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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 January 10, 2006

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1. CALL TO ORDER

The Assembly Meeting was convened by Chair Fairclough at 5:04 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: Allan Tesche, Janice Shamberg, Debbie Ossiander, Dan Sullivan, Anna Fairclough, Dan Coffey, Chris Birch, Ken Stout, Paul Bauer, Dick Traini and Pamela Jennings.

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Sullivan led the pledge.

4. MINUTES OF PREVIOUS MEETING

4.A. Special Meeting – October 24, 2005

Mr. Coffey moved, to approve the Special Meeting Minutes of
Mr. Traini seconded, October 24, 2005,

Ms. Jennings requested a correction on Page 8, Line 16. There were no objections.

and this motion, as amended, was passed unanimously.

4.B. Regular Meeting – October 25, 2005

Mr. Coffey moved, to approve the Regular Meeting Minutes of
Ms. Shamberg seconded, October 25, 2005,
and this passed without objection.

4.C. Regular Meeting – November 8, 2005

Mr. Coffey moved, to approve the Regular Meeting Minutes of
Ms. Shamberg seconded, November 8, 2005,
and this passed without objection.

4.D. Special Meeting – December 9, 2005

Mr. Coffey moved, to approve the Special Meeting Minutes of
Ms. Shamberg seconded, December 9, 2005,
and this passed without objection.

5. MAYOR'S REPORT None.

6. ASSEMBLY CHAIR'S REPORT

Chair Fairclough requested for a moment of silence to honor the four Alaskan National Guard soldiers killed in Iraq on Sunday. Those soldiers included First Lieutenant Jamie Lynn Campbell of Fairbanks, Chief Warrant Officer Chester William Troxel of Anchorage, Specialist Michael Ignatius Edwards of Anchorage and Specialist Jacob Eugene Melson of Wasilla.

7. COMMITTEE REPORTS

Ms. Ossiander announced that the Title 21 Committee Meetings would resume on January 18th, at the Planning Department Conference Room. Copies of the new draft would be available soon.

Ms. Jennings reported that the Anchorage Convention and Visitors Bureau had announced that Anchorage had again been chosen as number six of the Top-10 Domestic Destinations, tied with Phoenix and Scottsdale, Arizona. Anchorage had also been chosen as number two in the Top-5 Cruise Destinations.

1 Mr. Sullivan reported that he and Mr. Stout would soon be traveling to Juneau to promote the city's priorities in the
2 2006 Legislative Program. Chair Fairclough thanked Mr. Sullivan and Mr. Coffey for the many hours they spent
3 reviewing the document and helping to prepare the amendments for the Assembly Meeting.
4

5 **8. ADDENDUM TO AGENDA**

6
7 Chair Fairclough called for a motion and read the Addendum items. She called for additional items to be added. Items
8 AR 2006-12, AR 2006-13, AO 2006-3, AO 2006-4, AO 2006-5, AO 2006-6, AO 2006-7 and AO 2006-8, AO 2005-
9 171(S-1), AO 2005-150(S-1) and AO 2005-163(S) were added. She assigned to these items Agenda Numbers 9.A.3,
10 9.B.4, 9.F.9, 9.F.10, 9.F.11, 9.F.12, 9.F.13, 9.F.14, 11.F, 13.E and 14.V, respectively. With no additional items, Chair
11 Fairclough called the Question on the Addendum items.

12
13 Mr. Sullivan moved, to approve the inclusion of the Addendum items
14 Mr. Tesche seconded, into the Consent Agenda,
15 and this motion was passed.

16
17 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
18 NAYES: None.
19

20 Chair Fairclough called the Question on the Consent Agenda.

21
22 Mr. Tesche moved, to approve the Consent Agenda,
23 Mr. Traini seconded,
24

25 Chair Fairclough called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
26 discussion.
27

28 **9. CONSENT AGENDA**

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

30 9.A.1. Resolution No. AR 2006-2, a resolution of the Anchorage Municipal Assembly recognizing and
31 honoring **Cleo Durr** for his 25 years of service with Municipal Light and Power.
32

33 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)
34

35 9.A.2. Resolution No. AR 2006-3, a resolution of the Anchorage Municipal Assembly recognizing and
36 honoring **Kelly Loran** for his 15 years of service with the Municipality of Anchorage.
37

38 Ms. Jennings requested this item be pulled for review on the Regular Agenda. (*See item 10.A.2*)
39

40 9.A.3. Resolution No. AR 2006-12, a resolution of the Anchorage Municipal Assembly recognizing and
41 honoring **Carolyn Edwards** for her distinguished career in public safety and public service to the
42 Municipality of Anchorage. (**Laid on the Table**)
43

44 Mr. Sullivan moved, to incorporate AR 2006-12,
45 Mr. Coffey seconded,
46 Mr. Traini was the concurring third.
47

48 Mr. Traini requested this item be pulled for review on the Regular Agenda. (*See item 10.A.3*)
49

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

51 9.B.1. Resolution No. AR 2006-4, a resolution of the Municipality of Anchorage appropriating the sum of
52 \$66,000 from the State Of Alaska, Department of Transportation & Public Facilities and \$2,360 as a
53 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
54 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
55 for the **Impaired Driving Enforcement Holiday Blitz Program**.

56 a. Assembly Memorandum No. AM 13-2006.

57 9.B.2. Resolution No. AR 2006-9, a resolution adopting the **2006 Legislative Program** for the Municipality of
58 Anchorage; Mayor's Office.

59 a. Assembly Memorandum No. AM 23-2006. (**Addendum**)
60

61 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.B.2*)
62

63 9.B.3. Resolution No. AR 2006-13, a resolution of the Anchorage Municipal Assembly and Mayor Mark
64 Begich to provide adequate public notice of street name changes to residents of **Timberline Drive** in
65 Girdwood. (*Public Hearing 2-28-06*) (**Laid on the Table**)
66

67 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.B.3*)
68

69 Mr. Coffey moved, to introduce AO 2006-13 with Public Hearing set
70 Mr. Tesche seconded, for February 28, 2006,
71 Mr. Stout was the concurring third.
72

73 **9.C. BID AWARDS**

74 9.C.1. Assembly Memorandum No. AM 20-2006, recommendation of award for providing **HVAC services &**
75 **minor repairs** to the Municipality of Anchorage, Department of Neighborhoods (ITB 25-B108) (Not to
76 Exceed \$500,000); Purchasing. (**Addendum**)
77

78 **9.D. NEW BUSINESS**

- 1 9.D.1. Assembly Memorandum No. AM 2-2006, 2006/2007 Liquor License Renewal: **El Tango #4451** –
2 Beverage Dispensary (Midtown Community Council); Clerk's Office.

3
4 Mr. Coffey declared a conflict of interest with this item. Chair Fairclough ruled that Mr. Coffey had a conflict and
5 ordered him to abstain.

- 6
7 9.D.2. Assembly Memorandum No. AM 3-2006, 2006/2007 Liquor License Renewal: **Sea Galley/Pepper**
8 **Mill Restaurant #3599** – Beverage Dispensary-Duplicate (Midtown/Spenard Community Councils);
9 Clerk's Office.

- 10 9.D.3. Assembly Memorandum No. AM 4-2006, **2006/2007 Liquor License Renewals**: Chilkoot
11 Charlie's/Bird House #4024, Chilkoot Charlie's/Swing Bar #3817 – Beverage Dispensary-Duplicate;
12 Royal Order of the Moose Lodge #1534, Lic. 750 – Club; Goldrush Liquor #4364, Super Kmart Center
13 #3580, Lic. 3426 – Package Store; Peking Palace #1691, Pizza Hut No. 2 #3712, Pizza Hut No. 7
14 #1709, Pizza Hut No. 11 #2936 – Restaurant/Eating Place; Specialty Imports #3549 – Wholesale;
15 Anchorage Glacier Pilots #1314 – Recreation Site-Seasonal (Spenard, Bayshore/Klatt,
16 Taku/Campbell, Midtown, Eagle River, Eagle River Valley, Abbott Loop, Airport Heights, North Star,
17 Mt. View, Fairview, Tudor Area, Rogers Park Community Councils); Clerk's Office.

18
19 Mr. Coffey declared a conflict of interest with matters concerning Goldrush Liquor, Super Kmart Center and Anchorage
20 Glacier Pilots, included with this memorandum. Chair Fairclough ruled that he did have a conflict of interest and
21 ordered him to abstain from participation with those matters.

- 22
23 9.D.4. Assembly Memorandum No. AM 5-2006, 2006 Grant Agreement with **Anchorage Economic**
24 **Development Corporation** (\$490,500); Office of Economic & Community Development.

25
26 Mr. Bauer requested this item be pulled for review on the Regular Agenda. (*See item 10.D.4*)

- 27
28 9.D.5. Assembly Memorandum No. AM 6-2006, approval to enter into **grant agreements** with The ARC of
29 Anchorage (\$98,000), NorthEast Community Center (\$131,430), and the Boys and Girls Club of
30 Greater Anchorage-Mountain View Rec Center (\$250,250); Office of Economic & Community
31 Development.

32
33 Mr. Coffey declared a conflict of interest with matters in this item. Chair Fairclough ruled that Mr. Coffey had a conflict
34 of interest and ordered him to abstain from participation with this item. Mr. Bauer requested this item be pulled for
35 review on the Regular Agenda. (*See item 10.D.5*)

- 36
37 9.D.6. Assembly Memorandum No. AM 7-2006, 2006 Grant Agreement with Greater Anchorage, Inc. to
38 support the **Fur Rendezvous Winter Festival** (\$83,867); Office of Economic & Community
39 Development.

40
41 Mr. Stout requested this time be pulled for review on the Regular Agenda. (*See item 10.D.6*)

- 42
43 9.D.7. Assembly Memorandum No. AM 8-2006, **UAA Small Business Development Center** grant
44 agreement (\$50,000); Office of Economic & Community Development.
45 9.D.8. Assembly Memorandum No. AM 9-2006, Amendment No. 6 to Contract No. 21WWU168 with Guess &
46 Rudd P.C. to provide legal services pertaining to **regulatory issues** for the Municipality of Anchorage;
47 Anchorage Water and Wastewater Utility (AWWU) (\$200,000).
48 9.D.9. Assembly Memorandum No. AM 10-2006, Amendment No. 2 to the professional services contract with
49 DOWL Engineers for design and reconstruction services, **Northwood Drive Upgrade**, Project No. 01-
50 12 (\$143,046); Project Management & Engineering.
51 9.D.10. Assembly Memorandum No. AM 11-2006, Amendment No. 1 to professional services contract with
52 CRW Engineering Group for the **Kincaid Park Trail Connection**, Project No. 04-04 (\$79,000); Project
53 Management & Engineering.
54 9.D.11. Assembly Memorandum No. AM 12-2006, contract Amendment No. 2 to Seacoast Construction, Inc.,
55 for the construction of **ADA Improvements 2004/2005**, Project No. 03-19 (\$22,195); Project
56 Management & Engineering.
57 9.D.12. Assembly Memorandum No. AM 21-2006, **Police and Fire Retirement Board of Trustees**
58 appointment (Andrew Provencio), Mayor's Office. (**Addendum**)
59 9.D.13. Assembly Memorandum No. AM 22-2006, proprietary purchase from **United Fire Service, Inc.** for the
60 Municipality of Anchorage; Anchorage Fire Department (AFD) (\$80,000); Purchasing. (**Addendum**)

61
62 **9.E. INFORMATION AND REPORTS**

- 63 9.E.1. Information Memorandum No. AIM 6-2006, Internal Audit Report 2005-14 – **Planning Fee Revenue,**
64 **Planning Department**; Internal Audit.

65
66 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.E.1*)

- 67
68 9.E.2. Information Memorandum No. AIM 7-2006, **Girdwood Water Improvements Phase II-A**
69 **Transmission Main and Girdwood School On-Site Water Services** - Construction Unlimited, Inc.
70 (PO 236121) Report of Construction Contract Change Orders; Anchorage Water & Wastewater Utility.
71 9.E.3. Information Memorandum No. AIM 8-2006, Report of Construction Contract Change Orders and Final
72 Contract Amount, **Voth Rehearsal Hall project**, S.R. Bales Construction, Inc.; Project Management
73 & Engineering.
74 9.E.4. Information Memorandum No. AIM 10-2006, Duplicate Street Name – **Timberline Drive Street Name**
75 **Change in Eagle River**; Planning Department. (**Addendum**) (*Public Hearing set for 2-28-06*)

76
77 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.E.4*)
78

1
2 9.F.11. Ordinance No. AO 2006-5, an ordinance for the Qualified Voters of Anchorage, Alaska in the amount
3 of \$1,960,000 of **General Obligation Bonds for the Anchorage Fire Department**; Mayor Begich.
4 (*Public Hearing 1-31-06*) (**Laid on the Table**)

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

6
7 Mr. Sullivan moved, *to introduce* AO 2006-5 with Public Hearing set
8 Ms. Jennings seconded, for January 31, 2006,
9 Mr. Bauer was the concurring third.

10
11 9.F.12. Ordinance No. AO 2006-6, an ordinance for the Qualified Voters of Anchorage, Alaska in the amount
12 of \$4,050,000 of **General Obligation Bonds for the Anchorage Parks and Recreation Service**
13 **Area**; Mayor Begich. (*Public Hearing 1-31-06*) (**Laid on the Table**)

14 a. Assembly Memorandum No. AM 30-2006.

15
16 Mr. Sullivan moved, *to introduce* AO 2006-6 with Public Hearing set
17 Mr. Coffey seconded, for January 31, 2006,
18 Mr. Stout was the concurring third.

19
20 9.F.13. Ordinance No. AO 2006-7, an ordinance amending AO 2005-79, regarding construction of a new
21 **Civic and Convention Center facility**, to adjust vacation of right-of-way on F Street and G Street;
22 Mayor Begich. (*Public Hearing 1-24-06*) (**Laid on the Table**)

23 a. Assembly Memorandum No. AM 31-2006.

24
25 Mr. Sullivan moved, *to introduce* AO 2006-7 with Public Hearing set
26 Mr. Tesche seconded, for January 24, 2006,
27 Mr. Stout was the concurring third.

28
29 9.F.14. Ordinance No. AO 2006-8, and ordinance submitting to the Qualified Voters of the Municipality of
30 Anchorage at the Regular Municipal Election on April 7, 2009, a Ballot Proposition amending Home
31 Rule Charter Article 20, Section 11-02, Election Procedures to require **run-off elections** if no
32 candidate for the office of Mayor receives more than 50% of the votes cast for the office. (*Public*
33 *Hearing 1-31-06*) (**Laid on the Table**)

34
35 Mr. Coffey moved, *to introduce* AO 2006-8 with Public Hearing set
36 Mr. Stout seconded, for January 31, 2006,
37 Mr. Bauer was the concurring third.

38
39 Chair Fairclough called the Question on the remainder of Consent Agenda.

40
41 and this motion, as amended, was passed,
42 with Mr. Coffey abstaining on matters involving three items.

43
44 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
45 NAYES: None.
46 ABSTAIN: Mr. Coffey abstained from participation with matters concerning El Tango, Goldrush Liquor, Super Kmart
47 Center, Anchorage Glacier Pilots and the Northeast Community Center, in items 9.D.1, 9.D.3 and 9.D.5,
48 due to conflicts of interest.

49
50 The amended Consent Agenda was approved and Chair Fairclough proceeded into discussion of the pulled items.

51
52 **END OF CONSENT AGENDA**

53
54
55 **10. REGULAR AGENDA**

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

57 10.A.1. Resolution No. AR 2006-2, a resolution of the Anchorage Municipal Assembly recognizing and
58 honoring **Cleo Durr** for his 25 years of service with Municipal Light and Power.

59
60 Ms. Shamberg moved, *to approve* AR 2006-2,
61 Mr. Sullivan seconded,
62 and this was unanimously approved.

63
64 Ms. Shamberg read and Mr. Birch presented the resolution to Cleo Durr, honoring him for his 25 years of service with
65 the city. Mr. Durr accepted his award and thanked the Assembly and the Administration for recognizing his position as
66 a contract negotiator for Municipal Light and Power. Chair Fairclough and Mr. Sullivan thanked him for his service.

67
68 10.A.2. Resolution No. AR 2006-3, a resolution of the Anchorage Municipal Assembly recognizing and
69 honoring **Kelly Loran** for his 15 years of service with the Municipality of Anchorage.

70
71 Ms. Jennings moved, *to approve* AR 2006-3,
72 Mr. Sullivan seconded,
73 and this was passed unanimously.

74
75 Mr. Sullivan read and Ms. Jennings presented the resolution to Kelly Loran, recognizing and honoring him for his 15
76 years of service, including positions as an electrical inspector, building inspector and as Chief Shop Steward for the
77 electrical inspectors. Mr. Loran responded that the city was a great place to work and thanked the Assembly and the
78 Administration for the recognition.

1
2 10.A.3. Resolution No. AR 2006-12, a resolution of the Anchorage Municipal Assembly recognizing and
3 honoring **Carolyn Edwards** for her distinguished career in public safety and public service to the
4 Municipality of Anchorage. (**Laid on the Table**)

5
6 Mr. Traini moved, to approve AR 2006-12,
7 Mr. Coffey seconded,
8 and this was approved unanimously.
9

10 Mr. Sullivan read the resolution, honoring Carolyn Edwards for her 20 years of distinguished service as a Security
11 Officer with the Municipality. Mr. Traini presented the award to Captain Bruce Thomas, who accepted on behalf of
12 Officer Edwards. Captain Thomas, Mr. Traini and Mr. Tesche thanked Officer Edwards for her service and shared
13 stories of her public safety experiences at the Loussac Library and City Hall.
14

15 **10.B. RESOLUTIONS FOR ACTION - OTHER**

16 10.B.2. Resolution No. AR 2006-9, a resolution adopting the **2006 Legislative Program** for the Municipality of
17 Anchorage; Mayor's Office.

18 a. Assembly Memorandum No. AM 23-2006. (**Addendum**)
19

20 Mr. Sullivan requested time for Assemblymembers to review the most recent draft. Mr. Coffey moved to postpone until
21 after the dinner break, seconded by Ms. Jennings and there were no objections. (*Clerk's Note: Following Public*
22 *Hearing on Agenda item 13.E, Chair Fairclough returned the Assembly to take up this item.*)
23

24 Mr. Coffey moved, to approve AR 2006-9,
25 Ms. Jennings seconded,
26

27 Mr. Coffey stated that he and Assemblymembers Sullivan and Fairclough had addressed the priorities and many of the
28 Assembly's proposed amendments had been incorporated into the new draft. He reviewed those changes.
29

30 Mr. Sullivan moved, to amend the 2006 Legislative Program, *by deleting*
31 Mr. Coffey seconded, Amendment #3, [~~The Municipality supports a Primary~~
32 and this motion was withdrawn. ~~Seatbelt Law.~~];
33

34 Mr. Sullivan stated that, while he supported enforcing children wearing seat belts, he did not want a Primary Seatbelt
35 Law for adults. Mr. Abbott clarified that the priority concerning the Primary Seatbelt Law had been mistakenly omitted
36 in the final draft and urged consideration of it being reinstated. Mr. Sullivan withdrew his amendment.
37

38 Ms. Jennings moved, to amend the 2006 Legislative Program, *by adding*
39 Mr. Tesche seconded, Amendment # 3, "The Municipality supports a Primary
40 Seatbelt Law.;"
41

42 To Ms. Jennings, Police Chief Walt Monegan responded this was a personal safety issue and also a financial
43 consideration. Officers were dispatched and completed a very lengthy study for every highway fatality, which was
44 expensive. He urged Assembly support. Mr. Abbott responded that supporting this matter may have a direct effect
45 upon federal highway funding allocations.
46

47 To Mr. Tesche, Chief Monegan and Mr. Abbott responded that Primary Seatbelt laws were common across the United
48 States.
49

50 and this motion failed, 5-6.
51

52 AYES: Tesche, Shamberg, Coffey, Stout and Jennings.

53 NAYES: Ossiander, Sullivan, Fairclough, Birch, Bauer and Traini.
54

55 Mr. Sullivan moved, to amend the 2006 Legislative Program, *by adding*
56 Mr. Tesche seconded, Amendment # 6, to read: "The Municipality will continue to
57 and this was unanimously approved. request support from the State of Alaska for funding the
58 Juvenile Intake Officers; "
59

60 Mr. Stout moved, to amend the 2006 Legislative Program, *by adding*
61 Mr. Coffey seconded, Amendment #12, to read: "The Municipality of Anchorage
62 and this was amended, supports state and federal funding of Knik Arm Bridge
63 without reducing Anchorage's share of state and federal
64 transportation funding.;"
65
66

67 Mr. Coffey proposed additional language, which was accepted as a friendly amendment by Mr. Stout.
68

69 and this was approved without objection.
70

71 Ms. Ossiander moved, to amend the 2006 Legislative Program *by adding*
72 Mr. Sullivan seconded, Amendment # 22, to read "The Municipality is requesting the
73 and this was unanimously approved. State of Alaska to appropriate \$1.8 million to acquire trailhead
74 access points to Chugach State Park.;"
75

76 To Ms. Ossiander, Mr. Coffey responded that South Fork was mentioned in the draft.
77

78 Mr. Bauer moved, to amend the 2006 Legislative Program *by changing*

1 Mr. Coffey seconded, Amendment # 23, *by deleting the entire section, entitled*
2 and this was amended, [~~Promote tolerance among all Alaskans~~] and *by substituting*
3 to read: "The Municipality supports passage of legislation
4 and resolutions by the Legislature which promote tolerance
5 among all Alaskans." [~~, without the problems associated with~~
6 ~~defining certain felonies and misdemeanors as 'hate crimes.'~~]
7

8 Mr. Bauer stated it was appropriate to support tolerance among all Alaskans, but defining hate crimes as felonies and
9 misdemeanors would become controversial.

10
11 Mr. Tesche moved to amend, by deleting language following 'Alaskans.' Mr. Stout seconded and Mr. Bauer accepted
12 this as a friendly amendment. Mr. Coffey and Mr. Sullivan concurred.

13
14 and the Bauer Motion, as amended, was approved without objection.

15
16 Mr. Sullivan moved, to amend the 2006 Legislative Program *by deleting*
17 Mr. Coffey seconded, Amendment # 24, [~~Provisions that Denali Kid Care be funding~~
18 ~~at 200% the poverty level.~~];
19

20 Municipal Health and Human Services Director Beverly Wooley stated if requirements were changed, there would be
21 children who would not qualify for the program and would not get the necessary prescriptions or medical care needed,
22 and there would be an increased need for emergency room services. This would increase health care costs overall.

23
24 Mr. Tesche opposed and urged a NO-vote.

25
26 Mr. Sullivan stated the Legislature had fully researched this matter and had made the decision to lower the required
27 percentage level to 175% of the Federal Poverty Level (FPL). Without reviewing all of the information, the Assembly
28 should not include this amendment.

29
30 and this motion failed, 3-8.

31
32 AYES: Sullivan, Birch and Bauer.

33 NAYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Stout, Traini and Jennings.

34
35 Mr. Coffey moved, to amend the 2006 Legislative Program *by deleting*
36 Mr. Birch second, Amendment # 25, [~~Improve Adult Dental Services under~~
37 ~~Medicare~~],
38

39 Mr. Abbott and Ms. Wooley explained the importance of supporting this provision. Factors included costs, associated
40 health issues relating to tooth loss and cosmetic effects, which affected self esteem and employment opportunities.

41
42 Mr. Coffey stated that 41,000 adults would be eligible for this provision, for a cost of \$47,150,000.

43
44 To Mr. Tesche, Ms. Wooley responded that additional information could be supplied, if needed.

45
46 and this motion failed, 5-6.

47
48 AYES: Sullivan, Coffey, Birch, Stout and Bauer.

49 NAYES: Tesche, Shamberg, Ossiander, Fairclough, Traini and Jennings.

50
51 Mr. Coffey moved to extend the Assembly Meeting to 11:30 p.m., seconded by Mr. Tesche and there were no
52 objections.

53
54 Mr. Coffey moved, to amend the 2006 Legislative Program *by deleting*
55 Mr. Sullivan seconded, Amendment #26, [~~Obesity Prevention~~],
56

57 Mr. Coffey stated that a study on obesity was in process. An accurate decision concerning obesity would only be
58 determined once those studies were completed and reviewed.

59
60 To Chair Fairclough, Ms. Wooley responded that studies were to be completed by March 2006, and including this
61 priority would allow positioning for funding requests for implementing the recommended strategies concerning obesity.

62
63 and this motion passed, 8-3.

64
65 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Traini.

66 NAYES: Tesche, Shamberg and Jennings.

67
68 Mr. Coffey moved, to amend the 2006 Legislative Program *by deleting*
69 Mr. Sullivan seconded, Amendment #27, [~~Media Campaign for Child Care Licensing~~],
70

71 Mr. Coffey stated the Municipality was proposing to develop media campaign for childcare, with a proposed cost of
72 \$200,000. Ms. Wooley responded that one intention was to increase compliance, and education would increase
73 advocacy.

74
75 and this motion was approved, 8-3,

76
77 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Traini.

78 NAYES: Tesche, Shamberg and Jennings.

1
2 Ms. Ossiander moved,
3 Ms. Jennings seconded,

to amend Amendment #4 to the 2006 Legislative Program, *by reinstating language* to read: "The Municipality of Anchorage supports passage of legislation to establish a sustainable source of funding for Alaska Youth Courts. These changes in statute would provide a base of funding for Youth Courts that would empower United Youth Courts of Alaska as an organization and help Youth Courts across Alaska."

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10 To Mr. Sullivan, Ms. Ossiander and Mr. Abbott responded there was currently legislation to provide additional funding
11 sources from a small surcharge from misdemeanor fines, designated to Youth Courts.

12
13 and this motion failed, 5-6.

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

17
18 Ms. Ossiander moved,
19 Mr. Coffey seconded,
20 and this motion was unanimously passed.

to amend the 2006 Legislative Program, *by adding* "Request \$1.5 million for the funding for the State Department of Transportation to upgrade the drainage between the Eagle River North Interchange to the Eagle River South Interchange, along the Glenn Highway."

21
22
23
24 To Mr. Sullivan, Ms. Ossiander responded this section along the Glenn Highway was continually flooding and had put
25 a subdivision at risk. The Municipal Engineer had recommended specific fixes. Public Works CIP Engineer Jim
26 Lamson responded that this was not included in the Municipality Capital Program, but may be included with
27 Department of Transportation projects. Ms. Ossiander responded the local Road Board had requested this liability be
28 addressed. Mr. Abbott concurred. Chair Fairclough supported this request for residents of Eagle River and Chugiak.

29
30 Ms. Jennings moved,
31 Mr. Sullivan seconded,

to amend the 2006 Legislative Program, *by changing* Priority #16 to #4, concerning Raspberry Road Extension from Minnesota Drive to Arctic Boulevard,

32
33
34 Ms. Jennings stated that the Municipality had already fully funded their portion of the project and the request was for
35 the state to offer funding for completion, providing an east-west link.

36
37 and this motion was passed, 10-0.

38
39 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Stout, Bauer, Traini and Jennings.
40 NAYES: None.

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

42
43 Mr. Coffey stated that Chief of Staff David Ramseur would be completing the 2006 Legislative Program and would
44 make all the necessary, minor technical changes and corrections. To Chair Fairclough, Mr. Abbott and Mr. Ramseur
45 responded that Assemblymembers Coffey, Stout and Sullivan would have final approval of the document.

46
47 Ms. Jennings requested that a dollar figure accompany the PERS and TERS section of the document.

48
49 Mr. Coffey moved,
50 Mr. Sullivan seconded,

to approve AR 2005-9,

51
52 Mr. Coffey moved,
53 Ms. Ossiander seconded,
54 and this was approved with out objection.

to amend AR 2006-9 on Page 1, Line 7-8, *by deleting* to read: WHEREAS, the Mayor of the Municipality[,] "and" the Anchorage Assembly [~~the Anchorage School District and the University of Alaska, Anchorage~~] are unified in their support of state legislation and budgetary items for the Municipality of Anchorage; and; *And, on Line 11, by substituting* to read: WHEREAS [~~these entities wish~~] "Anchorage wishes" to continue a strong working relationship with the state administration and Alaska State Legislature; and;

55
56
57
58
59
60
61 Chair Fairclough called the Question.

62
63 and the main motion, as amended, was passed.

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

68
69 Ms. Jennings moved for immediate reconsideration, seconded by Mr. Coffey, who urged a NO-vote.

70
71 Ms. Jennings moved,
72 Mr. Coffey seconded,
73 and this motion failed unanimously.

for immediate reconsideration of AR 2006-9,

74
75 AYES: None.
76 NAYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

77

1 Mr. Coffey moved to Change the Order of the Day to take up items 14.G, 14.H, 14.S and 14.U, seconded by Ms.
2 Jennings and there were no objections.

3
4 10.B.3. Resolution No. AR 2006-13, a resolution of the Anchorage Municipal Assembly and Mayor Mark
5 Begich to provide adequate public notice of street name changes to residents of **Timberline Drive** in
6 Girdwood. (*Public Hearing 2-28-06*) (**Laid on the Table**) (*Clerk's Note: See item 9.B.3 for*
7 *introduction details of this item.*) (*Postponed to 2-28-06*)
8

9 Mr. Coffey requested this item be combined with 9.E.4, with Public Hearing set for both items on February 28, 2006.
10 There were no objections.

11
12 Mr. Coffey moved, to approve AR 2006-13,
13 Ms. Jennings seconded,

14
15 Mr. Coffey moved, to postpone AR 2006-13 to February 28, 2006,
16 Mr. Sullivan seconded,
17 and this was approved without objection.

18
19 **10.C. BID AWARDS** None were pulled for review.

20
21 **10.D. NEW BUSINESS**

22 10.D.4. Assembly Memorandum No. AM 5-2006, 2006 Grant Agreement with **Anchorage Economic**
23 **Development Corporation** (\$490,500); Office of Economic & Community Development. (*Postponed to*
24 *1-20-06*)
25

26 Mr. Bauer stated that he was an ex-officio member of the Anchorage Development Corporation and had reviewed this
27 grant agreement. It included an excellent strategy and he urged a YES-vote. Chair Fairclough recommended scheduling
28 a worksession to review their work of 2005 and Mr. Bauer concurred.

29
30 Mr. Bauer moved, to postpone AM 5-2006 to January 24, 2006,
31 Mr. Tesche seconded,
32 and this was approved without objection.

33
34 10.D.5. Assembly Memorandum No. AM 6-2006, approval to enter into **grant agreements** with The ARC of
35 Anchorage (\$98,000), NorthEast Community Center (\$131,430), and the Boys and Girls Club of
36 Greater Anchorage-Mountain View Rec Center (\$250,250); Office of Economic & Community
37 Development. (*Clerk's Note: See item 9.D.5 for details on Mr. Coffey's abstention and conflict of*
38 *interest.*)
39

40 Mr. Bauer moved, to approve AM 6-2006,
41 Ms. Jennings seconded,

42
43 Mr. Bauer had recently reviewed an internal audit report on the NorthEast Community Center which raised questions on
44 the grant agreement. He recommended bifurcation and postponement until a review could take place. He supported
45 approval of the remaining matters listed in the memorandum.

46
47 Mr. Bauer moved, to bifurcate the NorthEast Community Center, from AM 6-2006,
48 Ms. Ossiander seconded,
49 and this was approved without objection.

50
51 Mr. Bauer moved, to approve the remaining portions of AM 6-2006, including the
52 Mr. Sullivan seconded, ARC Anchorage and the Boys and Girls Club of Greater
53 and this was approved without objection. Anchorage Mountain View Rec Center,
54

55 To Mr. Traini, Internal Audit Director Peter Raiskums responded that his office had prepared the report and it appeared
56 the contract administrator had overlooked contract deadlines, but they were pleased with the contractor.

57
58 Mr. Bauer moved, to approve the NorthEast Community Center portion of
59 Mr. Traini seconded, AM 6-2006,
60

61 Mr. Bauer stated the Assembly needed reassurance that the NorthEast Community Center would improve their
62 operations, to meet future grant requirements. Office of Economic and Community Development Director Mary Jane
63 Michael responded that the NorthEast Community Center had complied with the required improvements and the
64 Municipality would continue supervision.
65

66 To Mr. Stout, Ms. Michael responded the NorthEast Community Center had been allowed to use funds for staff expenses.

67
68 Mr. Bauer stated that if the city would offer supervision, he would not object to approving the grant agreement. He urged
69 a YES-vote.
70

71 To Chair Fairclough, Mr. Bauer responded that he and Mr. Stout would meet with the NorthEast Community Center
72 Board of Directors and report back to the Assembly.
73

74 and this motion was approved.
75

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

77 NAYES: None

78 ABSTAIN: Coffey.

1
2 10.D.6. Assembly Memorandum No. AM 7-2006, 2006 Grant Agreement with Greater Anchorage, Inc. to
3 support the **Fur Rendezvous Winter Festival** (\$83,867); Office of Economic & Community
4 Development.

5
6 Mr. Stout moved, to approve AM 7-2006,
7 Mr. Sullivan seconded,

8
9 Mr. Stout stated it was important to recognize and appreciate the Fur Rondy staff and thank them for their hard work for
10 this very important event. Fur Rendezvous attracted visitors from all across the nation, who traveled to Anchorage for
11 this event. The appropriations that their office received for operating such an event were miniscule, for their
12 responsibilities and accomplishments.

13
14 Ms. Jennings stated that the Fur Rondy staff had shown that the money spent for the festival had high returns for
15 economic development. The appropriation was a good investment.

16
17 Mr. Traini stated it was important to support Fur Rondy, which brought a lot of people to Anchorage.

18
19 and this motion was unanimously approved, 11-0.

20
21 **10.E. INFORMATION AND REPORTS**

22 10.E.1. Information Memorandum No. AIM 6-2006, Internal Audit Report 2005-14 – **Planning Fee Revenue,**
23 **Planning Department**; Internal Audit.

24
25 Ms. Ossiander moved, to accept AIM 6-2006,
26 Mr. Sullivan seconded,

27
28 To Ms. Ossiander, Planning Department Director Tom Nelson responded that their new revenue management and
29 reporting system would offer greater accuracy, higher security, automatic calculation of fees and it was PeopleSoft-
30 friendly.

31
32 and this motion was unanimously approved.

33
34 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
35 NAYES: None.

36
37 10.E.4. Information Memorandum No. AIM 10-2006, Duplicate Street Name – **Timberline Drive Street Name**
38 **Change in Eagle River**; Planning Department. (**Addendum**) (*Public Hearing set for 2-28-06*)

39
40 Mr. Coffey requested this item be combined with 9.B.3, with Public Hearing for both items set on February 28, 2006.
41 There were no objections.

42
43 Mr. Coffey moved, to postpone AIM 10-2006 to February 28, 2006,
44 Ms. Shamberg seconded,
45 and this was approved,
46 with objections from Chair Fairclough and Ms. Ossiander.

47
48 Chair Fairclough stated that she and Ms. Ossiander objected to this matter being heard again, because it had already
49 been discussed and voted upon by the Assembly on December 20, 2005.

50
51 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

52 10.F.1. Ordinance No. AO 2006-1, an ordinance submitting to the qualified voters of the Municipality of
53 Anchorage at the Regular Municipal Election on April 4, 2006, a ballot proposition amending Home
54 Rule Charter Article XXI, Section 11.02, Election Procedures, to require **run-off election** if no
55 candidate for the Office of Mayor receives more than fifty percent (50%) of the votes cast for the office;
56 Assemblymembers Stout and Sullivan. (~~Public Hearing 1-31-06~~)

57
58 Mr. Stout moved, to introduce AO 2006-1,
59 Mr. Sullivan seconded,

60
61 Mr. Stout stated he was proposing to return the requirement of a 50% for determining a mayoral election. A new
62 ordinance, AO 2006-8, had been introduced that evening to replace AO 2006-1, and would begin the new requirement
63 in 2009, rather than 2006. He proposed to postpone indefinitely AO 2006-1 and support AO 2006-8.

64
65 Mr. Stout moved, to postpone indefinitely AO 2006-1,
66 Mr. Sullivan seconded,

67
68 To Mr. Traini, Municipal Attorney Fred Boness responded the Department of Justice would not grant an advisory
69 opinion on matters such as this. He recommended Assembly action on this matter and submitting it to the Department
70 of Justice for legal confirmation.

71
72 Ms. Ossiander recommended reconsideration of the motion to introduce on the floor. Chair Fairclough requested the
73 Assembly speak only to the motion to postpone indefinitely.

74
75 Mr. Coffey supported postponing indefinitely because the item would be on the ballot at the same time as a Mayoral
76 Election. He supported the 50% concept, but would not support the resolution being on the ballot in 2006.

77
78 Mr. Traini supported postponing indefinitely.

1
2 Mr. Sullivan supported the 50% requirement and concurred with Mr. Stout on postponing indefinitely.

3
4 Mr. Tesche supported postponing indefinitely.

5
6 To Mr. Coffey, Mr. Boness responded the Department of Justice should have time to respond to this matter, prior to
7 having it included in the April, 2006 election.

8
9 Chair Fairclough opposed postponing indefinitely. This matter should include both items together and be discussed by
10 the Assembly. She urged a NO-vote. She called the Question on the motion to postpone indefinitely.

11
12 and this motion passed, 7-4.

13
14 AYES: Tesche, Shamberg, Ossiander, Coffey, Stout, Traini and Jennings.

15 NAYES: Sullivan, Fairclough, Birch and Bauer.

16
17 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

18 11.A. Assembly Memorandum No. AM 936-2005, Bidding Review Board appointments (Ted Chenier,
19 Lynnette Fox, Maurice Hollowell, ~~Bill Wielechowski~~); Mayor's Office. *(Carried Over from 12-20-05)*

20
21 Mr. Sullivan moved, to approve AM 936-2005,
22 Mr. Coffey seconded,

23
24 Mr. Sullivan moved, to *bifurcate* the appointment of Bill Wielechowski from AM
25 Mr. Coffey seconded, 936-2005,
26 and this was approved,
27 with two objections from Ms. Jennings and Ms. Shamberg.

28
29 Mr. Sullivan moved, to approve the remainder of AM 936-2005, approving the
30 Mr. Coffey seconded, appointments of Ted Chenier, Lynnette Fox and Maurice
31 and this was approved unanimously. Hollowell,

32
33 Mr. Coffey stated that the approved appointments were qualified and he supported them. Mr. Wielechowski was
34 currently a candidate, running for Alaska Senate and it was not appropriate for him to be appointed to the bidding
35 review board.

36
37 To Chair Fairclough, Deputy Municipal Manager Michael Abbott responded the Administration was prepared to
38 withdraw Mr. Wielechowski's appointment.

39
40 Mr. Coffey moved, to *postpone indefinitely* the appointment of Bill Wielechowski,
41 Mr. Sullivan seconded,
42 and this motion was passed unanimously.

43
44 11.B. Assembly Memorandum No. AM 942-2005, Bidding Review Board appointments (Scott Bohne,
45 Russell Nogg); Mayor's Office. *(Carried Over from 12-20-05)*

46
47 Mr. Sullivan moved, to approve AM 942-2005,
48 Mr. Coffey seconded,

49
50 Mr. Sullivan urged approval and Mr. Coffey concurred.

51
52 Ms. Jennings thanked both Mr. Bohne and Mr. Nogg for serving the city.

53
54 and this motion was passed unanimously.

55
56 11.C. Information Memorandum No. AIM 98-2005, Sole Source Procurement Report for the month of
57 November 2005; Purchasing. *(Carried Over from 12-20-05)*

58
59 Chair Fairclough read the memorandum title and stated there was a motion to accept on the floor from Mr. Stout,
60 seconded by Mr. Coffey.

61
62 Mr. Coffey stated that among the sole source procurements items was completion of the Tudor Road Master Plan,
63 which would show the all the streets and matters relating to the east-west corridor. He approved of this study.

64
65 Mr. Sullivan stated there were other roads in the city that were equally as congested as Tudor Road. To his question,
66 Heritage Land Bank Executive Director Robin Ward confirmed that the remainder of funds from the Tudor Road
67 Project had been transferred for land acquisition for a potential future elementary school site.

68
69 To Chair Fairclough, Ms. Ward responded that this was the completion of a corridor study and was not related to the
70 Tudor and Lake Otis intersection design.

71
72 and this motion was passed, 10-0.

73
74 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Birch, Stout, Bauer, Traini and Jennings.

75 NAYES: None.

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

77

- 1 11.D. Assembly Memorandum No. AM 921-2005, Change Order No. 2 to the cooperative agreement
2 between the State of Alaska, Department of Natural Resources, Division of Forestry and the
3 Municipality of Anchorage, Anchorage Fire Department (AFD) for **Wildfire Fuel Load Hazard**
4 **Mitigation** (\$430,000); Purchasing. (*Postponed from 12-20-05*)
5

6 Chair Fairclough read the memorandum title and called the Question.

7
8 Mr. Bauer moved, to approve AM 921-2005,
9 Mr. Coffey seconded,

10
11 Deputy Municipal Manager Michael Abbott recommended approval.

12
13 Mr. Bauer requested a progress report, including methods used and costs per acre and per tree, with a summary of
14 the money spent. He also requested this be reviewed by the Public Safety Committee. He moved to postpone to a
15 later date, which died for a lack of a second.

16
17 and this motion was approved.

18
19 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Jennings.

20 NAYES: Traini.

21
22 Mr. Coffey moved to Change the Order of the Day to take up 13.A, seconded by Ms. Jennings and there was no
23 objection.

- 24
25 11.E. Assembly Memorandum No. AM 929-2005, proprietary purchase with the **Law Offices of Mitch D.**
26 **Gravo** for professional lobbying services for the Municipality of Anchorage (\$65,000); Mayor's Office.
27 (*Carried Over from 12-20-05*)
28

29 Chair Fairclough read the memorandum title and called the Question.

30
31 Mr. Coffey moved, to approve AM 929-2005,
32 Mr. Traini seconded,

33
34 Mr. Coffey opposed.

35
36 Mr. Sullivan opposed, with the understanding that a new memorandum would be produced in the near future. He
37 urged a NO-vote

38
39 Mr. Tesche stated that Mr. Gravo was a professional and successful lobbyist and did a good job for the city. He urged
40 a YES-vote.

41
42 Chair Fairclough stated that Mr. Gravo had professionally represented the Municipality in Juneau. In Juneau last year,
43 a straw poll indicated that many representatives did not know that Mr. Gravo was representing the Municipality on
44 several issues. She added that Mr. Gravo was very well known and liked among colleagues and the Administration.

45
46 Mr. Stout stated that he had heard comments from colleagues and Juneau Legislators that Mr. Gravo could be more
47 productive and aggressive.

48
49 Ms. Jennings supported the ordinance and stated that the nature of items presented in Juneau varied and Mr. Gravo's
50 representation for the Municipality was appropriate and effective.

51
52 Ms. Shamberg supported the appropriation, but urged the Administration to address the issue in the future.

53
54 Deputy Municipal Manager Michael Abbott urged support. Mr. Gravo had been a key player last year in Juneau and
55 had helped the Municipality save millions of dollars.

56
57 and the motion failed, 5-6.

58
59 AYES: Tesche, Shamberg, Ossiander, Traini and Jennings.

60 NAYES: Sullivan, Fairclough, Coffey, Birch, Stout and Bauer.

61
62 Mr. Coffey moved for immediate reconsideration and urged a NO-vote.

63
64 Mr. Coffey moved, for immediate reconsideration of AM 929-2005,
65 Mr. Birch seconded,
66 and this motion failed, 4-7.

67
68 AYES: Shamberg, Ossiander, Traini and Jennings.

69 NAYES: Tesche, Sullivan, Fairclough, Coffey, Birch, Stout and Bauer.

- 70
71 11.F. Ordinance No. AO 2005-171, an ordinance amending Anchorage Municipal Code Section 25.20.027
72 regarding **eminent domain limitations**; Assemblymembers Birch and Bauer.
73 1. Information Memorandum No. AIM 100-2005.
74 2. Ordinance No. AO 2005-171(S), an ordinance amending Anchorage Municipal Code Section
75 25.20.027 regarding eminent domain limitations; Assemblymembers Birch and Bauer.
76 3. Ordinance No. AO 2005-171(S-1), an ordinance amending Anchorage Municipal Code
77 Section 25.20.027 regarding eminent domain limitations; Assemblymembers Birch, Bauer and
78 Sullivan. (**Laid on the Table**) (*Public Hearing Closed 12-20-05; Postponed from 12-20-05*)

1
2 Chair Fairclough read the ordinance title and stated Public Hearing was closed, and there was a motion to approve on
3 the floor by Mr. Birch, seconded by Mr. Bauer. There was a motion to amend on the floor by Mr. Birch, seconded by
4 Mr. Bauer.

5
6 Mr. Birch stated the new Substitute Version included the proposed amendments, including limitations on the use of
7 eminent domain being waived by ordinance, approved by two-thirds vote of the Assembly.

8
9 Mr. Birch moved, to approve AO 2005-171(S-1),
10 Mr. Bauer seconded,

11
12 Mr. Sullivan stated that eminent domain should be used only in critically important and special instances. He fully
13 supported the new ordinance and requested to be added as a cosponsor. Mr. Birch and Mr. Bauer concurred.

14
15 Mr. Tesche stated that the Assembly had passed an ordinance opposing the use of eminent domain, following the
16 Supreme Court ruling of the Kelo Case, allowing transfer of private property to developers. He urged the Assembly to
17 address this issue with caution. He opposed the Birch Ordinance and recommended waiting for the State of Alaska to
18 set policy on this issue. He stated that his constituents, residents of Government Hill, were in fear of eminent domain
19 with the proposed Knik Arm Crossing Bridge. He urged a NO-vote.

20
21 Mr. Traini urged consideration of waiting for the State of Alaska to make a decision on this matter.

22
23 Mr. Coffey stated a public policy statement was necessary to address private property, which needed to be protected.
24 He supported the ordinance and he supported the two-thirds majority vote.

25
26 Chair Fairclough supported the use of an Assembly super-majority vote on issues pertaining to eminent domain.

27
28 To Ms. Ossiander, Mr. Birch responded that his ordinance would support the private land issue at Mount Baldy, where
29 the owners were willing to allow use of their property to access Chugach State Park.

30
31 Ms. Shamberg stated there would be a time when persons who did not want to give up their land could address the
32 Assembly.

33
34 Ms. Jennings stated the city had stricter laws than the state and eminent domain was rarely used. The ordinance
35 might be catering to a special interest group, opposing the Coastal Trail extension. She opposed the ordinance.

36
37 Mr. Tesche stated the Birch Ordinance was clear, and the question remained concerning the super-majority vote.

38
39 and this motion, as amended, was passed, 7-4.

40
41 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout and Bauer.

42 NAYES: Tesche, Shamberg, Traini and Jennings.

43
44 Mr. Birch moved for immediate reconsideration and urged a NO-vote.

45
46 Mr. Birch moved, for immediate reconsideration of AO 2005-171(S-1),
47 Mr. Coffey seconded,
48 and this motion failed, 4-7.

49
50 AYES: Tesche, Shamberg, Traini and Jennings.

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

- 52
53 11.G. Ordinance No. AO 2005-69, an ordinance repealing and reenacting Anchorage Municipal Code
54 Chapter 1.15, **Code of Ethics**; Legal Department.
55 1. Assembly Memorandum No. AM 325-2005. (*Continued from 6-28-05; Carried Over from 8-*
56 *23-05 and 9-13-05; Public Hearing was Closed 9-27-05; Postponed from 9-27-05*)

57
58 Chair Fairclough stated the Administration wished for this item to be postponed indefinitely. There would be a new
59 ordinance introduced on April 11th, and there would be a worksession scheduled on April 7th, to discuss changes.

60
61 Mr. Stout moved, to postponed indefinitely AO 2005-69,
62 Mr. Coffey seconded,
63 and this motion was passed, 10-1.

64
65 AYES: Tesche, Shamberg, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

66 NAYES: Ossiander.

67
68 Mr. Tesche requested that a new draft of the ordinance be ready for review at the worksession. Assembly Attorney
69 Julia Tucker concurred.

70
71 **12. APPEARANCE REQUESTS** None.

72
73 **13. CONTINUED PUBLIC HEARINGS**

- 74 13.A. Ordinance No. AO 2005-164, an ordinance submitting to the qualified voters residing in The Tablelands
75 Subdivision, a ballot proposition to create a new street light service area designated as **The Tablelands**
76 **Subdivision Street Light Service Area**, and, upon voter approval, accordingly amend Anchorage
77 Municipal Code Section (AMC) 27.30.700 and automatically consolidate The Tablelands Subdivision

1 Street Light Service Area with the Eagle River Street Light Service Area, effective retroactively as of
2 January 1, 2006; Maintenance & Operations Department.

3 1. Assembly Memorandum No. AM 799-2005. *(Carried Over from 12-20-05)*
4

5 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
6 and called the Question.

7
8 Ms. Jennings moved, to approve AO 2005-164,
9 Mr. Sullivan seconded,

10
11 Ms. Ossiander stated her Chugiak/Eagle River constituents opposed the .5 mills cap limitation and she recommended
12 lowering that figure to .35 mills. Deputy Municipal Manager Michael Abbott responded that lowering the mill rate cap
13 required a ballot action of the service area. Ms. Ossiander responded that it was her intention to lower the mill cap for
14 that area. She would approve the matter that evening, but requested to discuss this matter later with the
15 Administration.

16
17 Chair Fairclough stated the street light areas in Eagle River were being charged more than areas in Anchorage. Mr.
18 Abbott responded that this street lighting matter had already been balloted in that service area and the voters had
19 decided the mill cap.

20
21 To Mr. Birch, Mr. Abbott responded that surplus funds remaining were carried forward to the next budget year for that
22 the service area.

23
24 and the motion was passed.

25
26 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
27 NAYES: None.

28
29 13.B. Ordinance No. AO 2005-149, an ordinance of the Municipality of Anchorage authorizing withdrawal of
30 **Heritage Land Bank (HLB) Parcel #3-048** from the HLB Inventory and transfer of the parcel to Real
31 Estate Services Division, with management authority to be delegated to Parks & Recreation Division,
32 and further authorizing a conservation easement to be recorded against the parcel; Heritage Land
33 Bank.

34 1. Assembly Memorandum No. AM 759-2005. *(Carried Over from 12-13-05 and 12-20-05)*
35

36 Chair Fairclough read the ordinance title and opened Public Hearing.

37
38 JOHN WEDDLETON supported the ordinance and supported the ball field use.

39
40 With no additional public testimony, Chair Fairclough closed Public Hearing and called the Question.

41
42 Mr. Traini moved, to approve AO 2005-149,
43 Mr. Coffey seconded,

44
45 Mr. Coffey supported the ordinance because it dealt with wetland use. It would help to begin addressing other park
46 issues, including uses and management.

47
48 Mr. Traini supported the ordinance.

49
50 Mr. Tesche commended Mr. Coffey on his work with the matter. He supported the ordinance.

51
52 Mr. Birch opposed the ordinance because it involved poor public policy and was inconsistent with recent
53 accomplishments. The Parks Plan should be the mechanism for prescribing this process and it should not involve
54 mitigation.

55
56 Ms. Jennings supported the ordinance and urged a YES-vote.

57
58 and the motion was passed, 7-3.

59
60 AYES: Tesche, Shamberg, Fairclough, Coffey, Stout, Traini and Jennings.
61 NAYES: Sullivan, Birch and Bauer.

62 *(Clerk's Note: Ms. Ossiander was temporarily out of Chambers at the time of the vote.)*
63

64 13.C. Ordinance No. AO 2005-174, an ordinance authorizing the sale of **Lots 9 and 10, Ridgeview**
65 **Subdivision**, located at the intersection of Old Seward and East 70th Avenue, in Anchorage (Parcel ID
66 Nos. 014-111-19 and 014-111-20); Heritage Land Bank & Real Estate Services.

67 1. Assembly Memorandum No. AM 844-2005. *(Carried Over from 12-13-05 and 12-20-05)*
68

69 Chair Fairclough read the ordinance title and opened Continued Public Hearing. With no one to testify, she closed
70 Public Hearing and called the Question.

71
72 Mr. Coffey moved, to approve AO 2005-174.
73 Ms. Jennings seconded,
74 and this was passed unanimously.

75
76 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
77 NAYES: None.

78

- 1 13.D. Ordinance No. AO 2005-175, an ordinance amending Anchorage Municipal Code Chapters 21.40,
2 21.45 and 21.50 to delete zoning and conditional use provisions related to **roof-mounted satellite**
3 **dishes** (Planning and Zoning Commission Case 2003-143); Planning Department.
4 1. Assembly Memorandum No. AM 845-2005. (*Carried Over from 12-13-05 and 12-20-05*)
5

6 Chair Fairclough read the ordinance title and opened Continued Public Hearing. With no one to testify, she closed
7 Public Hearing and called the Question.
8

9 Mr. Coffey moved, to approve AO 2005-175.
10 Ms. Jennings seconded,
11

12 Mr. Coffey stated this involved a federal telecommunications requirement, limiting unsightly dishes on residential roofs.
13
14 and this was passed unanimously.
15

16 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
17 NAYES: None.
18

19 Mr. Coffey moved to Change the Order of the Day to take up 13.F. There were no objections.
20

- 21 13.E. Ordinance No. AO 2005-150(S), an ordinance amending Anchorage Municipal Code Section
22 21.35.020 to amend and to add definitions relating to the accessory use of **Large Domestic Animal**
23 **Facilities** and home based business; to amend Sections 21.40.020, 21.40.070, 21.40.080, 21.40.090,
24 21.40.100, 21.40.110, 21.40.115, 21.40.117; to add large domestic animal facilities and home based
25 businesses as permitted accessory or conditional uses in the R-5A Rural Residential District (Large
26 Lot), R-6 Suburban Residential District (Large Lot), R-7 Intermediate Rural Residential District, R-8
27 Rural Residential District (Large Lot), R-9 Rural Residential District, R-10 Residential Alpine/Slope
28 District, and R-11 Turnagain Arm District; to amend Chapter 21.45 to add Accessory Building
29 Standards and to establish supplementary district standards for large domestic animal facilities; and to
30 amend Chapter 21.50 to establish conditional use standards for large domestic animal facilities;
31 Assemblymembers Ossiander and Shamberg. (*Substitute for AO 2005-150 & Continued from 11- 22-*
32 *05) (Carried Over to 1-24-06, 8:00 p.m.)*
33 1. Assembly Memorandum No. AM 855-2005.
34 2. Information Memorandum No. AIM 2-2006.
35 3. Ordinance No. AO 2005-150(S-1) (*Laid on the Table*)
36

37 To Mr. Traini, Ms. Ossiander responded the Animal Control Advisory Board had reviewed the Substitute Version and
38 had reported back. They had not reviewed the S-1 Version because it had only been finalized that day. She explained
39 the changes that had been incorporated into the S-1 Version.
40

41 Chair Fairclough opened Public Hearing.
42

43 BERT McQUEEN opposed the new ordinance. There had been many things added that were different from what had
44 been proposed by citizens and concerns remained, including restrictions. To Mr. Traini, he responded he had seen
45 the S-1 Version.
46

47 BETH TERRY, Hillside resident, opposed many things in the new version, including allowing density of 4 horses and
48 the setbacks. To Ms. Jennings, she thought a 25-foot setback was appropriate for facilities.
49

50 MICHAEL QUIRK stated there should be no more changes to the setback allowances.
51

52 LINDA BOGGS urged consideration of keeping the setbacks.
53

54 DIANE SULLIVAN, representing the Chugach Range Riders, supported the ordinance. To Ms. Jennings, she
55 responded that she had attended some of the P & Z Meetings. To Mr. Traini, she responded she had not studied the
56 S-1 Version.
57

58 Chair Fairclough recommended postponing the ordinance, to allow additional time for review. Mr. Traini requested the
59 S-1 Version be heard by the Animal Control Advisory Board.
60

61 Mr. Tesche moved, to postpone AO 2005-150(S-1) to February 14, 2006, to be
62 Mr. Traini seconded, heard by the Animal Control Advisory Board and the Planning
63 and Zoning Commission,
64

65 Planning Department Director Tom Nelson supported postponement, to also allow the Planning and Zoning
66 Commission time to review the S-1 Version. Mr. Tesche accepted this as a friendly amendment.
67

68 Mr. Birch opposed postponement. He thought that prior board review of the matter was enough.
69

70 Ms. Jennings supported postponement.
71

72 Ms. Ossiander opposed postponement.
73

74 and the motion to postpone failed, 5-6.
75

76 AYES: Tesche, Sullivan, Coffey, Traini and Jennings.
77 NAYES: Shamberg, Ossiander, Fairclough, Birch, Stout and Bauer.
78

1 Chair Fairclough reopened Public Hearing.

2
3 DIANNE HOLMES stated that Planning and Zoning had voted in favor of readdressing this issue. Question remained
4 on the 25-foot setbacks. She made recommendations of improved language. To Mr. Tesche, she approved of the 25-
5 foot buffer but the wording needed improvement.

6
7 ALEVA MARTIN supported the S-1 Version. Ms. Ossiander had worked hard on the many compromises. To Mr.
8 Coffey, she responded there would always be irresponsible animals owners who should be turned into Animal Control.

9
10 ARLENE KAY BOWDEN supported horses in residential areas. Horse owners knew what they were doing and were
11 responsible.

12
13 BILL LANDROWE testified that high density of horses would contaminate surface and well water and increase insects.
14 He recommended setbacks be kept at 25 feet, allowances of no more than 3-4 large animals on a residential lot, more
15 enforcement and stricter penalties.

16
17 ANNIE MABRY supported the ordinance. To Ms. Ossiander, she responded that she supported the 25-foot setback
18 and using buffers of natural vegetation. Ms. Shamberg commended Ms. Mabry's contributions to the disabled, as
19 Director of the Rainbow Connection. To Mr. Sullivan, she responded that horse owners needed to act more
20 responsibly and more enforcement was needed. To Ms. Jennings, she responded there were places in cities across
21 the nation, where commercial riding arenas were often successfully located in residential areas.

22
23 BRANDON CARPENTER supported the ordinance. Animal owners needed to act more responsibly and more
24 enforcement was needed. To Ms. Shamberg, he concurred that residents and animal owners needed to work together
25 to make this work.

26
27 BOBBY WELLS, member of the Birchwood Community Council, still had concerns on setbacks, changes of variances
28 and lack of enforcement. She shared the Council's record of 12 animal complaints in the past 12 years, some of which
29 were repeat incidents. Ms. Wells made recommendations for improvements, primarily for increased enforcement.

30
31 JIM PERKINS, a horse owner, opposed all the zoning changes. He had built a permitted barn, which was now illegal.
32 The Planning and Zoning Department was treating him unfairly. He was a responsible horse owner and was
33 accommodating his neighbors.

34
35 RYAN STENCIL, representing Huffman/O'Malley Community Council, stated there were differences between rural and
36 urban communities and the ordinance should include more specific requirements and limitations. She pointed out
37 differences and made recommendations for improvements, including working with conservation plans.

38
39 LINDA PERKINS, Mid-Hillside Community Council President, read a Council resolution supporting the ordinance and
40 proposing recommendations for improvements and additions. She thanked Ms. Ossiander and Ms. Shamberg for their
41 work and urged them to consider addressing places with high densities. To Ms. Shamberg, Ms. Perkins responded
42 they had developed their property, using the Soil and Water Conservation Plan, and were pleased with the results.

43
44 LORI HACKENBERGER, representing the Anchorage Horse Council, testified in support of the ordinance and made
45 recommendations for improvements. Ms. Ossiander thanked Ms. Hackenberger for being a responsible horse owner
46 and for the improvements she had made to her facility.

47
48 ANITA McCOY, a horse owner, had witnessed horses living successfully in high density residential urban areas,
49 including Los Angeles, Fort Worth and Denver. Horse owners tended to be responsible and self-regulating. Ms.
50 McCoy supported the ordinance. Enforcement and self-policing needed to be increased. Ms. Jennings supported Ms.
51 McCoy's concept of self-policing.

52
53 JON NAUMAN, owner and downtown operator of Horse Drawn Carriages, who lived in Chugiak, testified in support of
54 the ordinance, with a few minor modifications.

55
56 With no additional public testimony, Chair Fairclough closed Public Hearing and announced that the issue would be
57 taken up on January 24th at 8:00 p.m.

58
59 Mr. Coffey moved to Change the Order of the Day to take up 9.B.2, seconded by Ms. Jennings and there were no
60 objections.

- 61
62 13.F. Ordinance No. AO 2005-176, an ordinance creating a **Tax Increment Financing Improvement**
63 **District**, pledging the payment of tax increments to repay indebtedness undertaken to pay for
64 improvements in the Tax Increment Financing Improvement District, and authorizing the payment for
65 public improvements provided in the District; Assemblymembers Birch, Stout and Traini.
66 1. Assembly Memorandum No. AM 852-2005. (*Carried Over from 12-20-05*)
67

68 Chair Fairclough stated it was the Administration's recommendation for this item to be postponed indefinitely. Because
69 it had been publicly noticed, Public Hearing would be allowed. Chair Fairclough opened Public Hearing and there
70 being no one to testify, she closed Public Hearing and called the Question.

71
72 Mr. Coffey moved, *to postpone indefinitely* AO 2006-176,
73 Mr. Sullivan seconded,
74 and this motion was passed unanimously.

75
76 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
77 NAYES: None.
78

1 Mr. Coffey moved to Change the Order of the Day to take up 11.E, seconded by Ms. Jennings and there were no
2 objections.

- 3
4 13.G. Ordinance No. AO 2005-178, an ordinance amending Anchorage Municipal Code Section 21.45.150
5 confirming the Assembly's intent that the use of a dwelling unit for the **operation of particle**
6 **accelerator systems, including cyclotrons**, is prohibited in home occupations; and amending
7 Anchorage Municipal Code Sections 21.40.030, 21.40.040, 21.40.045, 21.40.050, 21.40.060,
8 21.40.070, 21.40.080, 21.40.090, 21.40.100, 21.40.110, 21.40.115, 21.40.117 and 21.40.130 to
9 confirm that operation of particle accelerator systems and cyclotrons is prohibited in residential areas;
10 Assemblymember Tesche.
11 1. Assembly Memorandum No. AM 856-2005.
12 2. Information Memorandum No. AIM 101-2005.
13 3. Information Memorandum No. AIM 5-2006, Minutes of the December 12, 2005 Planning and
14 Zoning Commission Meeting (Case 2005-155); Municipal Clerk. (*Carried Over from 12-20-05*)
15 4. Assembly Memorandum No. AM 18-2006, AO 2005-178, Particle Accelerators (Cyclotrons) in
16 Residential Districts; Assemblymember Tesche. (**Addendum**)
17

18 Chair Fairclough read the ordinance title and opened Public Hearing.

19
20 DAVID GILBERTSON testified in support of Al Swank and his project. He opposed the ordinance, which was
21 specifically targeting Mr. Swank.

22
23 CATHLEEN WEEKS, President of South Addition Community Council, stated the Council had passed a resolution
24 supporting AO 2005-178, as had three other community councils, opposing cyclotrons. The commercial manufacturing
25 of radioactive isotopes was not a home occupation business and residential and school areas needed protection.
26

27 EDWARD LEACH, a nuclear reactor mechanic for 29 years, explained that cyclotrons produced very little harmful
28 radiation and the measurements would be difficult to detect and were not readily absorbed by cellular tissue. He
29 supported the use of a cyclotron in a residential area. To Mr. Bauer, he responded that he would be comfortable with
30 a cyclotron next to his home.
31

32 DIANNE HOLMES stated this matter was not about cyclotrons, but about land use issues and urged Assembly
33 consideration.
34

35 SHARON WALSH testified she was concerned with the manner in which this ordinance had been created by
36 hysterical, misinformed residents of the neighborhood, singling out one citizen. She urged Assemblymembers not to
37 act in haste, but to postpone this matter and schedule a worksession to learn more about the issue.
38

39 PETER STONE opposed the ordinance. This industry was important for the production of isotopes for medical
40 procedures that would save lives. He urged the Assembly to support Mr. Swank and his business.
41

42 LAURA BAUDKER opposed home-based businesses in residential areas and she supported the ordinance.
43

44 ALBERT SWANK testified that he operated a home occupation business, which was in compliance with the law and
45 Title 21, was allowed in a residential area and did not involve a safety issue. He offered to answer questions on the
46 many documents he had presented to Assemblymembers on this matter. He requested the Assembly Chair read the
47 conflict of interest statement to the body, prior to voting. This matter, affecting the Anchorage tax base needed to be
48 noted in the summary of economic effects. Approval of the ordinance would not allow use of radio-active devices in
49 residential areas, including clocks, radios, televisions, computers or watches. The equipment's intended use was for
50 medical purposes, to save people's lives. The required zoning, as mentioned in this ordinance, would not allow his
51 equipment to be operated in a hospital-zoned area. He questioned if the petition represented 16,000 residents, as it
52 proclaimed. He felt this ordinance unfairly singled out his business and that the Planning and Zoning Commission had
53 acted upon misinformation and incorrect data. To Mr. Sullivan, Mr. Swank responded that he operated Langdon
54 Engineering, also located in his residence and did not exceed 500 square feet. His business did not violate any law
55 and relocating would cost him \$1.6 to \$10 million. The business was already established there, had access to specific
56 utilities and he liked the location. To Mr. Bauer, he responded there were other reasons why he did not want to move,
57 and leasing property would not be cost effective. Alaskans would lose out on the medical opportunities he was making
58 available to the community. To Ms. Jennings, he responded that he owned two residences and lived in both.
59

60 Chair Fairclough announced that this item would be continued to the next Assembly Meeting on January 24th.
61

62 14. NEW PUBLIC HEARINGS

- 63 14.A. Ordinance No. AO 2005-182, an ordinance submitting to the qualified voters residing in the **Section**
64 **6/Campbell Airstrip Road Limited Road Service Area** (LRSA) at the Regular Municipal Election on
65 April 4, 2006, a ballot proposition to annex Campbell Canyon Subdivision to the Section 6/Campbell
66 Airstrip Road LRSA and to amend the Section 6/Campbell Airstrip Road LRSA boundaries in Anchorage
67 Municipal Code Section 27.30.700, effective retroactively as of January 1, 2006; Maintenance &
68 Operations Department.
69 1. Assembly Memorandum No. AM 879-2005. (**Carried Over to 1-24-06**)
70 14.B. Ordinance No. AO 2005-183, an ordinance submitting to the qualified voters residing in the **South**
71 **Goldenview Limited Road Service Area** (LRSA) at the Regular Municipal Election on April 4, 2006,
72 a ballot proposition to annex the Views at Prominence Pointe Subdivision to the South Goldenview
73 LRSA and amend the South Goldenview LRSA boundaries in Anchorage Municipal Code Section
74 27.30.700, effective retroactively as of January 1, 2006; Maintenance & Operations Department.
75 1. Assembly Memorandum No. AM 880-2005. (**Carried Over to 1-24-06**)
76 14.C. Ordinance No. AO 2005-184, an ordinance submitting to the qualified voters residing in a portion of
77 **Upper O'Malley Limited Road Service Area** (LRSA), namely Lot 1A, Block 1, Panorama Terrace
78 Subdivision (Tax Parcel 015-092-35-000-06); Lot 3, Hillside Heights Subdivision (Tax Parcel 015-092-

76-000-06); and Lot 1, Hillside Heights Subdivision (Tax Parcel 015-092-74-000-06), and to the Upper O'Malley LRSA at the Regular Municipal Election on April 4, 2006, a ballot proposition to amend the Upper O'Malley LRSA boundaries by removing Lot 1A, Block 1, Panorama Terrace Subdivision (Tax Parcel 015-092-35-000-06); Lot 3, Hillside Heights Subdivision (Tax Parcel 015-092-76-000-06); and Lot 1, Hillside Heights Subdivision (Tax Parcel 015-092-74-000-06) from the Upper O'Malley LRSA and amending the Upper O'Malley LRSA boundaries in Anchorage Municipal Code Section 27.30.700, effective retroactively as of January 1, 2006; Maintenance & Operations Department.

1. Assembly Memorandum No. AM 881-2005. **(Carried Over to 1-24-06)**

14.D. Ordinance No. AO 2005-189, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** and to Lot 3, Block 1, Stony Brook Subdivision (Tax Parcel 015-511-09-000-18); Lot 2, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-18-000-19); Lot 3, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-19-000-17); and Lot 1, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-17-000-11) a ballot proposition to annex the Stony Brook Subdivision parcels above-referenced to Lakehill LRSA, and to amend the Lakehill LRSA boundaries in Anchorage Municipal Code Section 27.30.700, effective as of January 1, 2007; Maintenance & Operations Department. **(Carried Over to 1-24-06)**

1. Assembly Memorandum No. AM 902-2005.

14.E. Ordinance No. AO 2005-192, an ordinance extending the term of the **Birch Tree/Elmore Limited Road Service Area** retroactive to January 1, 2006, until June 1, 2006, or until extended by the qualified voters residing in the Service Area at the next Regular Municipal Election on April 4, 2006, Municipal Clerk. **(Carried Over to 1-24-06)**

14.F. Ordinance No. AO 2005-193, an ordinance extending the term of the **South Goldenview Area Limited Road Service Area** retroactive to January 1, 2006, until June 1, 2006, or until extended by the qualified voters residing in the Service Area at the next Regular Municipal Election on April 4, 2006; Municipal Clerk. **(Carried Over to 1-24-06)**

14.G. Resolution No. AR 2005-321, a resolution of the Municipality of Anchorage appropriating \$1,025,000 in additional projected program revenues to the Anchorage Fire Department 2005 Operating Budget Areawide Fund (101), and \$287,000 in additional projected program revenues to the Anchorage Fire Department 2005 Operating Budget; **Anchorage Fire Service Area Fund (131)**.

1. Assembly Memorandum No. AM 899-2005.

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

Mr. Coffey moved, to approve AR 2005-321,
Mr. Sullivan seconded,
and this motion was passed unanimously.

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

NAYES: None.

14.H. Resolution No. AR 2005-313, a resolution of the Municipality of Anchorage appropriating \$112,420 in insurance recovery revenues, received pursuant to the settlement of a vehicular accident property damages claim, to the Anchorage Fire Service Area Fund (131), Anchorage Fire Service Area Operating Budget, to pay the costs of **repairing the damaged emergency response fire apparatus**; Anchorage Fire Department.

1. Assembly Memorandum No. AM 885-2005.

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

Mr. Coffey moved, to approve AR 2005-313,
Ms. Jennings seconded,
and this motion was passed unanimously.

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

NAYES: None.

14.I. Resolution No. AR 2005-314, a resolution of the Anchorage Assembly appropriating \$270,000 from the Areawide General Fund (101) Real Estate Services Department 2005 Operating Budget as a contribution to the Areawide Capital Fund (401) for **City Hall capital maintenance and improvements**; Office of Economic & Community Development.

1. Assembly Memorandum No. AM 886-2005. **(Carried Over to 1-24-06)**

14.J. Resolution No. AR 2005-315, a resolution of the Municipality of Anchorage accepting and appropriating \$286,790 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the Project Management & Engineering Department within the Anchorage Roads and Drainage Service Area Fund (441), for the **Ship Creek Crossing Project**.

1. Assembly Memorandum No. AM 887-2005. **(Carried Over to 1-24-06)**

14.K. Resolution No. AR 2005-316, a resolution of the Municipality of Anchorage accepting and appropriating a State of Alaska Clean Water Fund loan in the amount of \$6,600,000 for partial closure of the **Anchorage Regional Landfill**; Solid Waste Services.

1. Assembly Memorandum No. AM 888-2005. **(Carried Over to 1-24-06)**

14.L. Ordinance No. AO 2005-180, an ordinance of the Municipality of Anchorage authorizing and providing for the borrowing of an additional \$1,000,000 from the State of Alaska Clean Water Fund for the purpose of the **construction of Cell 7** at the Anchorage Regional Landfill and providing for related matters; Solid Waste Services.

1. Assembly Memorandum No. AM 892-2005. **(Carried Over to 1-24-06)**

- 1 14.M. Resolution No. AR 2005-317, a resolution of the Municipality of Anchorage appropriating \$545,000 to
2 the State Categorical Grants Fund (231), Department of Public Transportation from the Alaska
3 Department of Health and Social Services to assist in the funding of **coordinated transportation**
4 **services** for senior citizens within the Municipality of Anchorage; Public Transportation Department.
5 1. Assembly Memorandum No. AM 889-2005. **(Carried Over to 1-24-06)**
- 6 14.N. Resolution No. AR 2005-330, a resolution of the Municipality of Anchorage appropriating \$35,871 from
7 disposal of vehicles and insurance recoveries to the Areawide General Fund (101) to be contributed
8 and appropriated to the Public Transportation Capital Improvement Fund (485) and authorizing the
9 acceptance of a Federal Transit Administration Section 5307 Grant and appropriating \$2,287,200 from
10 the Federal Transit Administration to the Public Transportation Capital Improvement fund (485) for the
11 purchase of capital items and \$288,000 from the Federal Transit Administration along with \$72,000 for
12 local matching funds from the Public Transportation Department's 2005 Operating Budget as a
13 contribution to the Federal Categorical Grants Fund (241) for the Americans with Disabilities Act
14 **(ADA) operating assistance and short range transit planning**; Public Transportation Department.
15 1. Assembly Memorandum No. AM 911-2005. **(Carried Over to 1-24-06)**
- 16 14.O. Resolution No. AR 2005-318, a resolution appropriating \$261,659 from a Transfer of Responsibilities
17 Agreement (TORA) with the State of Alaska Department of Transportation & Public Facilities
18 (ADOT&PF) and the Municipality of Anchorage, and a match contribution of \$50,000 from the 2006
19 Planning Department Operating Budget, to the State Categorical Grants Fund (231) under the
20 Municipal Traffic Department for the Anchorage Metropolitan Area Transportation Solutions (AMATS)
21 **MOA Midtown District Plan**; Traffic Department. **(Carried Over to 1-24-06)**
22 1. Assembly Memorandum No. AM 890-2005.
- 23 14.P. Resolution No. AR 2005-319, a resolution appropriating \$130,829 from a State of Alaska Department
24 of Transportation & Public Facilities (ADOT&PF) Transfer Of Responsibilities Agreement (TORA) with
25 the Municipality of Anchorage, and match contributions of \$11,195 from the 2005 Project Management
26 and Engineering Operating Budget, Areawide General Fund (101), and \$4,967 from the 2005
27 Anchorage Fire Department Operating Budget, Anchorage Fire Service Area Fund (131), to the
28 Areawide General Capital Improvement Project Fund (401) for the Anchorage Metropolitan Area
29 Transportation Solutions **(AMATS) Plug In Installation Program**; Traffic Department.
30 1. Assembly Memorandum No. AM 891-2005. **(Carried Over to 1-24-06)**
- 31 14.Q. Resolution No. AR 2005-322, a resolution of the Municipality of Anchorage re-appropriating \$248,000
32 from Areawide General (101) Fund Balance as a contribution to the Development Services
33 Department Building Safety (181) Fund, 2005 General Government Operating Budget, for **bank fees,**
34 **overtime and contracted services**; Development Services Department.
35 1. Assembly Memorandum No. AM 900-2005. **(Carried Over to 1-24-06)**
- 36 14.R. Resolution No. AR 2005-329, a resolution of the Municipality of Anchorage appropriating \$37,750 to
37 the Areawide General Capital Improvement Program (CIP) Fund (401), \$56,427 to the Anchorage Fire
38 Service Area Capital Improvement Program (CIP) Fund (431), \$383,650 to the Anchorage Roads And
39 Drainage Capital Improvement Program (CIP) Fund (441), \$19,974 to the Anchorage Police Service
40 Area Capital Improvement Program (CIP) Fund (451), \$17,478 to the Anchorage Parks And
41 Recreation Service Area Capital Improvement Program (CIP) Fund (461), and \$7,790 to the Public
42 Transportation Capital Improvement Program (CIP) Fund (485) of 2004 General Obligation Series "C"
43 bond premium for the payment of **bond issuance costs**; Finance.
44 1. Assembly Memorandum No. AM 910-2005. **(Carried Over to 1-24-06)**
- 45 14.S. Resolution No. AR 2005-323, a resolution approving the purchase and acquisition of real property
46 legally described as **Tract B, Forest Heights Subdivision**, through an appropriation of \$850,000 from
47 the Heritage Land Bank Operating Fund (221) Balance to the Heritage Land Bank Capital Fund (421)
48 and reappropriation of previously approved appropriated funds within the Heritage Land Bank Capital
49 Fund (421) of \$2,150,000 for an amount not to exceed \$3,000,000
50 1. Assembly Memorandum No. AM 901-2005.
51 2. Information Memorandum No. AIM 1-2006, Heritage Land Bank Advisory Commission
52 Resolution 2005-23; Municipal Clerk.

53
54 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
55 and called the Question.

56
57 Mr. Coffey moved, to approve AR 2005-323,
58 Mr. Stout seconded,
59 and this motion was passed unanimously.

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

- 63
64 14.T. Resolution No. AR 2005-335, a resolution authorizing **eminent domain proceedings** for ten parcels
65 comprising the South Half of Block 70, Original Anchorage Townsite for the parking component of the
66 new convention center; Heritage Land Bank.
67 1. Assembly Memorandum No. AM 943-2005. **(Carried Over to 1-24-06)**
- 68 14.U. Resolution No. AR 2005-333, a resolution approving the purchase and acquisition of real property
69 legally described as **Tract B2B, Commodore Park Subdivision**, zoned R3SL and containing
70 approximately 8.11 acres, for fair market value for an amount not to exceed \$1,200,000; Heritage
71 Land Bank & Real Estate Services.
72 1. Assembly Memorandum No. AM 935-2005.

73
74 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
75 and called the Question.

76
77 Mr. Coffey moved, to approve AR 2005-333,
78 Ms. Jennings seconded,

1
2 To Mr. Coffey, Parks and Recreation Director Jeff Dillon responded this acquisition of real property for parks land was
3 approved by voters in 2000-2001.

4
5 Ms. Shamberg urged a YES-vote.

6
7 Ms. Ossiander stated the Park Plan had not yet been approved and she was planning to address those priorities. Mr.
8 Dillon responded that when Independence Park was developed, the need for parks was identified. This had been a
9 high priority for many years. He urged support.

10
11 To Mr. Bauer, Mr. Dillon explained the location of the proposed land acquisition for the parks facility, off O'Malley
12 Road. He responded the planned use included a children's playground, a small addition to the soccer field or open
13 playfield, picnic facilities and undeveloped space.

14
15 To Mr. Stout, Heritage Land Bank Executive Director Robin Ward responded the contract secured a very good sale
16 price through January 31st and the opportunity would be lost if the land was not purchased now.

17
18 Mr. Birch supported the ordinance. This had already been approved by voters.

19
20 and this motion was passed unanimously.

21
22 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

23 NAYES: None.

24
25 14.V. Ordinance No. AO 2005-163, an ordinance of the Municipal Assembly amending Anchorage Municipal
26 Code Chapter 21.47, **Sign Standards**, regulating nonconforming signs and other minor revisions;
27 Assemblymember Sullivan.

28 1. Information Memorandum No. AIM 3-2006. **(Public Hearing Continued to 2-28-06)**

29 2. Ordinance No. AO 2005-163(S); Assemblymember Sullivan. **(Laid on the Table)**

30
31 Mr. Sullivan stated there was a Substitute Version available at the Municipal Clerk's Office. Public Hearing would be
32 opened that evening, but the Planning and Zoning Commission would review the matter on February 13th and it would
33 be heard by the Assembly on February 28th.

34
35 Chair Fairclough read the ordinance title and opened Public Hearing. There was no one to testify and Chair Fairclough
36 continued Public Hearing to February 28, 2006.

37
38 Mr. Coffey moved to Change the Order of the Day to take up 13.G, seconded by Mr. Sullivan and there were no
39 objections.

40
41 14.W. Ordinance No. AO 2005-185, an ordinance amending Chapters 21.35, 21.40, 21.45 and 21.59 of the
42 Anchorage Municipal Code regarding zoning districts, supplementary district standards and standards
43 for conditional uses and site plans for **Child Care Facilities** and amending Anchorage Municipal Code
44 Section 14.60.030 to add child care facility violations to the fins schedule (Planning and Zoning
45 Commission Case 2003-143); Planning Department.

46 1. Assembly Memorandum No. AM 882-2005. **(Carried Over to 1-24-06)**

47 14.X. Ordinance No. AO 2005-186, an ordinance amending the zoning map and providing for the rezoning
48 of approximately 1.88 acres, from PLI (Public Lands and Institutions District) to R-O (Residential Office
49 District), for **Providence-Chester Creek Subdivision, Tract D-2**; generally located at the southwest
50 corner of Providence Drive and Piper Street (University Area Community Council) (Planning and
51 Zoning Commission Case 2005-127); Planning Department.

52 1. Assembly Memorandum No. AM 883-2005. **(Carried Over to 1-24-06)**

53 14.Y. Ordinance No. AO 2005-187, an ordinance amending the zoning map and providing for the rezoning
54 of **Lot 1A, Raspberry Center Subdivision** from B-1B SL (Community Business District with Special
55 Limitations) to B-1B SL (Community Business District with Special Limitations) and to repeal AO 91-
56 174 in its entirety as applied to Lot 1A, Raspberry Center Subdivision, generally located at 6820
57 Northwood Drive (Sand Lake Community Council) (Planning and Zoning Commission Case 2005-
58 129); Planning Department.

59 1. Assembly Memorandum No. AM 884-2005. **(Carried Over to 1-24-06)**

60
61 **15. SPECIAL ORDERS** None.

62
63 **16. UNFINISHED AGENDA** None.

64
65 **17. AUDIENCE PARTICIPATION** None.

66
67 **18. ASSEMBLY COMMENTS**

68
69 Ms. Ossiander announced that she was hosting Stellar High School Student Tony Glavnick that evening. Mr. Glavnick
70 was reviewing documents and witnessing the process. Chair Fairclough and Mr. Tesche welcomed him to the
71 Assembly Meeting.

72
73 Chair Fairclough welcomed the many West High School students, who were present to fulfill requirements for their
74 U.S. Government Class.

75
76 Chair Fairclough welcomed a visiting Boy Scout Troop.

77
78 **19. EXECUTIVE SESSIONS** None.

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20. ADJOURNMENT

Chair Fairclough adjourned the meeting at 11:30 p.m.

ANNA FAIRCLOUGH, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: February 28, 2006.
MC/BG

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