intent of the
74 ordinance was for aesthetic reasons and he objected to creating a burden to the business community. Mr. Coffey
75 stated that this matter did not deal with the provisions of Alaska State Law dealing with condemnation. There were
76 nonconforming signs in the city that could be made conforming by addressing parts of the requirements. It was better
77 public policy to recognize grandfathering, moving towards conformity and he would support the ordinance.
78

1 To Mr. Tesche, Municipal Attorney Fred Boness responded that, even though there had been many changes to the
2 document, there was no conflict with the title and the Assembly could vote on the matter that evening.

3
4 Ms. Ossiander, referring to the hasteners listed on Page 8, questioned if the change of use needed to be addressed.
5 Assembly Council Julia Tucker responded that the reference addressed a change of use, which still needed to be
6 defined efficiently. The table included in the document would determine the change of use.

7
8 Ms. Shamberg stated that the business community had made good recommendations and she moved to amend.

9
10 Ms. Shamberg moved,
11 Ms. Ossiander seconded,
12 and this was approved without objection.

to amend AO 2005-163(S-2)(Revision 4), *by adding to*
Section 7 on Page 9, Line 11, to read: 6. *Change which*
increases nonconformity. In accordance with 21.55.100,
change shall be permitted in the direction of conformity to the
requirements of this chapter. A sign will lose its legal
nonconforming status immediately upon any change which
increases nonconformity. "Municipal permit fees are waived
for nonconforming signs to be brought into full conformity, if
an estimate by a licensed and bonded contractor with a
designated date of completion of the new conforming sign is
provided within two years of the passage of this ordinance.;"

13
14
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21
22 To Mr. Coffey, Ms. Shamberg responded that it was not her intent to address partial conformity. Mr. Coffey concurred.

23
24 Ms. Shamberg stated that it was unreasonable that signs could not be simply lowered and used, because the
25 structural support below the sign was included in the total size. The motion was to differentiate the support, so as not
26 to include it. Mr. Coffey concurred.

27
28 To Ms. Fairclough, Ms. Shamberg responded the amendment applied to new signs. Planning Department Director
29 Tom Nelson responded that if the structural support meant relative to the proportionality of the supporting members,
30 there would be no penalty for the inclusion of the support as part of the sign area. The portion of the structural support
31 below the bottom of the sign area was not to be counted, as long as the structural support was not being used for
32 attracting attention.

33
34 To Mr. Coffey, Mr. Nelson responded that Municipal Code referred to the bottom four feet of a monument sign, which
35 was not counted, but there was no clear definition of monument.

36
37 Ms. Shamberg stated there were provisions that defined how wide the monument portion would be, in proportion to the
38 height.

39
40 Ms. Shamberg moved,
41 Ms. Ossiander seconded,
42 and this was approved without objection.

to amend AO 2005-163(S-2)(Revision 4), *by adding to*
Section A, Page 1, Line 13, to read: A. *Determining sign*
area or dimension of signs. 1. The sign area shall include
the face of all the display area(s) of the sign. The sign area
shall include the frame and structural support unless such
structural support is determined to be an architectural feature
as defined in subsection 21.47.030E "or the structural support
is located below the sign face area and its accompanying
frame, does not contain a message, and is clearly
distinguishable from the sign face area."

43
44
45
46
47
48
49
50
51 Ms. Ossiander stated that all directional, off premises signs were prohibited, regardless of how far businesses were
52 from the state highway. Mr. Nelson concurred.

53
54 Mayor Begich stated that he and his Administration opposed the S-2 Revised Version. Cities across the nation
55 continually made efforts to make their communities more livable, more attractive and safer. Anchorage had addressed
56 this issue for many years and the city still looked unchanged. He and his Administration supported an amortization
57 schedule for businesses to conform. This community needed to move forward and many of the businesses had
58 already conformed, making the community a more attractive place. Businesses would pass the costs onto their
59 customers. There was an opportunity to begin the change and he supported extended time for businesses to make
60 changes and he opposed the ordinance. Mr. Nelson responded that changing a sign code was difficult for any city, but
61 the benefits were seen over time. Businesses were the most visible elements of a community and a clean, uncluttered
62 appearance allowed people to take greater pride in themselves and their community and give a more lasting
63 impression for visitors. There were reasons for their proposed changes in electronic and rotating signs and prohibiting
64 use of balloons, pennants, ribbons and streamers, which were things that added visual clutter. Tripling sign sizes was
65 not being effective in reducing clutter, which was one of the major objectives of the sign code. He urged consideration
66 of amortization schedules.

67
68 Mr. Coffey stated that he had been attentive to residential areas in respect to aesthetics, but the standards in
69 commercial areas needed to accommodate businesses. The ordinance allowed those signs that were lawfully
70 installed to remain in place. Anchorage businesses had always been given the opportunity to conform over time. He
71 supported the proposal of reducing the total square footage of signs.

72
73 Mr. Coffey moved,
74 Ms. Shamberg seconded,
75 and this was approved without objection.

to amend AO 2005-163(S-2)(Revision 4), to the graph on
Page 6, Maximum Area, *by reinstating* "SAME AS
PERMANENT SIGNS; 100 SQUARE FEET (32 SQUARE
FEET RIGID MATERIAL)."

1 Mr. Coffey proposed to reinstate permitted use of pennants, ribbons, streamers and balloons, by deleting Section E,
2 under Section 5, Prohibited Signs, and leave 'rotating' signs as prohibited.

3
4 Mr. Coffey moved,
5 Ms. Shamberg seconded,

6 to amend AO 2005-163(S-2)(Revision 4), Page 7, Section E,
7 Lines 16 to 25, *by changing* to read: [~~E. Flashing, Moving,~~
8 ~~animated, coursing, blinker, racer-type, intermittent,~~
9 ~~[ROTATING], moving or revolving signs and/or devices~~
10 ~~except as defined in AMC 21.47.030.E.20, whirligig devices,~~
11 ~~inflatable signs and oversize tethered balloons, [PENNANTS,~~
12 ~~RIBBONS, STREAMERS,] spinners, and other similar types~~
13 ~~of attention-getting devices except for pennants, ribbons,~~
14 ~~streamers, and latex balloons not exceeding 16 inches in~~
15 ~~diameter, when maintained in "as new" condition. Pennants,~~
16 ~~ribbons, streamer, and latex balloons not maintained in "as~~
17 ~~new condition" shall be deemed unsightly and subject to~~
18 ~~enforcement under 5.20.020.B.11. Changeable copy signs~~
19 ~~are not prohibited when in compliance with the applicable~~
20 ~~regulations in this chapter,] and *by reinstating* Section E from
21 the original document to read: 'E. Flashing, moving,
22 animated, coursing, blinker, racer-type, intermittent,
23 [ROTATING,] moving or revolving signs and/or devices,
24 [WHIRLIGIG DEVICES, INFLATABLE SIGNS AND
25 TETHERED BALLOONS, PENNANTS, RIBBONS,
26 STREAMERS, SPINNERS, AND OTHER SIMILAR TYPES
27 OF ATTENTION-GETTING DEVICES] except for changeable
28 copy signs when in compliance with the applicable regulation
29 in this chapter,"~~

29 To Ms. Jennings, Mr. Coffey responded that the language in the original document, under prohibited uses, would be
30 reinstated, with the exception of 'rotating.'

31
32 Ms. Ossiander did not agree that pennants, streamers and ribbons were problematic. Her constituents would not be
33 able to put for-sale signs on cars. She would not support the amendment.

34
35 Mr. Tesche stated that this was the right direction and he supported it.

36
37 Chair Sullivan stated that the sign ordinance should focus on signs alone. Pennants, ribbons, streamers and balloons
38 were decorations, which should be left up to the businesses. Public testimony had indicated there had been a 40%
39 drop in sales without these devices. There was no place in the Sign Code for decorative devices and he urged a NO-
40 vote on the amendment.

41
42 To Mr. Coffey, Enforcement Supervisor Brian Dean stated that while a single sale sign in a car was allowed, lining up
43 cars in a row and placing consecutive signs on each, with letters spelling S-A-L-E would be prohibited. It was a
44 consideration of the cumulative area.

45
46 and the motion failed, 5-5,

47
48 AYES: Tesche, Shamberg, Coffey, Stout and Jennings.
49 NAYES: Bauer, Fairclough, Sullivan, Ossiander and Traini.
50 ABSENT: Birch, excused.

51
52 Ms. Jennings stated that she had hoped the Assembly would have been closer to agreement of the standards that the
53 business communities had expressed they wanted. There were many changes that she would not support. She would
54 be NO-vote to the ordinance.

55
56 Mr. Tesche stated the improvements in the past years had made the city look better and he applauded the businesses
57 that had made changes. He supported the amortization schedule and the new ordinance was a step backwards and
58 would not make the town look better. He urged the Assembly to work together and move forward.

59
60 Ms. Ossiander stated that this matter would need to be continually addressed and this ordinance did just that. She
61 urged support.

62
63 Mr. Traini urged consideration of postponing for one week.

64
65 Mr. Traini moved,
66 Ms. Shamberg seconded,
67 and this motion failed, 4-6.

68 *to continue* AO 2005-163(S-2)(Revision 4) to May 23, 2006,

69 AYES: Tesche, Shamberg, Traini and Jennings.
70 NAYES: Bauer, Fairclough, Sullivan, Ossiander, Coffey and Stout.
71 ABSENT: Birch, excused.

72
73 Ms. Ossiander assumed the Chair, allowing Chair Sullivan to speak to his ordinance.

74
75 Chair Sullivan stated the matter of sign standards would continue to be addressed. It was a matter of taking, forcing
76 businesses to change their lawfully acquired signs. This ordinance would provide gradual change and it was fair.
77 Fairness was the key element. Allowing grandfathering rights was a consideration. It had been estimated the
78 business community would spend up to \$150 million to meet standards and that money could be used in more

1 effective ways. There was no evidence that proved signs were distracting. Anchorage had a successful record of
2 economic growth and had been voted a top place in America to live. The signs ordinance and the changes being
3 made would not change that. He urged a YES-vote.

4
5 and the main motion, as amended, passed, 7-3.

6
7 AYES: Bauer, Fairclough, Sullivan Ossiander, Coffey, Stout and Traini.

8 NAYES: Tesche, Shamberg and Jennings.

9 ABSENT: Birch, excused.

10
11 Ms. Fairclough moved for immediate reconsideration and urged a NO-vote.

12
13 Ms. Fairclough moved, *for immediate reconsideration of AO 2005-163(S-2),*
14 Mr. Coffey seconded,

15
16 Mr. Coffey stated that it was worth consideration to leave their options open, to readdress this matter.

17
18 Ms. Fairclough stated that the Anchorage business community and the people who supported improved aesthetics
19 each deserved closure. If there were future matters that needed to be addressed, the ordinance could be repealed or
20 a modification could be added. Mr. Coffey and Chair Sullivan concurred.

21
22 and this motion failed, 3-7.

23
24 AYES: Shamberg, Stout and Jennings.

25 NAYES: Tesche, Bauer, Fairclough, Sullivan, Ossiander, Coffey and Traini.

26 ABSENT: Birch, excused.

27
28 **12. APPEARANCE REQUESTS**

29 12.A. **Penny Bauder and Lizzie Evans** of the Anchorage Chapter of Alaska Youth for Environmental Action
30 (AYEA), to share results of statewide petition demanding Congressional action on global warming.

31
32 LIZZIE EVANS, a 17-year-old Service High School senior and a member of the Anchorage Chapter of Alaska Youth
33 for Environmental Action (AYEA) testified on their recent efforts to deal with environmental issues, with the ominous
34 presence of global warming. AYEAs were involved with leadership training, education on environmental issues and civil
35 involvement urging governments to be involved. Ms. Evans stated that the next generations would have to live with
36 the consequences of their parents' actions. Decreasing snowfall and villages literally falling into the sea were some
37 examples of global warming effects in Alaska. Ms. Evans introduced other AYEAs members present, including
38 Margaret Hazeltine, Kaeli Casti, Emily Miner, Nicole Grass, Wiley Cason Roz Thompson, Quinn Langdon, Drew
39 Cason, representing Service, West and East High Schools. Ms. Evans stated they wanted to inherit a healthy planet
40 and encouraged recycling to reduce carbon emissions. She presented 5000 signatures of individuals in support of
41 their efforts. She encouraged the Assembly to take action to address this issue and she made recommendations of
42 how they could be involved. Ms. Shamberg stated AYEAs were doing a great job and their campaign was an effective
43 way to bring change. Ms. Ossiander encouraged the students to take a lot of chemistry and math classes, so they
44 would be able to accomplish more with the needed scientific data to back up their arguments with concrete facts. Ms.
45 Jennings thanked the group and supported their stand. Mr. Tesche stated that their most effective statement was that
46 the young generation would inherit what was left and he encouraged them to continue their campaign.

47
48 **13. CONTINUED PUBLIC HEARINGS** None.

49
50 **14. NEW PUBLIC HEARINGS**

51 14.A. Assembly Memorandum No. AM 296-2006, **Employee Relations Board** appointment
52 (John Palmatier); Mayor's Office.

53
54 Chair Sullivan read the memorandum title and opened Public Hearing. With no public testimony, he closed Public
55 Hearing and called the Question.

56
57 Mr. Traini moved, *to approve AM 296-2006,*
58 Ms. Fairclough seconded,
59 and this was passed without objection.

60
61 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Traini and Jennings.

62 NAYES: None.

63 ABSENT: Birch and Stout, each excused.

64 *(Clerk's Note: Mr. Stout was excused from the rest of the meeting and Mr. Coffey was temporarily out of Chambers at*
65 *the time of the vote.)*

66
67 14.B. Ordinance No. AO 2006-46, an ordinance repealing Ordinance AO 93-183 (S-1) concerning PC
68 (Planned Community Zoning) and Master Plan and adopting a new PC (Planned Community) zoning
69 and **New Ship Creek Master Plan** for a portion of A.R.R. Reservation located in the Lower Ship
70 Creek, approximately 102 +/- acres, for A.R.R. Reservation property located at the lower west end of
71 Ship Creek; and amending the zoning map and providing for the rezoning of A.R.R. Anchorage
72 Terminal Reserve, Lot 103, Whitney Road Industrial Lease Lot consisting of 20,815 square feet from
73 PC (Planned Community) to I-1 (Light Industrial); and amending the zoning map and providing for the
74 rezoning of Ship Creek Crossing, Lot 3, consisting of 109, 932 square feet from PC (Planned
75 Community) and I-2 (Heavy Industrial) to I-2 (Heavy Industrial); and amending the zoning map and
76 providing for the rezoning of Ship Creek Crossing, Lot 4, consisting of 209,068 square feet from PC
77 (Planned Community) and I-2 (Heavy Industrial) to I-2 (Heavy Industrial); generally located at the
78 lower west end of Ship Creek south of the Railroad Mainline to Second Avenue and West Gambell

1 Street (Government Hill, Downtown, Fairview) (Planning and Zoning Commission Case 2005-080);
2 Planning Department.

3 1. Assembly Memorandum No. AM 147-2006.
4

5 Chair Sullivan read the ordinance title and opened Public Hearing.
6

7 PAUL LAVERTY urged consideration of an amendment to Page 10, item K, keeping the limitations of maximum
8 building heights, which had been worked out thirteen years ago and was included in the S-1 Version. He also urged
9 caution when addressing the change of jurisdiction, proposed by the Federal Surface Transportation Board. He
10 supported the ordinance, as amended. Ms. Ossiander responded that the Administration had requested additional
11 time to address the matter, including the language regarding the Federal Transportation Administration. Mr. Tesche
12 responded that they were aware of the issue and he had prepared an amendment to the ordinance. Mr. Traini thanked
13 Mr. Laverty for addressing the 120-foot limitations.
14

15 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.
16

17 Ms. Ossiander moved, to postpone AO 2006-46 to June 6, 2006,
18 Ms. Fairclough seconded,
19 and the motion was passed, 8-0.
20

21 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Traini and Jennings.

22 NAYES: None.

23 ABSENT: Birch and Stout, each excused.

24 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
25

26 14.C. Resolution No. AR 2006-112, a resolution amending Anchorage Municipal Code of Regulations
27 21.20.002, **Schedule of Fees – Zoning**, regarding application for the registration of a nonconforming
28 lot of record; Planning Department.
29 1. Assembly Memorandum No. AM 295-2006.
30

31 Chair Sullivan read the resolution title and opened Public Hearing. There was no public testimony and he closed
32 Public Hearing and called the Question.
33

34 Ms. Jennings moved, approve AR 2006-112,
35 Mr. Traini seconded,
36

37 Ms. Ossiander requested consideration of the impact to properties which would potentially become non-conforming in
38 the future. Mr. Nelson responded the resolution applied to lots that were created illegally, prior to 1975. The fees were
39 the costs for research, processing the application, drafting the resolution and advertisement, noticing and postings.
40 Ms. Ossiander requested an administrative correction in the accompanying AM 297-2006, to change 'conforming lots'
41 to 'non-conforming lots.' Planning and Zoning Director Tom Nelson concurred.
42

43 and the main motion was passed 7-0.
44

45 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander and Jennings.

46 NAYES: None.

47 ABSENT: Birch and Stout, each excused.

48 *(Clerk's Note: Mr. Coffey and Mr. Traini were temporarily out of Chambers at the time of the vote.)*
49

50 14.D. Ordinance No. AO 2006-66, an ordinance authorizing **sale of nine (9) parcels acquired through tax**
51 **foreclosure** and described in Exhibit A (Parcel ID Nos. 004-035-47, 050-651-03, 050-661-13, 050-
52 661-14, 050-792-15, 051-172-01, 051-231-14, 051-471-12, 051-511-04); Real Estate Services.
53 1. Assembly Memorandum No. AM 297-2006.
54

55 Chair Sullivan read the ordinance title and opened Public Hearing. There was no public testimony and he closed
56 Public Hearing and called the Question.
57

58 Ms. Fairclough moved, to approve AO 2006-66,
59 Ms. Ossiander seconded,
60 and the motion was passed, 7-0.
61

62 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander and Jennings.

63 NAYES: None.

64 ABSENT: Birch and Stout, each excused.

65 *(Clerk's Note: Mr. Coffey and Mr. Traini were temporarily out of Chambers at the time of the vote.)*
66

67 14.E. Ordinance No. AO 2006-60, an ordinance amending Anchorage Municipal Code Chapter 15.70 to
68 clarify provisions including definitions regarding **noise**, to add fines, and amending Section 14.60.030
69 to increase fines; Health and Human Services.
70 1. Assembly Memorandum No. AM 261-2006.
71

72 Chair Sullivan read the ordinance title and opened Public Hearing. It was his intent to continue Public Hearing to the
73 next meeting, with a worksession scheduled.
74

75 JOHN MCKAY, resident of Campbell Green and a board member of the Campbell Green Homeowners Association,
76 testified of loud, intolerable noise, similar to that of a 747, that residents were forced to hear 18 hours a day and was
77 disrupting their lives and affecting the resale of their homes. The noise had been recorded and the facility had been
78 cited numerous times last summer. He and the homeowners association strongly urged support of the ordinance.

1
2 STEVE LOVS, an employee with Anchorage Sand and Gravel (ASAG), opposed the ordinance, which was not friendly
3 to construction businesses. This year was potentially the biggest construction season in the history of the city and the
4 ordinance would affect their operations. It told businesses that they were not welcome in Anchorage.

5
6 With no additional public testimony Chair Sullivan closed Public Hearing and called the Question.

7
8 Chair Fairclough stated that school parking lots may be affected by this ordinance and requested a response from the
9 Administration at the worksession.

10
11 Ms. Fairclough moved, *to continue* AO 2006-60 to June 6, 2006, with a
12 Ms. Ossiander seconded, worksession scheduled for June 2nd,
13 and the motion was passed, 7-0.

14
15 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander and Jennings.

16 NAYES: None.

17 ABSENT: Birch and Stout, each excused.

18 *(Clerk's Note: Mr. Coffey and Mr. Traini were temporarily out of Chambers at the time of the vote.)*

- 19
20 14.F. Resolution No. AR 2006-107, a resolution of the Municipality of Anchorage appropriating \$296,714
21 from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants Fund
22 (241), and \$140,000 from Alaska Housing and Finance Corporation to State Categorical Grants Fund
23 (231), Department of Health and Human Services for the purpose of providing a one year renewal of
24 the **LINK Homeless Assistance Project** and a contract with Abused Women's Aid in Crisis, Inc.;
25 Health and Human Services.
26 1. Assembly Memorandum No. AM 290-2006.

27
28 Chair Sullivan read the resolution title and opened Public Hearing. There was no public testimony and he closed
29 Public Hearing and called the Question.

30
31 Ms. Fairclough moved, to approve AR 2006-107,
32 Ms. Ossiander seconded,

33
34 Ms. Jennings requested an update from the Homelessness Task Force, relating to the LINK Program.

35
36 and the motion was passed, 7-0.

37
38 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander and Jennings.

39 NAYES: None.

40 ABSENT: Birch and Stout, each excused.

41 *(Clerk's Note: Mr. Coffey and Mr. Traini were temporarily out of Chambers at the time of the vote.)*

- 42
43 14.G. Ordinance No. AO 2006-49, an ordinance amending the Anchorage Municipal Code of Ordinances
44 Section 21.40.150 B-2A, Central Business District Core, Table 1, 21.40.160, B-2B Central Business
45 District Intermediate, Table 2, and 21.40.170 B-2C, Central Business District Periphery, Table 3 by
46 adding a **bonus point amenity for heated walking surfaces** and assigning point values;
47 Assemblymembers Coffey and Tesche; Mayor Begich and Assemblymember Jennings.
48 1. Assembly Memorandum No. AM 179-2006.

49
50 Chair Sullivan read the ordinance title and opened Public Hearing.

51
52 TIM POTTER, with Dowl Engineers, supported the ordinance and urged approval. Heated sidewalks had lasting
53 benefits to communities and the technology had drastically improved over the years. To Ms. Ossiander, Mr. Potter
54 responded that the review of liability and maintenance issues with the heated sidewalks referred to a suburban
55 situation. In an urban situation, the development was pushed to the property lines and downtown would be an
56 enhanced pedestrian-oriented system. To Mr. Tesche, Mr. Potter responded the bonus program would be used for
57 improvements on 5th Avenue and would be incentive for other businesses to participate. To Ms. Shamberg, Mr. Potter
58 responded bonus points were also issued for accommodating the public, by providing bike racks, public restrooms and
59 vegetation. To Ms. Jennings, Mr. Potter responded that a developer would also realize additional points for larger
60 buildings.

61
62 There was no additional public testimony and Chair Sullivan closed Public Hearing and called the Question.

63
64 Mr. Tesche moved, to approve AO 2006-49,
65 Mr. Coffey seconded,

66
67 Ms. Jennings requested to be added as a cosponsor.

68
69 Mr. Tesche recommended approval.

70
71 and the motion, as amended, was passed, 9-0.

72
73 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.

74 NAYES: None.

75 ABSENT: Birch and Stout, each excused.

- 76
77 14.H. Ordinance No. AO 2006-67, an ordinance authorizing renewal of a Preferential Usage Agreement with
78 **Horizon Lines of Alaska LLC** for berthing and use of the Port of Anchorage Pier, exclusive use of Port

1 Transit Area "B" Lot, exclusive use of Terminal #2 Stevedore Building, and exclusive use of the Port
2 Transit Warehouse Crane Maintenance Space, and other amendments; Port of Anchorage.
3 1. Assembly Memorandum No. AM 298-2006.
4

5 Ms. Ossiander declared a possible conflict of interest with 14.H, 14.I, 14.J, 14.K and 14.L because her husband
6 worked as a Longshoreman and their family received a significant amount of their income from these companies.
7 Chair Sullivan stated the lease agreements with Totem and Horizon were of such a large and general nature that her
8 husband was not impacted. He ruled that she did not have a conflict of interest and ordered her to participate with
9 Assembly discussion and action.

10
11 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
12 and called the Question.

13
14 Ms. Jennings moved, to approve AO 2006-67,
15 Mr. Coffey seconded,
16 and the motion was passed, 9-0.
17

18 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
19 NAYES: None.
20 ABSENT: Birch and Stout, each excused.
21

22 14.I. Ordinance No. AO 2006-68, an ordinance authorizing renewal of the lease between the Municipality of
23 Anchorage and **Horizon Lines of Alaska LLC** for Lots 4A, 5D-1, 5F-1, 6C-1 and 6D-1, Port of
24 Anchorage Subdivision, and establishing a new lease term for Lot 4A-1; Port of Anchorage.
25 1. Assembly Memorandum No. AM 299-2006.
26

27 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
28 and called the Question.

29
30 Ms. Jennings moved, to approve AO 2006-68,
31 Mr. Coffey seconded,
32 and the motion was passed unanimously.
33

34 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
35 NAYES: None.
36 ABSENT: Birch and Stout, each excused.
37

38 14.J. Ordinance No. AO 2006-71, an ordinance authorizing renewal of a Preferential Usage Agreement with
39 **Totem Ocean Trailer Express, Inc.** for berthing and use of the Port of Anchorage Pier and other
40 amendments; Port of Anchorage.
41 1. Assembly Memorandum No. AM 317-2006.
42

43 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
44 and called the Question.

45
46 Ms. Fairclough moved, to approve AO 2006-71,
47 Mr. Coffey seconded,
48 and the motion was passed, 9-0.
49

50 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
51 NAYES: None.
52 ABSENT: Birch and Stout, each excused.
53

54 14.K. Ordinance No. AO 2006-69, an ordinance authorizing extension and amendment of the lease between
55 the Municipality of Anchorage and **Totem Ocean Trailer Express, Inc.** for Lots 1D-1, 2B-1, 3A and
56 1E, Port of Anchorage Subdivision; Port of Anchorage.
57 1. Assembly Memorandum No. AM 300-2006.
58

59 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
60 and called the Question.

61
62 Ms. Fairclough moved, to approve AO 2006-69,
63 Mr. Coffey seconded,
64

65 To Ms. Jennings, Deputy Port Director Kevin Bruce responded the preferential user agreements gave priority to the
66 two container ship companies which had invested significant resources and infrastructure at the Port of Anchorage.
67

68 and the motion was passed, 9-0.
69

70 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
71 NAYES: None.
72 ABSENT: Birch and Stout, each excused.
73

74 14.L. Ordinance No. AO 2006-70, an ordinance authorizing the extension and amendment of the lease
75 between the Municipality of Anchorage and **Totem Ocean Trailer Express, Inc.** for Transit Area "D"
76 of the Port of Anchorage Subdivision; Port of Anchorage.
77 1. Assembly Memorandum No. AM 301-2006.
78

1 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
2 and called the Question.

3
4 Ms. Jennings moved, to approve AO 2006-70,
5 Ms. Fairclough seconded,
6 and the motion was passed, 9-0.

7
8 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
9 NAYES: None.
10 ABSENT: Birch and Stout, each excused.

11
12 14.M. Resolution No. AR 2006-106, a resolution of the Municipality of Anchorage appropriating \$725,000
13 from the MOA Trust Fund (730) for expert **financial management and support services** provided in
14 Calendar Year 2006; Finance.
15 1. Assembly Memorandum No. AM 289-2006.

16
17 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
18 and called the Question.

19
20 Ms. Jennings moved, to approve AR 2006-106,
21 Ms. Fairclough seconded,
22 and the motion was passed unanimously.

23
24 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
25 NAYES: None.
26 ABSENT: Birch and Stout, each excused.

27
28 14.N. Resolution No. AR 2006-108, a resolution of the Municipality of Anchorage accepting when tendered
29 \$874,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$23,000
30 from the State of Alaska Department of Transportation and Public Facilities grant; and appropriating
31 said grants and \$23,000 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement
32 Fund for the **2006 Merrill Field Rehabilitate Aprons (Phase-1), and Security Upgrades (Gate**
33 **Improvements)**.
34 1. Assembly Memorandum No. AM 291-2006.

35
36 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
37 and called the Question.

38
39 Ms. Fairclough moved, to approve AR 2006-108,
40 Mr. Traini seconded,
41 and the motion was passed, 8-0.

42
43 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey and Traini.
44 NAYES: None.
45 ABSENT: Birch and Stout, each excused.
46 *(Clerk's Note: Ms. Jennings was temporarily out of Chambers at the time of the vote.)*

47
48 14.O. Ordinance No. AO 2006-74, an ordinance of the Anchorage Municipal Assembly authorizing the long
49 term lease between the Municipality of Anchorage as lessor and Dan Hollingsworth dba Dan's Aircraft
50 Repair as lessee of **Lot 5A Block 3 Merrill Field Replat Addition No. 2** located between Runway
51 07/25 and Merrill Field Drive; Merrill Field Airport.
52 1. Assembly Memorandum No. AM 326-2006.

53
54 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
55 and called the Question.

56
57 Ms. Jennings moved, to approve AO 2006-74,
58 Ms. Fairclough seconded,
59 and the motion was passed, 9-0.

60
61 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
62 NAYES: None.
63 ABSENT: Birch and Stout, each excused.

64
65 14.P. Resolution No. AR 2006-114, a resolution of the Municipality of Anchorage accepting when tendered
66 [~~\$570,000~~] "\$665,000" from the Federal Aviation Administration Airport Improvement Program grant,
67 and \$15,000 from the State of Alaska Department of Transportation and Public Facilities grant; and
68 appropriating said grants and \$15,000 from Airport Unrestricted Net Assets to Merrill Field's Capital
69 Improvement Fund for the **2006 Merrill Field Acquire Snow Removal Equipment** (replacement of
70 motor grader, sand truck and mini-snowblower); Merrill Field Airport.
71 1. Assembly Memorandum No. AM 327-2006.

72
73 Chair Sullivan read the resolution title. Ms. Jennings stated the dollar amount listed in the title should be \$665,000.

74
75 To Ms. Fairclough, Municipal Attorney Fred Boness responded the dollar amount was not a substantial difference that
76 would cause the Supreme Court to rule that the Assembly action was invalid, relative to the public notice.

1 To Chair Sullivan, Deputy Municipal Manager Michael Abbott encouraged that action be taken that evening. Chair
2 Sullivan ruled that the Assembly could proceed on the matter. There was one objection from Ms. Fairclough.

3
4 Chair Sullivan opened Public Hearing. With no public testimony, he closed Public Hearing and called the Question.

5
6 Mr.. Tesche moved, to approve AR 2006-114,
7 Ms. Ossiander seconded,
8 and the motion was passed, 8-1.

9
10 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Coffey, Traini and Jennings.
11 NAYES: Fairclough.
12 ABSENT: Birch and Stout, each excused.

13
14 14.Q. Resolution No. AR 2006-109, a resolution of the Municipality of Anchorage appropriating \$942,400
15 from the United States Department of Housing and Urban Development Recreation Facility Grant to
16 the Anchorage Parks and Recreation Service Area Capital Improvement Fund (461) for the purpose of
17 funding the **construction of a speed skating recreation facility**.
18 1. Assembly Memorandum No. AM 292-2006.

19
20 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
21 and called the Question.

22
23 Ms. Fairclough moved, to approve AR 2006-109,
24 Mr. Coffey seconded,

25
26 Mr. Coffey moved, to amend AR 2006-109 Page 1, Line 25 *by adding* to read:
27 Ms. Fairclough seconded, ...for the purpose of funding the construction of a speed and
28 this was approved without objection. skating recreation facility "at Cuddy Family Midtown Park.;"

29
30 To Ms. Fairclough, Mayor Begich responded that he and his Administration supported the effort.

31
32 Ms. Jennings acknowledged Senator Stevens for his support for the speed skating oval.

33
34 and the main motion, as amended, was passed unanimously.

35
36 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
37 NAYES: None.
38 ABSENT: Birch and Stout, each excused.

39
40 14.R. Resolution No. AR 2006-110, a resolution of the Municipality of Anchorage appropriating \$292,930 as
41 a donation from the Anchorage Park Foundation to Anchorage Parks and Recreation Service Area
42 Capital Improvement Fund (461) for improvements to the **Cuddy Family Midtown Park**.
43 1. Assembly Memorandum No. AM 293-2006.

44
45 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
46 and called the Question.

47
48 Ms. Fairclough moved, to approve AR 2006-110,
49 Ms. Ossiander seconded,

50
51 Mr. Coffey urged a YES-vote.

52
53 and the motion was passed, 9-0.

54
55 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
56 NAYES: None.
57 ABSENT: Birch and Stout, each excused.

58
59 14.S. Resolution No. AR 2006-111, a resolution of the Municipality of Anchorage appropriating \$372,000 as
60 a donation from the Anchorage Park Foundation to the Anchorage Parks and Recreation Service Area
61 Capital Fund (461) for **improvements to eighteen (18) Anchorage parks**.
62 1. Assembly Memorandum No. AM 294-2006.

63
64 Chair Sullivan read the resolution title and opened Public Hearing.

65
66 JEFF CLARK, with the Anchorage Parks and Recreation Commission and the Anchorage Park Foundation, urged
67 support of the resolution. Capital improvements to these eighteen parks would be combined with volunteer community
68 efforts that would touch an additional 60 parks. Continued Assembly support was appreciated.

69
70 Mr. Coffey thanked Mr. Clark for his efforts and he urged support. Economic and Community Development Deputy
71 Director Schawna Thoma responded the corresponding maps would be delivered to the Municipal Clerk's Office the
72 next morning.

73
74 Ms. Jennings thanked the Rasmuson Foundation for their donation for the parks.

75
76 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

77
78 Mr. Tesche moved, to approve AR 2006-111,

1 Ms. Ossiander seconded,
2 and the motion was passed, 9-0.

3
4 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
5 NAYES: None.
6 ABSENT: Birch and Stout, each excused.

7
8 14.T. Resolution No. AR 2006-115, a resolution of the Municipality of Anchorage accepting and
9 appropriating \$1,702,189 as a Federal Transit Administration SAFETEA-LU grant to the Anchorage
10 Parks and Recreation Service Area Capital Improvement Projects Fund (461) for facility improvements
11 to accommodate the **2006 National Veterans' Wheelchair Olympic Games**; Public Transportation
12 Department.
13 1. Assembly Memorandum No. AM 328-2006.

14
15 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
16 and called the Question.

17
18 Ms. Fairclough moved, to approve AR 2006-115,
19 Mr. Traini seconded,

20
21 Ms. Jennings thanked Representative Don Young for his efforts in securing this grant to help put on the Veterans'
22 Wheelchair Olympic Games.

23
24 Ms. Fairclough acknowledged the Alaska State Legislature for their donation to the Veterans' Wheelchair Olympic
25 Games, the eighteen parks and the Parks Foundation.

26
27 and the motion was passed, 9-0.

28
29 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Traini and Jennings.
30 NAYES: None.
31 ABSENT: Birch and Stout, each excused.

32
33 **15. SPECIAL ORDERS** None.

34
35 **16. UNFINISHED AGENDA** None.

36
37 **17. AUDIENCE PARTICIPATION** None.

38
39 **18. ASSEMBLY COMMENTS**

40
41 Ms. Ossiander thanked the Administration for their efforts to soon allow burn permits for citizens.

42
43 Mr. Coffey thanked Chair Sullivan for his hard work on the Sign Code Ordinance. He acknowledged Assembly Council
44 Julia Tucker for her assistance in the final document.

45
46 To Mr. Tesche, Municipal Manager Denis LeBlanc responded that the Anchorage Aces Hockey Team was leading
47 their evening game, Aces – 2, Fresno – 1.

48
49 **19. EXECUTIVE SESSIONS** None.

50
51 **20. ADJOURNMENT**

52
53 Chair Sullivan called for a motion to adjourn the meeting.

54
55 Mr. Tesche moved, to adjourn the Regular Assembly Meeting,
56 Mr. Traini seconded, of May 15, 2006,
57 and this motion was passed unanimously,
58 with Mr. Birch and Mr. Stout, excused.

59
60 The Regular Assembly Meeting was adjourned at 8:45 p.m.

61
62
63
64
65
66
67 _____
68 DAN SULLIVAN, Assembly Chair

69
70
71
72
73
74
75
76 ATTEST:

75
76 _____
77 BARBARA GRUENSTEIN, Municipal Clerk
78 Date Minutes Approved: _____, 2006.

79
80 MC/BG (Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250,
Anchorage, Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)

