

**MUNICIPALITY OF ANCHORAGE**  
**ANCHORAGE ASSEMBLY**

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

**Minutes for Regular Meeting of June 6, 2006**

**1. CALL TO ORDER**

The Assembly Meeting was convened by Chair Sullivan at 5:00 p.m. in the Assembly Chambers, Room 108 of the Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

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

ABSENT: Allan Tesche, excused.

**3. PLEDGE OF ALLEGIANCE**

Assemblymember Bauer led the pledge. Ali De Guzman, daughter of Assembly Documents Clerk Janet Lu, sang the National Anthem.

**4. MINUTES OF PREVIOUS MEETINGS**

**4.A. Regular Meeting – May 16, 2006**

Ms. Ossiander moved, to approve the Regular Meeting Minutes of  
Ms. Fairclough seconded, May 16, 2006,  
and this motion was passed unanimously,  
with Mr. Birch abstaining due to his absence on that date.

**5. MAYOR'S REPORT**

Municipal Manager Denis LeBlanc thanked Mayor Begich for the opportunity to represent the Municipality on Saturday night, when the Alaska Aces Hockey Team celebrated winning the Kelly Cup in the National Playoffs. He had welcomed Mayor Shirley Fanning-Lasseter of Duluth, Georgia, who had traveled to Anchorage to watch the game.

**6. ASSEMBLY CHAIR'S REPORT** None.

**7. COMMITTEE REPORTS**

Mr. Coffey reported on the recent win of the Kelly Cup by the Alaska Aces Hockey Team. The Kelly Cup was at the Assembly Chambers that evening, for viewing and group photos.

Mr. Birch announced that an Audit Committee Meeting was scheduled for noon on June 13<sup>th</sup>, at the Assembly Conference Room.

Mr. Ossiander invited the public to the opening of the Vietnam Memorial Wall at the Eagle River Commons on Wednesday, June 14<sup>th</sup>, with a ceremony at 7:00 p.m. She announced that the Education Committee would meet on June 14<sup>th</sup> at 3:00 p.m., to discuss school site acquisitions and long range bonding for the Anchorage School District.

**8. ADDENDUM TO AGENDA**

Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AR 2006-153 and AR 2006-152 were added and assigned to Agenda Numbers 9.A.2 and 9.B.7, respectively.

Ms. Fairclough moved, to approve the inclusion of the Addendum items  
Ms. Ossiander seconded, into the Consent Agenda,  
and this was passed unanimously.

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

NAYES: None.

ABSENT: Tesche, excused.

Chair Sullivan put the Question on the Consent Agenda.

Mr. Coffey moved, to approve all items on the Consent Agenda,  
Mr. Traini seconded,

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

**9. CONSENT AGENDA**

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

- 9.A.1. Resolution No. AR 2006-142, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Mary Carty** for her more than 11 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (See item 10.A.1)

- 9.A.2. Resolution No. AR 2006-153, a resolution of the Anchorage Municipal Assembly recognizing the contributions to Anchorage of the late **Dave Rose**; Mayor Begich. (**Laid on the Table**)

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

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

- 9.B.1. Resolution No. AR 2006-143, a resolution of the Municipality of Anchorage appropriating \$63,330 from within the **Girdwood Fire Apparatus Capital Improvement Fund** (406) for the purchase of new fire apparatus; Anchorage Fire Department.  
a. Assembly Memorandum No. AM 396-2006.
- 9.B.2. Resolution No. AR 2006-144, a resolution of the Municipality of Anchorage appropriating a **Job Access Reverse Commute (JARC) grant** of \$99,118 from the federal Transportation Administration (FTA) to the Federal Categorical Grants Fund (241) for ADA (Americans with Disabilities Act) transportation services to the participants of the 2006 National Veterans Wheelchair Olympic Games and approval of a grant agreement with Challenge Alaska for providing transportation services using the appropriated JARC FTA grant funds; Office of Economic & Community Development.  
a. Assembly Memorandum No. AM 397-2006.
- 9.B.3. Resolution No. AR 2006-145, a resolution of the Municipality of Anchorage appropriating \$100,000 from the Alaska Mental Health Trust Authority to the State Categorical Grants Fund (231) for **Community Service Patrol and Transfer Station Services** through the Department of Health and Human Services.  
a. Assembly Memorandum No. AM 398-2006.

Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (See item 10.B.3)

- 9.B.4. Resolution No. AR 2006-146, a resolution of the Municipality of Anchorage appropriating \$8,500 from the National Park Service Challenge Cost Share Program to the Girdwood Valley Parks and Recreation Service Area Federal Categorical Grant Fund (241) for the **Iditarod National Historic Trail Reconstruction**; Anchorage Parks and Recreation Department.  
a. Assembly Memorandum No. AM 399-2006.
- 9.B.5. Resolution No. AR 2006-147, a resolution of the Municipality of Anchorage accepting and appropriating \$97,552 as a grant from the State of Alaska Division Of Parks & Outdoor Recreation, Alaska Trails Initiative Grant Program, to the Girdwood Valley Service Area (406) for the **Girdwood Trail Pedestrian Bridge Repair Project**; Project Management & Engineering.  
a. Assembly Memorandum No. AM 400-2006.
- 9.B.6. Resolution No. AR 2006-151, a resolution of the Anchorage Municipal Assembly in support of the Anchorage Assembly petitioning the Local Boundary Commission for **detachment of Chugiak-Eagle River from the Municipality**, subject to delineation of appropriate boundary changes, budget and transition plan sufficient for review, determination of the economic feasibility and financial impact, legislative and voter approvals determined by the Commission and further subject to any final judicial resolution; Assemblymember Traini. (**Addendum**)

Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See item 10.B.6)

- 9.B.7. Resolution No. AR 2006-152, a resolution of the Anchorage Municipal Assembly supporting studies to determine the economic feasibility and financial impact of **separating the Greater Chugiak-Eagle River Area** from the Municipality of Anchorage; Assembly Chair Fairclough and Assembly Vice Chair Ossiander. (**Laid on the Table**)

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.B.7)

**9.C. BID AWARDS**

- 9.C.1. Assembly Memorandum No. AM 405-2006, recommendation of award to Yukon Fire Protection for providing **audio/video alarm systems maintenance** to the Municipality of Anchorage, Maintenance & Operations Department (ITB 26-B019) (\$116,865); Purchasing.
- 9.C.2. Assembly Memorandum No. AM 406-2006, recommendation of award to Mr. Clean Janitorial Services to provide **custodial services** at the Anchorage Fine Arts Museum for the Municipality of Anchorage, Maintenance & Operations Department (ITB 26-B032) (\$113,400); Purchasing.
- 9.C.3. Assembly Memorandum No. AM 407-2006, recommendation of award to North Star Paving & Construction, Inc. for the **84th Avenue and Spruce Street Improvements Project** for the Municipality of Anchorage; Project Management & Engineering Department (ITB 26-C027) (\$5,495,362.50); Purchasing.

**9.D. NEW BUSINESS**

- 9.D.1. Assembly Memorandum No. AM 411-2006, **Upper Grover Limited Road Service Area Board of Supervisors** appointment (Narda Butler); Mayor's Office.

- 1 9.D.2. Assembly Memorandum No. AM 395-2006, **Glacier City Restaurant #519** – Transfer of a Beverage  
2 Dispensary Liquor License (Girdwood Community Council); Clerk’s Office.  
3

4 Mr. Coffey requested this item be pulled to declare a conflict of interest. (*See item 10.D.2*)  
5

- 6 9.D.3. Assembly Memorandum No. AM 408-2006, Amendment No. 2 to the professional services agreement  
7 with **Barnes Architecture, Inc.**, 2004 - 2006 term contract for architectural services (\$100,000);  
8 Anchorage Water & Wastewater Utility.  
9 9.D.4. Assembly Memorandum No. AM 409-2006, proprietary services contract award to **Dr. Michael Levy,**  
10 **MD** for providing medical director services to the Municipality of Anchorage; Anchorage Fire  
11 Department (\$75,970); Purchasing.  
12 9.D.5. Assembly Memorandum No. AM 410-2006, Change Order No. 2 to Vendor Contract 23MLP144 with  
13 **Kemppel, Huffman & Ellis, PC** for providing legal services for the Municipality of Anchorage,  
14 Municipal Light & Power (\$100,000); Purchasing.  
15

16 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*See item 10.D.5*)  
17

- 18 9.D.6. Assembly Memorandum No. AM 414-2006, **China Express #2925** – Transfer of a Restaurant/Eating  
19 Place Liquor License and Application for Restaurant Designation Permit (Downtown Community  
20 Council); Clerk’s Office. (**Addendum**)  
21

22 **9.E. INFORMATION AND REPORTS**

- 23 9.E.1. Information Memorandum No. AIM 69-2006, **Anchorage Water & Wastewater Utility Monthly**  
24 **Report.**  
25 a. Information Memorandum No. AIM 69-2006(A), Anchorage Water & Wastewater Utility  
26 Monthly Report. (**Addendum**)  
27

28 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.E.1*)  
29

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

- 31 9.F.1. Ordinance No. AO 2006-85, an ordinance of the Anchorage Municipal Assembly authorizing the long  
32 term lease between the Municipality of Anchorage as lessor and **Janssen Hangars LLC** as lessee of  
33 Lot 3, Fairview School Addn. No. 1, located between Runway 16/34 and Orca Street; Merrill Field  
34 Airport. (*Public Hearing 6-20-06*)  
35 a. Assembly Memorandum No. AM 402-2006.  
36 9.F.2. Ordinance No. AO 2006-91, an ordinance of the Municipality of Anchorage creating **Special**  
37 **Assessment District 06-19** for reconstruction of Arlene Drive, Kingfisher Drive, Pelican Drive and  
38 Pelican Court, and determining to proceed with proposed improvements therein; Project Management  
39 & Engineering. (*Public Hearing 7-11-06*)  
40 a. Assembly Memorandum No. AM 403-2006.  
41 9.F.3. Ordinance No. AO 2006-92, an ordinance amending the zoning map and providing for the rezoning of  
42 approximately 0.69 acres from B-3 (General Business District) to R-7 (Intermediate Rural Residential  
43 District) for **Stephens Subdivision, Lots 3 and 4**, generally located at 23107 and 23108 Barbara  
44 Street (Chugiak Community Council) (Planning and Zoning Commission Case 2006-003); Planning  
45 Department. (*Public Hearing 7-11-06*)  
46 a. Assembly Memorandum No. AM 404-2006.  
47 9.F.4. Resolution No. AR 2006-140, a resolution of the Municipality of Anchorage providing for a **revision of**  
48 **the Anchorage School District Financial Plan for FY 2006-2007**; Anchorage School District.  
49 (*Public Hearing 6-20-06*)  
50 a. Assembly Memorandum No. AM 394-2006.  
51 9.F.5. Resolution No. AR 2006-148, a resolution of the Anchorage Municipal Assembly appropriating  
52 \$201,870 from the Eagle River-Chugiak Parks and Recreation Service Area Fund (162), Office of  
53 Economic & Community Development’s Eagle River-Chugiak Parks, Recreation, and Community  
54 Development Division’s 2006 Operating Budget, as a contribution to the **Eagle River-Chugiak Parks**  
55 **and Recreation Service Area Capital Improvement Project Fund (462)** for capital improvements;  
56 Office of Economic & Community Development. (*Public Hearing 6-20-06*)  
57 a. Assembly Memorandum No. AM 401-2006.  
58 9.F.6. Ordinance No. AO 2006-93, an ordinance amending Anchorage Municipal Code Section 21.05.030C.,  
59 the Chugiak–Eagle River–Eklutna element of the Municipality of Anchorage Comprehensive Plan, to  
60 **adopt the April 2006 Update to the 1993 Chugiak-Eagle River Comprehensive Plan**; Planning  
61 Department. (*Public Hearing 6-22-06*)  
62 a. Assembly Memorandum No. AM 415-2006. (**Addendum**)  
63

64 Chair Sullivan put the Question on the remainder of Consent Agenda.  
65

66 and the motion, as amended, was passed.  
67

68 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.  
69 NAYES: None.  
70 ABSENT: Tesche, excused.  
71 ABSTAIN: Coffey, on 9.D.2, with a conflict of interest.  
72

73 The amended Consent Agenda was approved and Chair Sullivan proceeded into discussion of the pulled items.  
74

75 **END OF CONSENT AGENDA**

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77  
78 **10. REGULAR AGENDA**

10.A.1. Resolution No. AR 2006-142, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Mary Carty** for her more than 11 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

Ms. Shamberg read and Mr. Bauer presented the resolution to Mary Carty, honoring her for her more than 11 years of service with the Municipality. Ms. Carty thanked the Assembly for the recognition and stated that it had been a privilege working for the city.

Ms. Fairclough read the resolution, honoring and recognizing the contributions of the late Dave Rose, who had had a distinguished career in many public offices. As a strong leader, he stood by his beliefs, regardless of the political consequences. Chair Sullivan stated that Mr. Rose's accomplishments and contributions to the community had been outstanding.

Mr. Coffey stated that there was a state appropriation of \$87,500 which indicated the Municipality would work with the Division of Community Advocacy. Ms. Ossiander responded that the state funding would go to a local state agency and the Municipality would cooperate with efforts and should not have to spend any money. Mr. Coffey stated that sharing information cost time and money. Deputy Municipal Manager Michael Abbott responded that the Administration had no objection to the resolution and they planned to work with the Department of Commerce and Community Affairs, to assist with the study.

Ms. Fairclough stated that past Municipal Administrations had been non-responsive in assisting with the study. The resolution encouraged the Begich Administration to participate with answering questions and providing information.

Assembly Counsel Julia Tucker stated that the state funding would be given to the Division of Community Advocacy, which was a division of the State Department of Commerce and Community Affairs.

Mr. Coffey stated the city had been a unified Municipality for 30 years and he could not support the idea of splitting the community into two groups. The Eagle River Community seems to be acting in response to some local concerns, but there was no local coordination and it would cost a lot of money. He would not support the effort.

Ms. Fairclough stated AR 2006-152 was in response to AR 2006-151. It was important for the idea to originate from Assemblymembers and the community of Chugiak-Eagle River, who had not been informed of Mr. Traini's resolution. The state had provided for the study, to answer the questions, which the community had requested in the past.

To Ms. Jennings, Ms. Ossiander responded this matter was of high interest to the community and at certain times it was discussed more frequently. Ms. Jennings had no objection to the feasibility study, but opposed any expense to the city.

and this motion was passed, 8-2.

AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

NAYES: Coffey and Jennings.

ABSENT: Tesche, excused.

**10.C. BID AWARDS** None.

**10.D. NEW BUSINESS**

10.D.2. Assembly Memorandum No. AM 395-2006, **Glacier City Restaurant** #519 – Transfer of a Beverage Dispensary Liquor License (Girdwood Community Council); Clerk's Office.

To Mr. Coffey, Chair Sullivan ruled that Mr. Coffey did have a conflict of interest because of his business association with the establishment and ordered him to abstain from participation.

Ms. Jennings moved, to approve AM 395-2006,  
Ms. Ossiander seconded,  
and this was approved without objection.

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

NAYES: None

ABSENT: Tesche, excused.

ABSTAIN: Coffey.

10.D.5. Assembly Memorandum No. AM 410-2006, Change Order No. 2 to Vendor Contract 23MLP144 with **Kemppel, Huffman & Ellis, PC** for providing legal services for the Municipality of Anchorage, Municipal Light & Power (\$100,000); Purchasing.

Mr. Stout moved, to approve AM 410-2006,  
Mr. Coffey seconded,

To Mr. Stout, Municipal Light and Power (ML&P) General Manager Jim Posey responded that the contract changes involved changes from outside sources. ML&P Regulatory Affairs Manager Dan Helmick responded there had been additional expenses to the original contract, due to an increase of scope of operations and new regulation requirements. ML&P received state funding. It was not feasible to use in-house staff for additional legal services, due to the complexity of regulatory law.

and this motion was passed without objection.

**10.E. INFORMATION AND REPORTS**

10.E.1. Information Memorandum No. AIM 69-2006, **Anchorage Water & Wastewater Utility Monthly Report.**

a. Information Memorandum No. AIM 69-2006(A), Anchorage Water & Wastewater Utility Monthly Report. **(Addendum)**

Mr. Coffey stated that his questions had been answered in the A-Version.

Mr. Coffey moved, to accept AIM 69-2006(A),  
Mr. Traini seconded,  
and the motion was approved without objection.

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

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

11.A. Information Memorandum No. AIM 26-2006, **Anchorage School District Six-Year Capital Improvement Program**: July 1, 2006 through June 30, 2012; Anchorage School District. (Carried Over from 3-28-06; Postponed from 4-11-06)

Mr. Coffey moved, to approve AIM 26-2006,  
Ms. Fairclough seconded,

Mr. Coffey stated this matter was discussed at the June 2<sup>nd</sup> Joint Meeting with the Anchorage School Board and it was understood there would be additional modifications.

Ms. Fairclough stated that there were changes expected and this document did not accurately reflect what the School District was proposing. She recommended postponing indefinitely.

Chair Sullivan stated that voting this memorandum down would accomplish the objective. Mr. Coffey concurred and urged a NO-vote.

Ms. Ossiander invited everyone to attend the Education Committee Meeting, which would discuss this matter.

and this motion failed, 4-6.

AYES: Shamberg, Sullivan, Ossiander and Stout.

NAYES: Bauer, Fairclough, Birch, Coffey, Traini and Jennings.

ABSENT: Tesche, excused.

11.B. Ordinance No. AO 2006-53, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 7.25.035, Disposition of Unclaimed Disposable Property, to **permit the Purchasing Officer to dispose of firearms to the public**; Assemblymember Traini.

1. Assembly Memorandum No. AM 217-2006.

2. Information Memorandum No. AIM 50-2006.

*(Carried Over from 4-11-06; Postponed from 4-18-06 and 5-2-06)*

Mr. Traini moved, to approve AO 2006-53,

Ms. Jennings seconded,

Mr. Traini moved,

Mr. Coffey seconded,

and this motion was accepted,

as a friendly amendment.

to amend AO 2006-53 on Page 1, Section 1, *by deleting* Lines 29-31 and *by adding* to read: d. "Except as provided in subsection e. below, firearms shall be sold to the highest bidder at a public auction through an auctioneer certified as a federally licensed firearms dealer." And *by adding* "e. If the state or federal law prohibits the sale of a firearm, such firearm shall be disposed of either by: e.1. Sale to a firearms dealer with an appropriate federal licensee, or e.2. Dismantling the firearm, destroying parts causing the sale to be prohibited, and disposing of the remaining parts of the firearm at a public auction pursuant to subsection d. above.,"

Mr. Traini explained the changes, which would bring Municipal Code into conformity with State Law. Municipal Attorney Fred Boness concurred and recommended an administrative correction on Line 22, changing "license" to "licensee." Mr. Traini accepted this as a friendly amendment.

To Ms. Fairclough, Mr. Boness responded that State Law protected the Municipality from liability unless the circumstances involved gross negligence and that the Administration supported the amended document.

To Ms. Shamberg, Police Chief Walt Monegan responded that State Law superseded Municipal Law and helped to protect the Municipality.

Chair Sullivan put the Question.

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

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

NAYES: None

ABSENT: Tesche, excused.

11.C. Ordinance No. AO 2006-51, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 3.97, **Naming of Municipal Buildings, Other Fixed Facilities and Public Places**, to establish new policies and procedures; amending AMC 21.15.133, Approval of Street Name Alterations, to add criteria for honorary renaming; and amending AMC 4.60.190, Public Facilities Advisory Commission, to designate that body to identify and recommend names for public places; Assemblymember Bauer.

1. Assembly Memorandum No. AM 184-2006.

2. Information Memorandum No. AIM 33-2006.

*(Postponed from 5-2-06)*

Chair Sullivan read the ordinance title and called the Question.

Mr. Bauer moved,

Mr. Coffey seconded,

to postpone AO 2006-51 to June 20, 2006,

Mr. Bauer stated the S-Version was in process and would work out some of the concerns.

and this motion passed without objection.

12. APPEARANCE REQUESTS

- 12.A. ~~[Timothy F. McConnell]~~ "Reverend Fran Dearman and President Denise Martin," Unitarian Universalist Fellowship, to present a payment in lieu of taxes.

Reverend Fran Dearman stated that it was important and proper to support the city, acknowledging the police, fire and parks departments, which provided services to everyone in the community. The church wished to make a payment in lieu of taxes to reflected their beliefs and values. President Denise Martin stated they recognized the separation of church and state, but accepted responsibility for building community. On behalf of the church and the congregation, Ms. Martin presented a check in the amount of \$4,110, as a contribution to the city, an act they had been making annually for the past 50 years. Municipal Manager Denis LeBlanc and Chief Fiscal Officer Jeff Sinz accepted the check. They, Mr. Traini, Ms. Jennings, Ms. Shamberg and Chair Sullivan thanked them for the contribution.

- 12.B. **Judy Cordell**, Executive Director of AWAIC, Inc., regarding Summer Solstice.

Judy Cordell, Executive Director of AWAIC (*Abused Women Aid in Crisis*), Incorporated, offered an open invitation to participate in the upcoming Solstice Celebration, held on June 16<sup>th</sup> and 17<sup>th</sup>, in Town Square. Historically, Assemblymembers had participated and Assemblymembers Janice Shamberg and Pam Jennings had already volunteered this year. Ms. Fairclough supported this event and been an active volunteer in the past. Ms. Cordell stated that they expected 10,000 visitors and the generated funds supported the shelter for women and children involved in domestic violence.

- 12.C. **Katsumi Kenaston**, regarding Saturday Market. (*Clerk's Note: Ms. Kenaston did not testify*)

To Chair Sullivan, Deputy Municipal Manager Michael Abbott responded that Ms. Kenaston had previously met with Municipal staff and had some of her questions answered.

13. CONTINUED PUBLIC HEARINGS

- 13.A. Ordinance No. AO 2006-46, an ordinance repealing Ordinance AO 93-183 (S-1) concerning PC (Planned Community Zoning) and Master Plan and adopting a new PC (Planned Community) zoning and **New Ship Creek Master Plan** for a portion of A.R.R. Reservation located in the Lower Ship Creek, approximately 102 +/- acres, for A.R.R. Reservation property located at the lower west end of Ship Creek; and amending the zoning map and providing for the rezoning of A.R.R. Anchorage Terminal Reserve, Lot 103, Whitney Road Industrial Lease Lot consisting of 20,815 square feet from PC (Planned Community) to I-1 (Light Industrial); and amending the zoning map and providing for the rezoning of Ship Creek Crossing, Lot 3, consisting of 109, 932 square feet from PC (Planned Community) and I-2 (Heavy Industrial) to I-2 (Heavy Industrial); and amending the zoning map and providing for the rezoning of Ship Creek Crossing, Lot 4, consisting of 209,068 square feet from PC (Planned Community) and I-2 (Heavy Industrial) to I-2 (Heavy Industrial); generally located at the lower west end of Ship Creek south of the Railroad Mainline to Second Avenue and West Gambell Street (Government Hill, Downtown, Fairview) (Planning and Zoning Commission Case 2005-080); Planning Department.
1. Assembly Memorandum No. AM 147-2006. (*Continued from 5-16-06*)

Chair Sullivan opened Continued Public Hearing.

DWAYNE ADAMS, with Land Design North, representing the Alaska Railroad (ARR) Corporation, supported the Master Plan and made one recommendation. The ARR supported reinstating the original language on Page 3, A.7.g, Lines 32-35, concerning railroad operations. The most important issue remained creating good zoning and design guidelines in the Ship Creek area. To Mr. Coffey, Mr. Adams responded that railroad operations had been addressed, subject to local Planning and Zoning (P&Z) directions and there was no great conflict with definitions predicted. To Ms. Ossiander, Mr. Adams responded that the city had not supported the original amendment and the ARR had proposed amended language. P&Z Director Tom Nelson responded that there were still legal concerns on the definitions of railroad operations. To Mr. Birch, Mr. Adams responded the ARR also preferred to include "as well as for routine railroad operations and maintenance activities."

With no addition public testimony, Chair Sullivan closed Continued Public Hearing and called the Question.

To Ms. Jennings, Mr. Nelson responded that the Administration supported postponement.

Mr. Coffey moved, *to postpone* AR 2006-46 to June 20, 2006,  
Ms. Ossiander seconded,  
and this was approved without objection.

- 13.B. Ordinance No. AO 2006-60, an ordinance amending Anchorage Municipal Code Chapter 15.70 to clarify provisions including definitions regarding **noise**, to add fines, and amending Section 14.60.030 to increase fines; Health and Human Services.
1. Assembly Memorandum No. AM 261-2006. (*Continued from 5-16-06*)

Chair Sullivan read the ordinance title and opened Continued Public Hearing.

ELIZABETH HERTZ, resident of Campbell Green Condominiums, supported Section 1, 15.70.030, Definition A, which limited the noise decibel level allowed by a business in a residential neighborhood.

Chair Sullivan stated that it was his intention to continue Public Hearing until the next meeting, when an S-Version would come forward. Persons would be allowed to testify one time. Because he had not made that announcement, he would allow Ms. Hertz to testify again on June 20<sup>th</sup>.

1 HARRIS STERMER, resident of South Anchorage, testified that he and his family had been residents long before the  
2 gravel industry had moved into their neighborhood. The increased noise and ground vibrations continued 7-days a  
3 week, causing them undo stress and interrupting their sleep. He urged the Assembly to help monitor industrial sites.  
4 To Chair Sullivan, he responded that it was an enforcement issue and the definition of construction operations needed  
5 to be addressed. He recommended using an independent monitor to determine the facts of the matter.

6  
7 Ms. Fairclough moved, *to Continue Public Hearing on AO 2006-60 to June 20, 2006,*  
8 Ms. Ossiander seconded,  
9 and the motion was passed without objection.

10  
11 13.C. Ordinance No. AO 2006-63, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
12 Municipal Code Sections 2.30.125 and 21.50.160 to enact stricter separation in the minimum distance  
13 between **licensed premises** and nearby church buildings or school grounds; Assemblymembers  
14 Tesche, Traini and Shamberg. (*Continued from 5-2-06*)

15  
16 Chair Sullivan opened Continued Public Hearing.

17  
18 THOMAS AMODIO, representing Anchorage Cabaret, Hotel, Restaurant and Retailers Association (*CHARR*) stated  
19 that the ordinance had legal concerns, lacked necessary provisions and would not pass legal muster. To Mr. Coffey,  
20 he responded that license renewal of existing, non-conforming establishments would be prevented from renewing the  
21 license at the same location. To Ms. Jennings, Mr. Amodio responded that he was not aware of an association  
22 between types of zoning and crimes.

23  
24 With no additional public testimony, Chair Sullivan closed Continued Public Hearing and called the Question.

25  
26 Mr. Traini moved, *to postpone AO 2006-63 until July 25, 2006,*  
27 Ms. Jennings seconded,

28  
29 Mr. Traini moved to postpone this matter until Mr. Tesche was able to return to the Assembly Meetings.

30  
31 Chair Sullivan declared a possible conflict of interest because he was co-owner of a downtown liquor license, which  
32 may be affected by the approved ordinance, because Saint Mark's Episcopal Church was a block away. Planning and  
33 Zoning Administrator Jerry Weaver responded that the distance between the establishment and the church was very  
34 close to the allowance. To Mr. Coffey, Chair Sullivan responded that he had the license and conditional use and was  
35 currently finishing construction. Mr. Coffey stated the conflict would be with his license renewal. Mr. Stout stated that  
36 in the interest of ethical standards, he recommended having Chair Sullivan declare a conflict of interest and not  
37 participate. Chair Sullivan concurred.

38  
39 (*Clerk's Note: Ms. Ossiander assumed the Assembly Chair while Mr. Sullivan abstained from participation.*)

40  
41 Acting Chair Ossiander called the Question.

42  
43 Mr. Traini moved, "Does Mr. Sullivan have a substantial financial interest that  
44 Ms. Jennings seconded, would be a conflict of interest in this matter before the  
45 and this motion passed, 8-1. Assembly?"

46  
47 AYES: Shamberg, Bauer, Fairclough, Ossiander, Birch, Coffey, Stout and Jennings.

48 NAYES: Traini.

49 ABSENT: Tesche, excused.

50 ABSTAIN: Sullivan.

51  
52 Acting Chair Ossiander ruled that Mr. Sullivan did have a conflict of interest and ordered him to abstain from  
53 participation.

54  
55 Ms. Fairclough stated that she had seen email correspondence, questioning if Mr. Coffey had a possible conflict of  
56 interest in this matter. She would not support Mr. Coffey having a conflict of interest because he had always  
57 considered a balanced approach to any matter before the Assembly. But, for appearance sake, she put the Question  
58 before the Assembly. She urged a NO-vote.

59  
60 Mr. Coffey stated that, while he had represented clients involved with liquor licensures for the past 30 years, he  
61 currently had no clients who would be affected by this matter. In the future he may have clients who would be affected  
62 by this ordinance.

63  
64 Mr. Traini stated that the Assembly had considered similar questions like this one in the past and had supported the  
65 Assemblymember participating. Mr. Coffey did not have a conflict of interest.

66  
67 Ms. Fairclough moved, "Does Mr. Coffey have a substantial financial interest that  
68 Ms. Jennings seconded, would be a conflict of interest in the matter before the  
69 and this motion failed, 1-7. Assembly?"

70  
71 AYES: Shamberg.

72 NAYES: Bauer, Fairclough, Ossiander, Birch, Stout, Traini and Jennings.

73 ABSENT: Tesche, excused.

74 ABSTAIN: Sullivan and Coffey.

75  
76 Acting Chair Ossiander ruled that Mr. Coffey did not have a conflict of interest and ordered him to participate.

77



Ms. Fairclough requested consideration of a possible conflict of interest, because of the matter being associated with violence and sexual assault and her association with Standing Together Against Rape (STAR).

Ms. Shamberg moved,  
Ms. Jennings seconded,  
and this motion failed, 0-8.

"Does Ms. Fairclough have a substantial financial interest that would be a conflict of interest in the matter before the Assembly?"

AYES: None.

NAYES: Shamberg, Bauer, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

ABSENT: Tesche, excused.

ABSTAIN: Sullivan and Fairclough.

Acting Chair Ossiander ruled that Ms. Fairclough did not have a conflict of interest and ordered her to participate.

Mr. Birch opposed postponement and urged that the matter be completed that evening.

Ms. Fairclough opposed postponement. The matter had been heard by previous Administrations and she requested an opinion from the current Administration. Deputy Municipal Manager Michael Abbott responded there were plans to amend, to meet legal muster, but the core objective would be supported by the Begich Administration.

Ms. Shamberg supported postponement, to allow the necessary changes to come forth in an S-Version.

Ms. Jennings concurred with Mr. Traini and supported postponement, in favor of waiting for Mr. Tesche. In the interim, the changes could be made to the document.

Acting Chair Ossiander put the Question to the motion on the floor to postpone until July 27<sup>th</sup>.

and the motion failed, 3-6.

AYES: Shamberg, Traini and Jennings.

NAYES: Bauer, Fairclough, Ossiander, Birch, Coffey and Stout.

ABSENT: Tesche, excused.

ABSTAIN: Sullivan.

Mr. Birch moved,  
Mr. Coffey seconded,  
and the motion passed, 6-3.

*to postpone indefinitely* AO 2006-63,

AYES: Bauer, Fairclough, Ossiander, Birch, Coffey and Stout.

NAYES: Shamberg, Traini and Jennings.

ABSENT: Tesche, excused.

ABSTAIN: Sullivan.

13.D. Ordinance No. AO 2006-61, an ordinance amending Anchorage Municipal Code Sections 2.30.120 and 21.15.030 to provide for expiration of a **conditional use for an alcohol license** after cessation of the business; Assemblymember Jennings.

1. Assembly Memorandum No. AM 266-2006.

2. Information Memorandum No. AIM 60-2006. (*Continued from 5-23-06*)

Chair Sullivan declared a conflict of interest.

Mr. Coffey moved,  
Ms. Ossiander seconded,

"Does Mr. Sullivan have a substantial financial interest that would be a conflict of interest in this matter?"

Chair Sullivan stated that, while this issue would not affect his liquor license or conditional use permit, if they decided to remodel or if there was an accident or incident that caused the establishment to temporarily close, the license renewal would be in jeopardy. He believed that he did have a conflict of interest.

and this motion passed, 8-1.

AYES: Shamberg, Bauer, Fairclough, Ossiander, Birch, Stout, Traini and Jennings.

NAYES: Coffey.

ABSENT: Tesche, excused.

ABSTAIN: Sullivan.

(Clerk's Note: Ms. Ossiander assumed the Assembly Chair and Mr. Sullivan abstained from participation.)

Mr. Coffey stated that, while he currently did not have clients who would be affected by the passage of this ordinance, in the future he may represent an establishment that had had a fire or was remodeling, resulting in the business being closed for over 60 days, which may be affected by the ordinance.

Mr. Traini moved,  
Ms. Jennings seconded,  
and this motion failed, 2-6.

"Does Mr. Coffey have a substantial financial interest that would be a conflict of interest in this matter before the Assembly?"

AYES: Shamberg and Jennings.

NAYES: Bauer, Fairclough, Ossiander, Birch, Stout and Traini.

ABSENT: Tesche, excused.

1 ABSTAIN: Sullivan and Coffey.

2  
3 Acting Chair Ossiander ruled that Mr. Coffey did not have a conflict of interest and ordered him to participate in the  
4 matter before the Assembly. She opened Continued Public Hearing.

5  
6 KATHLEEN PLUNKETT, Russian Jack Community Council President, testified that the council had approved a  
7 resolution in support of AO 2006-61. The 60-day provision would resolve the question of grandfathering inactive  
8 licenses. To Mr. Coffey, she responded they had not addressed owners of establishments closing annually and going  
9 on vacation. To Ms. Fairclough, Ms. Plunkett responded there had been twelve members present at the community  
10 council meeting.

11  
12 Ms. Shamberg stated approval of this document would not affect liquor licenses that had no intent of reopening at the  
13 same location. Once Public Hearing was closed, she would propose an amendment to offer clarity.

14  
15 THOMAS AMODIO, representing Cabaret, Hotel, Restaurant and Retailers Association (*CHARR*) testified that there  
16 were conflicts with this matter and stated that another ordinance was being introduced that evening.

17  
18 Ms. Fairclough moved, to Combine Public Hearing on 13.D (AO 2006-61) and  
19 Ms. Shamberg seconded, 14.H (AO 2006-90),  
20 and this passed without objection.

21  
22 THOMAS AMODIO addressed AO 2006-90, testifying that the new changes included permits, operation hours and  
23 definitions, which still needed work. Acting Chair Ossiander stated there would be revisions in the new version.

24  
25 Mr. Coffey responded there would be language changes, which had already been discussed. He would support  
26 closing Public Hearing. Ms. Fairclough concurred.

27  
28 Ms. Fairclough moved, to close Combined Public Hearing on AR 2006-61 and  
29 and there were no objections. AO 2006-90,

30  
31 Acting Chair Ossiander called the Question.

32  
33 Ms. Fairclough moved, to postpone AO 2006-90 to June 20, 2006,  
34 Mr. Coffey seconded,  
35 and this passed without objection.

36  
37 Ms. Jennings supported the Coffey Ordinance, which would reduce crime, which had been her intent with AO 2006-61.

38  
39 Ms. Jennings moved, to postpone indefinitely AO 2006-61,  
40 Ms. Fairclough seconded,  
41 and this passed without objection.

42  
43 *(Clerk's Note: Mr. Sullivan resumed as Assembly Chair)*

44  
45 **14. NEW PUBLIC HEARINGS**

46 14.A. Resolution No. AR 2006-128, a resolution approving an amendment to the Anchorage Municipal  
47 Employees Association (AMEA) providing for **On-Call Forensic Examiners**; Employee Relations.  
48 1. Assembly Memorandum No. AM 357-2006.

49  
50 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing  
51 and called the Question.

52  
53 Ms. Fairclough moved to approve and urged a YES-vote.

54  
55 Ms. Fairclough moved, to approve AR 2006-128,  
56 Mr. Birch seconded,  
57 and this motion was passed, 10-0.

58  
59 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

60 NAYES: None.

61 ABSENT: Tesche, excused.

62  
63 14.B. Resolution No. AR 2006-133, a resolution approving and ratifying a four and one-half year collective  
64 bargaining agreement between the Municipality of Anchorage and the **Plumbers and Pipefitters**  
65 **Union, Local 367**; Employee Relations.  
66 1. Assembly Memorandum No. AM 379-2006.

67  
68 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing  
69 and called the Question.

70  
71 Ms. Fairclough moved, to approve AR 2006-133,  
72 Mr. Bauer seconded,

73  
74 Mr. Coffey stated he had been advised that this contract was in compliance with the resolution, previously approved by  
75 the Assembly, and he would support it.

76  
77 Chair Sullivan stated the Administration had provided assurances that the contract was in compliance.

78

and this motion was passed unanimously, 10-0.

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

NAYES: None.

ABSENT: Tesche, excused.

14.C. Ordinance No. AO 2006-88, an ordinance of the Municipality of Anchorage, Alaska, approving submission by the Anchorage Water & Wastewater Utility on behalf of the Anchorage Wastewater Utility (ASU) of **proposed rate changes** to the Regulatory Commission of Alaska; Anchorage Water & Wastewater Utility.

1. Assembly Memorandum No. AM 393-2006.

Chair Sullivan read the ordinance title and opened Public Hearing.

DAVE MERRILL opposed any additional costs to his small septic pumping business. To Ms. Ossiander, Mr. Merrill responded that high fuel prices had caused him to raise his rates 5% and his business had lost over 8% of its customers, with their increased pumping fees. To Mr. Birch, he responded the average septic pumper-truck held 2500 to 3000 gallons. The increased fees would be directly passed on to his customers as a \$25 to \$35 increase per pumping. To Ms. Fairclough, he responded there was a flat fee, regardless of the truck size.

RYAN STENCEL, Huffman-O'Malley Community Council President, urged postponement. The council had not received notification and residents wanted to review and testify to the ordinance, which they found to be confusing.

ANDY VICKS, with Around the Clock Septic Haulers, opposed the ordinance. To Mr. Coffey, he responded the changes were not fair and would affect haulers and residents. There was no comparable analysis for their models, upon which to base their proposed changes.

BOBBY WELLS, Birchwood Community Council member, opposed the changes. There was a difference with the sledge strength of septic material that was hauled among septic haulers. Fees were based on truck load, not what was hauled. To Ms. Ossiander, she responded that the ordinance was unfair. She urged postponing to June 20<sup>th</sup>. To Ms. Jennings, she responded that she pumped every two years because it was mandatory and she paid \$135 per pumping.

DAN BURRELL, with Alaska Sewer and Drain in the Mat-Su Valley, opposed the ordinance and urged postponement. In the Valley he charged 20 cents per gallon to pump and he did not want to charge more.

JEFF MARKS, with Anchorage Cess Pool Pumpers, opposed the 141% increased fees. He would now pay over \$2200 per month for dumping and would have to decide if he would stay in business. To Mr. Coffey, he responded that he had not read the HDR Engineering report. He used the collection site at King Street, using an access card and the honor system. He described the dump system, with the septic ending up in the main sewer line. To Mr. Birch, he responded there were no regulations for what material was dumped and their loads were randomly checked once a month. To Ms. Shamberg, Mr. Marks responded that sewer dump fees were his single largest business expense.

DIANNE HOLMES supported delaying the ordinance. There needed to be a more in-depth investigation and review of the techniques, the rate increase and the profit margins of AWWU.

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

Ms. Fairclough moved, to approve AO 2006-88,  
Mr. Coffey seconded,

Ms. Fairclough stated that all criteria needed to be considered. Concerns of the volumes and expenses needed further discussion. The frequency of pumping and public health issues were important considerations. She encouraged amendments.

Ms. Shamberg stated that many people were not prepared to support postponement and she proposed to bifurcate the matter on septic haulers and approve the remainder of the ordinance.

To Mr. Coffey, AWWU Manager Mark Premo responded that HDR Engineering and the AWWU Authority Board had reviewed all rates and related matters, including collection charges and related costs. The Authority Board fully directed the utility and had voted unanimously in favor of the rate increases. Twenty-seven septic haulers had been contacted in early May and informed of the formal Public Hearing.

Ms. Ossiander stated there were fundamental flaws in the document, particularly the section that referred to septic haulers. There had not been broad notification of the matter to the septic haulers and she urged consideration of opposing the cost of service study, so that it may be resubmitted when the rate structure had been clarified.

Ms. Fairclough proposed adding an attachment, explaining that the Assembly challenged the section on septic rate increases. This comment would be reviewed by the Regulatory Commission of Alaska (RCA).

Mr. Birch stated his septic system was privately paid for and was not a financial burden to AWWU or the city. He would support further discussion and amendments.

To Ms. Jennings, Mr. Premo responded that document changes would require additional review by the AWWU Authority Board, which would cause them to miss the RCA submittal deadline on June 29<sup>th</sup>. He supported Ms. Fairclough's proposal to attach an Assembly comment. AWWU Financial Analyst Tim Ament and AWWU Chief Financial Officer Sharon Weddleton explained details of cost considerations, determined from a very detailed and thorough study.

Mr. Coffey stated that the Assembly should not be involved with setting the rates, because they were not experts on the matter and they should rely on the professionals with the AWWU Authority Board and the RCA.

Ms. Ossiander stated that the Assembly was involved, with final say on matters decided by the Authority Board and the RCA. She urged a NO-vote until clarity was offered in a final document.

To Ms. Jennings, Mr. Premo responded that septic haulers would be charged per truck on a monthly basis. The rate changes would be submitted for final RCA approval on June 29<sup>th</sup>, and if approved, would be in effect by early 2007.

Ms. Fairclough moved, *to take up this item later in the Agenda*, allowing time  
Mr. Coffey seconded, to prepare an Assembly statement to attach to the  
and this was approved without objection. ordinance,

*(Clerk's Note: Chair Sullivan proceeded with Agenda 14.D, 14.E, 14.F and 14.G and returned the Assembly to complete this matter once the amendment was completed.)*

Ms. Fairclough read the prepared an amendment.

Ms. Ossiander responded that while she supported the amendment, this study did not support the increase and she urged a NO-vote on the ordinance.

Ms. Fairclough moved, to amend AO 2006-88 on Page 1, beginning on Line 19, by  
Mr. Coffey seconded, adding a new Section 2 to read: "Section 2. Whereas, the Anchorage Assembly has taken public testimony which questions and challenges the 141% percentage increase for septic haulers, the following concerns are being communicated to the RCA for critical analysis:

- assumptions built into the model
- equitability between rate classes
- the percentage increase of the septic hauler rates (See tables ES-3)
- rate design (capacity charge) for septic haulers (See table ES-6, Summary of the Costs of Service Analysis)

Based on these significant concerns, the Anchorage Assembly requests the RCA to fully review and critically analyze this cost of service study." And *by renumbering the last section,*

To Ms. Fairclough, AWWU General Manager Mark Premo responded that the Administration was in support and accepted this as a friendly amendment.

Ms. Jennings stated that the AWWU Authority Board had done its work, taking all things into consideration and she opposed the amendment. Chair Sullivan responded that because AWWU had accepted the addition as a friendly amendment, it would automatically be included in the memorandum.

Ms. Shamberg moved to postpone AO 2006-88 to June 20<sup>th</sup>. The motion died for a lack of a second.

Ms. Fairclough stated that she supported the amendment, showing their lack of full support for the ordinance, while still approving it. The septic haulers would still be able to testify before the RCA on this matter.

Mr. Coffey supported the memorandum with the friendly amendment, because it requested the RCA to take a good hard look at the matter, which they were qualified to do. He urged a YES-vote.

and the motion was accepted without objection.

Chair Sullivan called the Question.

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

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

NAYES: Fairclough, Ossiander and Birch.

ABSENT: Tesche, excused.

Mr. Traini moved for immediate reconsideration and urged a NO-vote.

Mr. Traini moved, *for immediate reconsideration of AO 2006-88,*  
Mr. Coffey seconded,  
and this motion failed, 1-9.

AYES: Ossiander.

NAYES: Shamberg, Bauer, Fairclough, Sullivan, Birch, Coffey, Stout, Traini and Jennings.

ABSENT: Tesche, excused.

14.D. Ordinance No. AO 2006-80, an ordinance amending Anchorage Municipal Code Section 14.60.030 for consistency with **AO 2005-83(S) As Amended**; Legal Department.

Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Coffey moved, to approve AO 2006-80,  
Mr. Traini seconded,  
and this motion was approved, 9-0.

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

NAYES: None.

ABSENT: Tesche, excused.

*(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of vote.)*

- 14.E. Resolution No. AR 2006-135, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-2C District for a new restaurant eating place use per AMC 21.40.170 D.14 for **Sizzlin' Café Restaurant**; located on Anchorage Original Townsite, Block 17 Lot 9A; site address being 523 West Third Avenue, generally located on the north side of West Third Avenue between E and F Streets (Downtown Community Council) (Case 2006-063); Planning Department.
1. Assembly Memorandum No. AM 385-2006.

Chair Sullivan read the resolution title and opened Public Hearing.

KAREN OBERMAN and CHEF ROB OBERMAN, owners of Sizzlin' Café, urged support of the conditional use permit.

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

Mr. Traini moved, to approve AR 2006-135,  
Mr. Stout seconded,  
and this motion was approved, 7-1.

AYES: Shamberg, Bauer, Sullivan, Birch, Coffey, Stout and Traini.

NAYES: Jennings.

ABSENT: Tesche, excused.

*(Clerk's Note: Ms. Fairclough and Ms. Ossiander were temporarily out of Chambers at the time of vote.)*

Ms. Jennings stated that while she had nothing against the owners, she opposed the resolution because there were locational standards needed for conditional uses and liquor licenses.

- 14.F. Resolution No. AR 2006-137, a resolution of the Anchorage Municipal Assembly amending Anchorage Municipal Code of Regulations Section 21.20.007 to **exempt temporary banners, balloons, pennants, ribbons and streamers from bonding requirements**; Assemblymember Sullivan.

Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Ms. Ossiander moved, to approve AR 2006-137,  
Ms. Jennings seconded,

Mr. Coffey stated that when addressing and finalizing the sign standard ordinance, the Assembly had permitted streamers, balloons and such. Now consideration was needed to determine compliance details of these items. He preferred to leave the amended and approved sign ordinance and urged a NO-vote on this resolution, addressing them separately.

Chair Sullivan stated these items were not signs, but were decorative items and were subject to different code requirements, with enforcement standards. Decorative items should not be included in the sign ordinance, with bonding requirements.

To Mr. Coffey, Mr. Sullivan responded that keeping property in neat and clean condition was referenced in the Health Code.

and this motion was approved, 6-3.

AYES: Bauer, Sullivan, Ossiander, Birch, Stout and Traini.

NAYES: Shamberg, Coffey and Jennings.

ABSENT: Tesche, excused.

*(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of vote.)*

- 14.G. Ordinance No. AO 2006-87, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.080, **Off-Street Parking Requirements**, to clarify off-street parking standards and amend provisions for joint use of a single parking area; Assemblymembers Coffey and Traini.
1. Information Memorandum No. AIM 68-2006.

Chair Sullivan read the ordinance title and opened Public Hearing.

Mr. Coffey stated that it was his intention to postpone this ordinance, to make additional changes requested by the Planning and Zoning Department.

JOYCE MUNSON opposed the ordinance. It lacked Planning and Zoning (P&Z) review, was incomplete, left no options for determining responsibility and would create dangerous problems. The only recourse was to complain to the police or the licensing board.

YVONNE SAUGSTAD opposed the ordinance, which would affect her subdivision. Mr. Choy, owner of Al's Alaska Inn and a neighbor adjacent to her property was developing his business. This was causing illegal parking and too much noise and was creating a dangerous situation in a residential neighborhood. Ms. Ossiander responded there were problems identified with shared-use parking agreements. Mr. Birch responded there was a push for shared-use parking in residential and commercial use areas. Ms. Saugstad responded shared-use parking would not work in her subdivision.

JOHN SAUGSTAD opposed the ordinance. The railroad car at Al's Alaska Inn should not have been allowed in the neighborhood because it was creating noise, unsafe parking and traffic concerns. There was not enough enforcement. Mr. Stout thanked him for his testimony and stated that he would visit the site and review the matter.

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

Mr. Coffey stated that he and the Municipal Clerk's Office had received an allegation of him having a conflict of interest because of his professional association with Mr. Rod Udd, who shared a parking agreement with Mr. Choy, mentioned in public testimony that evening. Chair Sullivan ruled that Mr. Coffey did not have a conflict of interest and ordered him to participate with the matter. There were no objections.

Mr. Coffey moved, *to postpone* AO 2006-87 to June 20, 2006,  
Mr. Stout seconded,

Mr. Coffey stated that as density and land use increased in the city, provisions would be needed to address matters such as this. The Assembly was scheduled to meet with the P&Z staff to discuss some of these concerns.

Ms. Jennings supported postponement. She supported shared-use parking to reduce the amount of parking lots in the city. Changes addressing use of classified collector streets would also make an improved ordinance.

Mr. Traini stated that he would not be at the June 20<sup>th</sup> Assembly Meeting until after nine o'clock and requested that this matter be taken up sometime after that time, to ensure that he could participate. Chair Sullivan and Municipal Clerk Barbara Gruenstein concurred.

Ms. Ossiander stated that Planning and Zoning Director Tom Nelson had created a memorandum addressing some of the identified benefits and the concerns with the ordinance.

Chair Sullivan put the Question.

and the motion to postpone was approved without objection.

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

NAYES: None.

ABSENT: Tesche, excused.

Ms. Fairclough moved to Change the Order of the Day, to return to 14.D. There were no objections.

14.H. Ordinance No. AO 2006-90, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.15.030, approval of **site plans and conditional uses**; Planning Department. (*Postponed to June 20, 2006*)

(Clerk's Note: AO 2006-90 was taken up with Agenda item 13.D, AO 2006-61, including Combined Public Hearing and Assembly Discussion and Action. AO 2006-90 was Postponed to June 20, 2006. Refer to 13.D for details.)

14.I. Ordinance No. AO 2006-89, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 9.28.026, **Impoundment and Forfeiture of Vehicle**, to make impoundment of a vehicle for citation or arrest for certain serious traffic violations mandatory excepting proof of insurance violations; amending AMC 9.28.030, Insurance or Other Security Required, to clarify the criminal offense and provide a minimum monetary penalty of \$1,000 for each conviction; Assemblymember Bauer.

1. Information Memorandum No. AIM 71-2006, Summary of Economic Effects for AO 2006-89; Assemblymember Bauer. (**Addendum**)

2. Ordinance No. AO 2006-89(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 9.28.026, Impoundment and Forfeiture of Vehicle, to make impoundment of a vehicle for citation or arrest for certain serious traffic violations mandatory excepting proof of insurance violations; amending AMC 9.28.030, Insurance or Other Security Required, to clarify the criminal offense and provide a minimum monetary penalty of \$1,000 for each conviction; Assemblymember Bauer. (**Addendum**)

Chair Sullivan read the ordinance title and opened Public Hearing.

TOM McGRATH supported the ordinance. A fine of only \$250 for not having insurance was worth the financial risk of not buying insurance. To Ms. Jennings, he responded that the \$1000 fine was needed and it was a good first step. He encouraged sending a message to the State Legislature to assist with enforcement in Anchorage.

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

Ms. Fairclough stated there was an amendment ready for the off-street parking ordinance and moved to Change the Order of the Day to return to and complete 14.D (AO 2006-88). There were no objections.

*(Clerk's Note: Chair Sullivan returned the body to complete this matter, following final discussion and action on 14.D, AO 2006-88.)*

Mr. Bauer summarized the changes in the S-Version, including increased fines, mandatory impoundment for certain offenses, use of officer discretion, using reasonable attempts to prove existence of insurance, addressing an officer using probable cause and a summary of economic effects.

Mr. Bauer moved, to approve AO 2006-89(S),  
Mr. Coffey seconded,

To Mr. Coffey, Police Chief Monegan responded the current wording was appropriate for use of officer discretion and authority for impoundment. Proving existence of vehicle insurance from the field would be more difficult because insurance companies were not opened 24-hours a day. The department did not issue cell phones to all officers and it would create a conflict to request the dispatch center to make calls. Officer discretion would suffice in most cases.

To Mr. Traini, Chief Monegan responded that changing "may" to "shall" (*be impounded*) would require impoundment and leave the driver afoot. He preferred "may," with use of officer discretion. Mr. Bauer responded that some officers preferred the use of "shall" (*be impounded*), eliminating involving their personal decision.

To Mr. Bauer, Chief Monegan responded that license, insurance and registration checks were routine with traffic stops. Citations could be written, which would be dismissed when proof of insurance was presented in court. Using officer discretion would offer greater flexibility to ensure community safety. Mr. Bauer stated that his ordinance allowed a reasonable attempt to verify proof of insurance.

Mr. Traini, referring to an officer making a "reasonable attempt" to verify proof of insurance, stated that a definition of "reasonable" was needed.

Mr. Coffey moved, to amend AO 2005-89(S) on Page 1, Line 35 to Page 2, Line 2, *by deleting:* [~~If the driver alleges that the required security is in effect and identifies an entity registered in the state to provide security, but the driver fails to provide the officer with the required proof, the officer shall not seize the vehicle for impoundment without first making a reasonable attempt to contact the entity for telephonic verification.~~];  
Ms. Jennings seconded,

Mr. Coffey stated the \$1000 fine was the inducement to have verification of insurance in the car. The officer should not have to take special action to determine if there was car insurance.

Ms. Ossiander stated the requirement was to have proof of insurance in possession. It would be easy to forget to put the current insurance card in the vehicle. Mr. Coffey responded that he was not deleting the provision that allowed a driver to show proof of insurance in court.

Mr. Bauer stated that it was routine for an officer to make an attempt to verify a driver's license and registration. It was reasonable to also check for proof of insurance.

Ms. Shamberg concurred with Mr. Bauer. A phone call was an easy way to verify the documents.

Mr. Coffey stated that it was reasonable to assume an officer would have common sense, using their discretion to make a judgment about seizing and impounding a vehicle. His amendment would eliminate the officer having to take special action.

Chair Sullivan called for a vote on the Coffey Amendment.

and the motion was approved, 8-2.

AYES: Shamberg, Ossiander, Fairclough, Sullivan, Birch, Coffey, Stout and Jennings.

NAYES: Bauer and Traini.

ABSENT: Tesche, excused.

Mr. Traini moved, to amend AO 2006-89(S) on Page 1, Line 27, *by changing*  
Mr. Coffey seconded, [~~shall~~] "may" be impounded... ;

Mr. Traini supported using officer discretion.

Mr. Bauer opposed. His intent was to address the public safety issue. Vehicles should be impounded if there was a DUI or a suspended license and there should be a consequence for violations.

To Ms. Jennings, Chief Monegan responded that a vast majority of cars stopped for DUIs or suspended licenses were seized and impounded. Use of the word "may" allowed opportunity for an officer to use judgment on times when impounding was not the right thing to do. Mr. Coffey concurred.

To Ms. Fairclough, Chief Monegan responded that he supported the use of "may" (*be impounded*), which would be appropriate on rare occasions of a suspended license or no proof of insurance.

1 Mr. Bauer stated that when a driver was stopped for DUI, it would be appropriate for the car to be seized and for the  
2 family to take a cab.

3  
4 and the motion to approve the Traini Amendment was passed, 8-1.

5  
6 AYES: Shamberg, Ossiander, Fairclough, Sullivan, Coffey, Stout, Traini and Jennings.

7 NAYES: Bauer.

8 ABSENT: Tesche, excused.

9 *(Clerk's Note: Mr. Birch was temporarily out of Chambers at the time of the vote.)*

10  
11 Chair Sullivan put the Question on the main motion.

12  
13 and the main motion, as amended, was passed, 9-0.

14  
15 AYES: Shamberg, Bauer, Ossiander, Fairclough, Sullivan, Coffey, Stout, Traini and Jennings.

16 NAYES: None.

17 ABSENT: Tesche, excused.

18 *(Clerk's Note: Mr. Birch was temporarily out of Chambers at the time of the vote.)*

19  
20 Mr. Stout moved for immediate reconsideration and urged a NO-vote.

21  
22 Mr. Stout moved, *for immediate reconsideration of AO 2006-89(S),*  
23 Mr. Bauer seconded, *as amended,*  
24 and this motion failed, 2-7.

25  
26 AYES: Shamberg and Jennings.

27 NAYES: Bauer, Ossiander, Fairclough, Sullivan, Coffey, Stout and Traini.

28 ABSENT: Tesche, excused.

29 *(Clerk's Note: Mr. Birch was temporarily out of Chambers at the time of the vote.)*

30  
31 Ms. Fairclough requested that the 2007 Municipal Legislative Priorities include a provision requesting insurance  
32 verification be included with state vehicle licensing.

33  
34 14.J. Ordinance No. AO 2006-75, an ordinance of the Municipality of Anchorage creating **Special**  
35 **Assessment District 06-15** for reconstruction of 58<sup>th</sup> Avenue between Arctic Boulevard and Silverado  
36 Way, and determining to proceed with proposed improvements therein; Project Management &  
37 Engineering.

38 1. Assembly Memorandum No. AM 340-2006.

39  
40 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing  
41 and called the Question.

42  
43 Mr. Coffey moved, *to approve AO 2006-75,*  
44 Ms. Ossiander seconded,  
45 and this motion passed unanimously.

46  
47 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout and Jennings.

48 NAYES: None.

49 ABSENT: Tesche, excused.

50 *(Clerk's Note: Mr. Traini was temporarily out of Chambers at the time of the vote.)*

51  
52 14.K. Resolution No. AR 2006-139, a resolution approving **East 84<sup>th</sup> Avenue and Spruce Street water**  
53 **service line extensions** and providing for assessment of related charges to benefited properties at  
54 time of connection; Project Management & Engineering.

55 1. Assembly Memorandum No. AM 388-2006.

56  
57 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing  
58 and called the Question.

59  
60 Ms. Ossiander moved, *to approve AR 2006-139,*  
61 Mr. Coffey seconded,

62  
63 Mr. Coffey stated this addressed hooking up to the water utility. He supported charges for folks who hooked up later,  
64 to both public and private utility hook-ups.

65  
66 and this motion passed unanimously.

67  
68 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

69 NAYES: None.

70 ABSENT: Tesche, excused.

71  
72 14.L. Ordinance No. AO 2006-81, an ordinance authorizing an **electrical easement** across municipal  
73 property to Chugach Electric Association, Inc., at Tract A, GAAB Service Hanshew High School Site  
74 Subdivision, Plat No. 69-159, within SE ¼ of Section 10, T12N, R3W, S.M. Alaska, located at the  
75 Service High School site near Abbott Road, Tax #015-021-02; Project Management & Engineering.

76 1. Assembly Memorandum No. AM 381-2006.

77



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

Ms. Ossiander moved, to approve AO 2006-81,  
Ms. Jennings seconded,  
and this motion passed unanimously.

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

NAYES: None.

ABSENT: Tesche, excused.

- 14.M. Ordinance No. AO 2006-76, an ordinance authorizing an **electrical easement** across municipal property to Chugach Electric Association, Inc., in the NW ¼ SW 1/4 Section 34, T13N, R3W, S.M. Alaska, located in Far North Bicentennial Park, Tax #008-141-03; Project Management & Engineering.
1. Assembly Memorandum No. AM 341-2006.

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

Ms. Jennings moved, to approve AO 2006-76,  
Mr. Traini seconded,  
and this motion passed unanimously.

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

NAYES: None.

ABSENT: Tesche, excused.

- 14.N. Ordinance No. AO 2006-77, an ordinance authorizing disposal by sale of **Heritage Land Bank Parcels 2-153, 2-154 and 2-155**, individually by sealed bids for not less than fair market value plus costs; Heritage Land Bank.
1. Assembly Memorandum No. AM 342-2006.

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

Ms. Jennings moved, to approve AO 2006-77,  
Mr. Coffey seconded,  
and this motion passed unanimously.

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

NAYES: None.

ABSENT: Tesche, excused.

- 14.O. Ordinance No. AO 2006-82, an ordinance authorizing an equal value trade of municipally owned property, commonly described as **Tract Three "B" (3B), C/G Warehouse Subdivision**, comprising approximately 16.78 acres, in exchange for a privately owned parcel described as Lot 2, Herring Subdivision, comprising approximately 42,000 sq. ft. and located at 1601 East Tudor Road; Heritage Land Bank and Real Estate Services.
1. Assembly Memorandum No. AM 382-2006.

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

Ms. Jennings moved, to approve AO 2006-82,  
Mr. Coffey seconded,

Mr. Coffey stated that 14.Q referenced this ordinance in the land swap. He supported the ordinance because it would allow Firehouse 4 to be built on East Tudor Road. He requested that Assemblymembers be supplied more legible reference maps. Chair Sullivan concurred.

To Ms. Fairclough, Heritage Land Bank Executive Director Robin Ward responded that the Summary of Economic Effects was shown as-is, because the appraisals and negotiations were still being finalized and was expected to show approximately \$3.4 million difference. A final summary would be included in a new memorandum.

To Mr. Birch, Municipal Manager Denis LeBlanc responded they had abandoned the sole source approach on the construction award and would be using an aggressive RFP process. Mr. Birch stated there was still confusion with the development arrangements. Mr. LeBlanc stated there were limited land opportunities and the objective was to have an operational firehouse by 2007. Mr. Birch supported moving forward with the project.

Mr. Coffey stated that the goal was to build a station to better serve a larger area. He recognized the difficulty of finding available property in a fully developed community. The Administration was bringing this forward in a fast and cost-effective way.

Mr. Traini stated that a fully-functional firehouse was needed in Midtown and this was the only site available. He supported the project going forward.

and this motion passed unanimously.

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

2 NAYES: None.

3 ABSENT: Tesche, excused.

4  
5 14.P. Ordinance No. AO 2006-84, an ordinance approving the purchase and acquisition of real property  
6 legally described as **Lot 3, Muldoon Estates Subdivision**, for fair market value not to exceed  
7 \$1,308,000; Real Estate Services.

8 1. Assembly Memorandum No. AM 384-2006.

9  
10 Chair Sullivan read the ordinance title and opened Public Hearing.

11  
12 PEGGY ROBINSON, Northeast Community Council Chair, summarized the history of this land acquisition for a  
13 Muldoon park. A council motion to include the phrase, "provided access issues can be resolved," failed, 4-12, with all  
14 council members voting. It was expected that the normal parks plan would resolve the access matter. Personally, she  
15 hoped consideration was given for access off DeBarr Road, which would cause less traffic concerns.

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

18  
19 Mr. Coffey moved, to approve AO 2006-84,  
20 Mr. Stout seconded,

21  
22 To Ms. Ossiander, Parks and Recreation Director Jeff Dillon responded this was the last of the funding available  
23 though park bond money which could be used for land acquisition or maintenance and renovation needs. To her  
24 question, Municipal Attorney Fred Boness responded that the issue had been thoroughly researched and the use of  
25 the park bonds was very broad, with no specific breakdowns.

26  
27 To Ms. Jennings, Heritage Land Bank Executive Director Robin Ward responded that the sale of the property was in  
28 the final stages.

29  
30 Mr. Coffey stated the dollar figures in the ordinance were off. To his question, Ms. Ward responded that the  
31 Municipality appeared to be the number two buyer being considered. She would report back to the Assembly on the  
32 progress of the land acquisition. Mr. Coffey responded the price per square foot was a good buy.

33  
34 Mr. Birch stated the calculation was a \$2000 per year loss from the tax roll. Ms. Ward responded that she would report  
35 to the Assembly when the current appraisal was completed for the 12 unimproved acres.

36  
37 To Mr. Traini, Ms. Ward responded the first deed of trust on the property was held by Alaska Greenhouse, Inc.

38  
39 To Mr. Bauer, Ms. Ward responded the proceeds from the sale would be seized by the federal government because of  
40 legal matters involved with the property.

41  
42 To Mr. Stout, Don Smith, who had a financial interest in the property, responded that he was committed to help resolve  
43 the issues to finalize the sale to the Municipality.

44  
45 To Ms. Fairclough, Ms. Ward responded the Anchorage School District Plan had not included any other sites for that  
46 area.

47  
48 To Ms. Jennings, Ms. Ward responded that they had thoroughly investigated the property and there was no  
49 contamination.

50  
51 Mr. Birch stated that the land appeared to be under-valued. Ms. Ward responded that she supported the current  
52 contract and a new appraisal might be substantially higher. Mayor Begich responded that the MOA was interested in  
53 purchasing only the last 12 acres. Mr. Coffey responded that many investors had tried to develop this land, which was  
54 a peat bog and it was not good for anything except as park land.

55  
56 and this motion passed unanimously.

57  
58 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

59 NAYES: None.

60 ABSENT: Tesche, excused.

61  
62 14.Q. Ordinance No. AO 2006-83, an ordinance authorizing acquisition of real property described as **Tract**  
63 **7A, Westpark Subdivision**, for fair market value not to exceed \$2,500,000; Real Estate Services.

64 1. Assembly Memorandum No. AM 383-2006.

65  
66 Ms. Fairclough moved to Change the Order of the Day to take up 14.U, 14.V, 14.W and 14.Y and there were no  
67 objections. *(Clerk's Note: Upon completing discussion and action on those items, which the Administration had*  
68 *indicated were time-sensitive, Chair Sullivan returned the body to complete this item.)*

69  
70 Chair Sullivan read the ordinance title and stated that he intended to open and continue Public Hearing to June 20<sup>th</sup>, to  
71 allow the Sand Lake Community Council the opportunity to meet with the Administration. He opened Public Hearing.

72  
73 BETTY DODDS opposed the purchase of 7A, which was a hole in a ground and was overpriced. The developer was  
74 required by law to provide land in the development for the school. To Mr. Coffey, Ms. Dodds responded that the  
75 Municipality should not be forced to buy both tracts of land.

76  
77 With no additional public testimony, Chair Sullivan called the Question.

78

Mr. Coffey moved, *to Continue Public Hearing on AO 2006-83 to June 20<sup>th</sup>,*  
Ms. Jennings seconded,  
and this motion passed unanimously.

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

- 14.R. Resolution No. AR 2006-120, a resolution of the Municipality of Anchorage appropriating \$416,890 as a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and appropriating \$15,090 as a contribution from the 2006 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the state Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism response and prevention equipment**.  
1. Assembly Memorandum No. AM 333-2006.

Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Stout moved, *to approve AR 2006-120,*  
Mr. Coffey seconded,  
and this motion passed unanimously.

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

- 14.S. Resolution No. AR 2006-121, a resolution of the Municipality of Anchorage appropriating \$142,514 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant, and appropriating \$5,130 from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department 2006 Operating Budget as a contribution to the Federal Categorical Grants Fund (241) Anchorage Police Department, for the purpose of **underwriting projects** to reduce crime and improve public safety; Anchorage Police Department.  
1. Assembly Memorandum No. AM 334-2006.

Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Ms. Ossiander moved, *to approve AR 2006-121,*  
Mr. Coffey seconded,  
and this motion passed unanimously.

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

- 14.T. Resolution No. AR 2006-122, a resolution of the Municipality of Anchorage appropriating \$198,260 as a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and contributions from 2006 operating budgets of \$1,840 from the Anchorage Metropolitan Police Service Area Fund (151), Police and \$5,260 from the Port of Anchorage Fund (570), Port of anchorage to the State Categorical Grants Fund (231), Municipal Manager, Office of Emergency Management, for the purchase of terrorism response and prevention equipment for this **Buffer Zone Protection Program**; Office of Emergency Management.  
1. Assembly Memorandum No. AM 335-2006.

Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Ms. Fairclough moved, *to approve AR 2006-122,*  
Mr. Coffey seconded,  
and this motion passed unanimously.

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

- 14.U. Resolution No. AR 2006-123, a resolution of the Municipality of Anchorage appropriating \$112,420 as a contribution from the Zylon Litigation Settlement Fund to the Miscellaneous Grants Fund (261) Anchorage Police Department for a **Zylon vest final settlement distribution**; Anchorage Police Department.  
1. Assembly Memorandum No. AM 336-2006.

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

Mr. Stout moved, *to approve AR 2006-123,*  
Mr. Coffey seconded,  
and this motion passed unanimously.

1  
2 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.  
3 NAYES: None.  
4 ABSENT: Tesche, excused.  
5

- 6 14.V. Resolution No. AR 2006-124, a resolution of the Municipality of Anchorage appropriating \$311,013 as  
7 a grant from the Alaska Department of Fish and Game to the Office of Economic and Community  
8 Development, State Grants Fund (231), for the **Salmon in the City Initiative**.  
9 1. Assembly Memorandum No. AM 337-2006.  
10

11 Chair Sullivan read the resolution 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 AR 2006-124,  
15 Mr. Stout seconded,  
16 and this motion passed unanimously.  
17

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

- 22 14.W. Resolution No. AR 2006-134, a resolution of the Municipality of Anchorage appropriating the sum of  
23 \$135,195 from the U.S. Environmental Protection Agency to the Federal Categorical Grants Fund  
24 (241) and \$323,000 as a contribution from the 2006 Department of Health and Human Services  
25 General Government Operating Budget Fund (101) to the Federal Categorical Grants Fund (241),  
26 Department of Health and Human Services for **air quality monitoring, enforcement and planning**.  
27 1. Assembly Memorandum No. AM 380-2006.  
28

29 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing  
30 and called the Question.  
31

32 Ms. Fairclough moved, to approve AR 2006-134,  
33 Ms. Jennings seconded,  
34 and this motion passed unanimously.  
35

36 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.  
37 NAYES: None.  
38 ABSENT: Tesche, excused.  
39

- 40 14.X. Resolution No. AR 2006-125, a resolution approving the purchase and acquisition of real property  
41 legally described as **Tract Lt E-3A, Campbell Creek Commercial Park** currently owned by Triple A  
42 Self Storage for fair market value for an amount not to exceed \$3,300,000; Solid Waste Services.  
43 1. Assembly Memorandum No. AM 338-2006.  
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 Mr. Traini moved, to approve AR 2006-125,  
49 Mr. Coffey seconded,  
50

51 Mr. Coffey stated that the existing transfer station was undersized and needed to be expanded, but four acres was a  
52 lot of ground and there was not a good plan for the acreage. He proposed to amend.  
53

54 Mr. Coffey moved, to amend AR 2006-125 on Page 1, Line 34, *by adding* a new  
55 Mr. Traini seconded, Section to read: "Section 2. Within six months of the approval  
56 and this was approved without objection. of this Resolution No. 2006-125, the Administration shall  
57 submit a plan for the use of the property to the Assembly  
58 which shall include sale of such portion of the property not  
59 needed for expansion of the Central Transfer Station.;"  
60

61 and the main motion, as amended, was passed unanimously.  
62

63 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.  
64 NAYES: None.  
65 ABSENT: Tesche, excused.  
66

- 67 14.Y. Resolution No. AR 2006-126, a resolution of the Municipality of Anchorage appropriating \$618,243,  
68 from the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) to the State  
69 Categorical Grants Fund (231) under the Traffic Department for enhancement of **Traffic Safety**  
70 **Database System**; Traffic Department.  
71 1. Assembly Memorandum No. AM 339-2006.  
72

73 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing  
74 and called the Question.  
75

76 Ms. Fairclough moved, to approve AO 2006-126,  
77 Ms. Jennings seconded,  
78 and this motion passed unanimously.

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

**15. SPECIAL ORDERS**

Ms. Ossiander announced that that she was providing notice that the Assembly needed to amend an action taken at a prior meeting, regarding the Park Plan. The motion to approve the Park Plan was not technically accurate. She also provided notice that the Meeting Minutes approved at that meeting also needed to be corrected.

**16. UNFINISHED AGENDA** None.

**17. AUDIENCE PARTICIPATION** None.

**18. ASSEMBLY COMMENTS**

Ms. Fairclough stated that Mayor Begich had just passed out notification to Assemblymembers that the Administration was moving forward with a naming panel for the convention center. The Assembly was considering an ordinance concerning the naming of public facilities. This building was ideal for a national company to purchase the naming rights. Mr. Bauer supported the Mayor appointing members to an Advisory Naming Panel as soon as possible because of the timing needed for naming the convention center.

Mr. Stout stated for the record, that the Chamber's electronic sound system was dismal and needed to be replaced. The Assembly was responsible for the sound system and he recommended fixing the problem. Chair Sullivan responded that at the recent Assembly Annual Organizational Meeting, it was noted as a priority and it would be addressed.

**19. EXECUTIVE SESSIONS** None.

**20. ADJOURNMENT**

Chair Sullivan called for a motion to adjourn the meeting.

Mr. Coffey moved,	to adjourn the Regular Assembly Meeting,
Mr. Bauer seconded,	of June 6, 2006,
and this motion was passed.	

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

The Regular Assembly Meeting was adjourned at 11:00 p.m.

ATTEST:

\_\_\_\_\_  
DAN SULLIVAN, Assembly Chair

\_\_\_\_\_  
BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: July 11, 2006.  
MC/BG

*(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6<sup>th</sup> Avenue, Suite 250, Anchorage, Alaska, (907)343-4505, or on the Municipal Web Site, [www.muni.org](http://www.muni.org) ~Assembly~Minutes~year~month~day)*