

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

**MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY**

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

Minutes for Regular Meeting of July 25, 2006

18
19

1. CALL TO ORDER

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

22
23
24

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

25 PRESENT: Allan Tesche (*participating telephonically*), Janice Shamberg, Paul Bauer, Anna Fairclough, Dan
26 Sullivan, Debbie Ossiander, Chris Birch, Dan Coffey, Ken Stout, Dick Traini and Pamela Jennings.
27 ABSENT: None.

28
29
30

3. PLEDGE OF ALLEGIANCE Assemblymember Birch led the pledge.

31
32

4. MINUTES OF PREVIOUS MEETINGS None.

33
34

5. MAYOR'S REPORT None.

35
36

6. ASSEMBLY CHAIR'S REPORT None.

37
38

7. COMMITTEE REPORTS

39 Ms. Ossiander announced that the School Site Selection Committee Meeting scheduled for Friday, July 28th, would be
40 rescheduled.

41
42 Chair Sullivan announced that Municipal Clerk Barbara Gruenstein and Assembly Budget Chair Anna Fairclough
43 would be sending out a schedule for the upcoming budget. Ms. Fairclough responded that the Administration would
44 present the proposed budget to the Assembly and the public by September 12th, with the expectation that it would be
45 voted on October 31st.

46
47 Ms. Fairclough reported that the Chugiak-Eagle River Bear Paw Festival had been a success and she thanked
48 everyone who attended and participated with this event. She reported that she and Mr. Birch had taken a tour of the
49 Bragaw Extension project, which was steadily progressing and would relieve 30% of the traffic congestion at the Lake
50 Otis and Tudor Intersection. She appreciated the patience of the homeowners along that corridor, who were being
51 inconvenienced.

52
53 Mr. Stout reported that the Ethics Committee would meet on August 18th to review the draft of the Ethics Code.

54
55
56

8. ADDENDUM TO AGENDA

57 Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AM 545-2006 and
58 AO 2006-115 were added and assigned to Agenda Numbers 9.D.14 and 9.F.18, respectively. With no additional
59 Addendum items, he called for a vote to incorporate the Addendum into the Consent Agenda.

60
61 Ms. Fairclough moved, to approve the inclusion of the Addendum items
62 Ms. Jennings seconded, into the Consent Agenda,
63 and this motion was passed.

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

67
68 Chair Sullivan called the Question on the Consent Agenda.

69
70 Ms. Fairclough moved, to approve the Consent Agenda,
71 Ms. Jennings seconded,

72
73 Chair Sullivan called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
74 discussion.

75

1 **9. CONSENT AGENDA**

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

- 3 9.A.1. Resolution No. AR 2006-192, a resolution of the Anchorage Municipal Assembly recognizing and
4 honoring **Norma Wilkerson** for her 8 years of service with the Municipality of Anchorage; Mayor
5 Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout,
6 Sullivan, Tesche and Traini. (**Addendum**)

7
8 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See item 10.A.1)

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

- 11 9.B.1. Resolution No. AR 2006-178, a resolution of the Anchorage Municipal Assembly approving designer
12 selection to provide professional master planning services selection for **Gladys Wood Elementary**
13 **School**; Anchorage School District.
14 a. Assembly Memorandum No. AM 500-2006.
- 15 9.B.2. Resolution No. AR 2006-180, a resolution adopting Amendment #1 of the **2006 Action Plan**, part of
16 the Municipality of Anchorage's *Housing and Community Development Consolidated Plan*,
17 reprogramming Community Development Block Grant funds received from the U.S. Department of
18 Housing and Urban Development from cancelled and postponed activities to new and expanded
19 eligible activities; Department of Neighborhoods.
20 a. Assembly Memorandum No. AM 518-2006.
- 21 9.B.3. Resolution No. AR 2006-181, a resolution of the Municipality of Anchorage appropriating \$15,000 from
22 Mt. Park Estates Limited Road Service Area Fund Balance (Fund 117) to Mt. Park Estates Limited Road
23 Service Area BY2006 Operating Budget (Fund 117) for summer work projects and year round road
24 maintenance services within **Mt. Park Estates Limited Road Service Area**; Maintenance & Operations
25 Department.
26 a. Assembly Memorandum No. AM 519-2006.
- 27 9.B.4. Resolution No. AR 2006-182, a resolution of the Municipality of Anchorage appropriating \$15,000 from
28 the Skyranch Estates Limited Road Service Area (LRSA) Fund Balance (Fund 114) to the Skyranch
29 Estates LRSA BY2006 General Operating Budget (Fund 114) for summer work projects and year
30 round road maintenance services within the **Skyranch Estates LRSA**; Maintenance & Operations
31 Department.
32 a. Assembly Memorandum No. AM 520-2006.
- 33 9.B.5. Resolution No. AR 2006-183, a resolution of the Municipality of Anchorage appropriating \$26,000 from
34 the Department of Military and Veterans' Affairs, Division of Homeland Security and Emergency
35 Management, State Categorical Grants Fund (231), for use by the Municipality of Anchorage, Office of
36 Emergency Management and Anchorage Fire Department, to fund costs associated with the
37 earthquake scenario portion of the Municipality of **Anchorage Disaster Response Exercise**
38 **Program**; Office of Emergency Management.
39 a. Assembly Memorandum No. AM 521-2006.
- 40 9.B.6. Resolution No. AR 2006-184, a resolution of the Anchorage Municipal Assembly appropriating
41 \$42,400 from the State of Alaska, Department of Commerce, Community, and Economic
42 Development, to the State Categorical Grant Fund (231) for continuing implementation of the
43 **Anchorage Coastal Management Program**; Planning Department.
44 a. Assembly Memorandum No. AM 522-2006.
- 45 9.B.7. Resolution No. AR 2006-185, a resolution of the Municipality of Anchorage appropriating \$35,000 from
46 the U.S. Fish and Wildlife Service Grant Program to the Federal Grant Fund (241), Project
47 Management & Engineering Department, for the Watershed Management Division's **Rain Garden**
48 **Program**; Project Management & Engineering Department.
49 a. Assembly Memorandum No. AM 523-2006.

50
51 **9.C. BID AWARDS**

- 52 9.C.1. Assembly Memorandum No. AM 502-2006, recommendation of award to Anchorage Sand & Gravel
53 for furnishing **Type VI classified fill and backfill** to the Municipality of Anchorage, Anchorage Water
54 and Wastewater Utility (AWWU) (ITB 26-B048) (\$192,300); Purchasing.
- 55 9.C.2. Assembly Memorandum No. AM 503-2006, recommendation of award to KAM Transport, Inc. to
56 provide **trucks with operators** to the Municipality of Anchorage, Maintenance & Operations
57 Department (ITB 26-B040) (\$343,750); Purchasing.
- 58 9.C.3. Assembly Memorandum No. AM 504-2006, recommendation of award of **heavy duty work trucks** for
59 the Municipality of Anchorage, Maintenance & Operations (M&O) Department and the Municipal Light
60 and Power Utility (ML&P) (ITB 26-B039) (M&O - \$287,738 & ML&P \$546,515); Purchasing.
- 61 9.C.4. Assembly Memorandum No. AM 505-2006, recommendation of award to New Horizons Telecom, Inc.
62 for the **Ship Creek Water Treatment Facility Communications Equipment Shelter & Perimeter**
63 **Fencing** for the Municipality of Anchorage, Municipal Light and Power Department (ITB 26-C046)
64 (\$283,717); Purchasing.
- 65 9.C.5. Assembly Memorandum No. AM 506-2006, recommendation of award to Hughes Utilities for
66 furnishing **miscellaneous electrical switch cabinets** to the Municipality of Anchorage, Municipal
67 Light & Power Utility (ML&P) (ITB 26-B046) (\$116,176); Purchasing.
- 68 9.C.6. Assembly Memorandum No. AM 507-2006, recommendation of award to Alaska Construction &
69 Paving, Inc. for the **Downtown/Fairview Area Storm Drain Upgrades** for the Municipality of
70 Anchorage, Project Management and Engineering Department (ITB 26-C044) (\$756,436.30);
71 Purchasing.
- 72 9.C.7. Assembly Memorandum No. AM 508-2006, recommendation of award to Alaska Frontier Services LLC
73 for the **72nd Avenue Road Reconstruction Project** for the Municipality of Anchorage, Project
74 Management and Engineering Department (ITB 26-C047) (\$592,347.60); Purchasing.
- 75 9.C.8. Assembly Memorandum No. AM 533-2006, recommendation of award to Pruhs Corporation for the
76 **Anchorage Loop Water Transmission Main, Phase IV - Tudor Road East Segment** for the

1 Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 26-C039) (\$5,274,257);
2 Purchasing. (**Addendum**)

- 3 9.C.9. Assembly Memorandum No. AM 534-2006, recommendation of award to Haakenson Electric, Inc. for
4 the **Utility Wide SCADA System – Water Distribution Facilities Group 3B, Phase 2B Project** for
5 the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 26-C043) (\$1,765,328);
6 Purchasing. (**Addendum**)

7
8 **9.D. NEW BUSINESS**

- 9 9.D.1. Assembly Memorandum No. AM 509-2006, **Public Facilities Advisory Commission** appointments
10 (Thomas Boyle, Michael Zoske); Mayor's Office.
11 9.D.2. Assembly Memorandum No. AM 510-2006, proprietary purchase of **explosive ordnance disposal**
12 **suits** from Med-Eng Systems for the Municipality of Anchorage, Anchorage Police Department (APD)
13 (\$40,880); Purchasing.
14 9.D.3. Assembly Memorandum No. AM 511-2006, proprietary purchase of **software licenses, annual**
15 **maintenance support, and training** from First Watch Solutions for the Municipality of Anchorage,
16 Anchorage Fire Department (AFD) (\$92,250); Purchasing.
17 9.D.4. Assembly Memorandum No. AM 512-2006, recommendation to enter into a sole source contract with
18 PO'B Montgomery for **Mountain View Drive Reconstruction, Glenn Highway to Commercial Drive**,
19 Project No. 03-17 (\$3,650,000); Project Management & Engineering.

20
21 Mr. Birch requested this item be pulled for review on the Regular Agenda. (*See item 10.D.4*)

- 22
23 9.D.5. Assembly Memorandum No. AM 513-2006, recommendation of award to RISE Alaska LLC for
24 providing consultant services for the **Regional Homeland Defense Training Facility** for the
25 Municipality of Anchorage, Project Management & Engineering Department (PM&E) (RFP 26-P010)
26 (\$491,000); Purchasing.

27
28 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.D.5*)

- 29
30 9.D.6. Assembly Memorandum No. AM 514-2006, recommendation of awards to CRW Engineering Group,
31 LLC and Hattenburg, Dilley & Linnell, LLC for providing 2006 **professional civil engineering**
32 **services** on an "as required" basis to the Municipality of Anchorage, Project Management &
33 Engineering (RFP 26-P023)(\$250,000 each); Purchasing.
34 9.D.7. Assembly Memorandum No. AM 515-2006, proprietary purchase of **trash receptacles, park**
35 **benches, and picnic tables** from Division 10 Products, Inc. for the Municipality of Anchorage, Project
36 Management & Engineering Department (PM&E) (\$119,838); Purchasing.
37 9.D.8. Assembly Memorandum No. AM 516-2006, Amendment No. 3 to professional services contract with
38 USKH, Inc., for professional engineering services for the **Lake Otis Parkway Surface Rehabilitation,**
39 **68th Avenue to Abbott Road**, Project No. 03-15 (\$98,124); Project Management & Engineering.
40 9.D.9. Assembly Memorandum No. AM 517-2006, proprietary purchase of **urban park benches** from Forms
41 + Surfaces for the Municipality of Anchorage, Project Management & Engineering Department (PM&E)
42 (\$63,379); Purchasing.
43 9.D.10. Assembly Memorandum No. AM 535-2006, Amendment No. 6 to the professional engineering
44 services contract with Montgomery Watson Harza (MWH) Americas, Inc., for the **Utility-Wide SCADA**
45 (Supervisory Control and Data Acquisition) and Communications Base Design Project for the
46 Municipality of Anchorage; Anchorage Water & Wastewater Utility (PO 0000216060 for \$991,848).
47 (**Addendum**)
48 9.D.11. Assembly Memorandum No. AM 536-2006, recommendation of awards to MWH, PM&E Services,
49 LLC, and Origin Technical Services, Inc. for providing professional **project management and**
50 **engineering services** on an "as required" basis to the Municipality of Anchorage, Anchorage Water
51 and Wastewater Utility (RFP 26-P027) (\$300,000 per Award); Purchasing. (**Addendum**)
52 9.D.12. Assembly Memorandum No. AM 537-2006, recommendation of award to Noodlum Equities, Ltd for
53 providing leased space for the **East Anchorage Community Center and the East Anchorage**
54 **Library** for the Municipality of Anchorage, Real Estate Services (RFP 26-P019WW) (\$4,723,200),
55 Purchasing. (**Addendum**)

56
57 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.D.12*)

- 58
59 9.D.13. Assembly Memorandum No. AM 538-2006, recommendation of award to Noodlum Equities, Ltd for
60 providing leased space for the **Women, Infant, Children's (WIC) Satellite Clinic** for the Municipality
61 of Anchorage, Real Estate Services (RFP 26-P011WW) (\$333,900); Purchasing. (**Addendum**)

62
63 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.D.13*)

- 64
65 9.D.14. Assembly Memorandum No. 545-2006, a recommendation of Award to CYS Management Services,
66 Inc. for performing **Administration Building Renovations** for the Municipality of Anchorage,
67 Municipal Light and Power (ML&P) (ITB 26-C034) (\$1,128,922); Purchasing. (**Laid on the Table**)

68
69 **9.E. INFORMATION AND REPORTS**

- 70 9.E.1. Information Memorandum No. AIM 81-2006, Internal Audit Report 2006-12 – **Wildfire Mitigation,**
71 **Anchorage Fire Department**; Internal Audit.

72
73 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 74 9.F.1. Ordinance No. AO 2006-105, an ordinance creating **MacLaren Water Special Assessment District**
75 **2076**, and determining to proceed with the proposed improvements therein; Anchorage Water &
76 Wastewater Utility. (*Public Hearing 8-15-06*)

- 1 a. Assembly Memorandum No. AM 530-2006.
- 2 9.F.2. Ordinance No. AO 2006-106, an ordinance authorizing a telecommunications and electrical easement
- 3 to Kodiak Kenai Cable Company LLC at **Tract A1, Woronzof Tracts Subdivision**, Plat No. 95-104,
- 4 within Sections 20 and 29, T13N, R4W, S.M., Alaska, located near Point Woronzof Road and Hutson
- 5 Drive, Tax Code #010-401-35; Anchorage Water & Wastewater Utility. (*Public Hearing 8-15-06*)
- 6 a. Assembly Memorandum No. AM 531-2006.
- 7 9.F.3. Ordinance No. AO 2006-107, an ordinance amending Anchorage Municipal Code Chapter 9.06.115 to
- 8 increase the **hourly rate for police services** during a non-municipal function, activity or event;
- 9 Anchorage Police Department. (*Public Hearing 8-15-06*)
- 10 a. Assembly Memorandum No. AM 532-2006.
- 11 9.F.4. Resolution No. AR 2006-186, a resolution of the Municipality of Anchorage, Alaska, accepting and
- 12 appropriating a State of Alaska Drinking Water Fund loan offer in the amount of \$4,000,000 for
- 13 financing a portion of the costs of the **Sullivan-Ben Boeke Water Upgrade Project**; Anchorage Water
- 14 & Wastewater Utility. (*Public Hearing 8-15-06*)
- 15 a. Assembly Memorandum No. AM 524-2006.
- 16 9.F.5. Resolution No. AR 2006-187, a resolution of the Municipality of Anchorage appropriating \$433,398
- 17 from the U. S. Department of Homeland Security, under the 2005 Assistance to Firefighters Grant
- 18 Program, and a required matching contribution of \$108,352 in short-term interest revenues, from the
- 19 Anchorage Fire Service Area Capital Improvement Fund (431) to the Anchorage Fire Department,
- 20 Federal Categorical Grants Fund (241), for the purchase and installation of enhanced apparatus bay
- 21 **vehicle exhaust extraction systems**; Anchorage Fire Department. (*Public Hearing 8-15-06*)
- 22 a. Assembly Memorandum No. AM 525-2006.
- 23 9.F.6. Resolution No. AR 2006-188, a resolution of the Municipality of Anchorage appropriating the sum of
- 24 \$481,371 from the State of Alaska Department of Transportation and Public Facilities as a pass
- 25 through grant from the Federal Highway Administration to the State Categorical Grants Fund (231)
- 26 Department of Health and Human Services for the **Block Heater Installation Program**; Health and
- 27 Human Services. (*Public Hearing 8-15-06*)
- 28 a. Assembly Memorandum No. AM 526-2006.
- 29 9.F.7. Resolution No. AR 2006-189, a resolution of the Municipality of Anchorage appropriating the sum of
- 30 \$288,822 from the State of Alaska Department of Transportation and Public Facilities to the State
- 31 Categorical Grants Fund (231) Department of Health and Human Services for **Air Quality Public and**
- 32 **Business Awareness Education Campaign**; Health and Human Services. (*Public Hearing 8-15-06*)
- 33 a. Assembly Memorandum No. AM 527-2006.
- 34 9.F.8. Resolution No. AR 2006-190, a resolution appropriating \$400,000 from a State of Alaska Department
- 35 of Transportation & Public Facilities Transfer of Responsibilities Agreement with the Municipality of
- 36 Anchorage to the Eagle River Other Capital Improvement Project Fund (420) for the **Veterans**
- 37 **Memorial Highway**, Eagle River High School Traffic Control and Turn Lane; Project Management &
- 38 Engineering. (*Public Hearing 8-15-06*)
- 39 a. Assembly Memorandum No. AM 528-2006.
- 40 9.F.9. Resolution No. AR 2006-191, a resolution of the Municipality of Anchorage appropriating \$180,000
- 41 from the Federal Emergency Management Agency to the Federal Grant Fund (241), Project
- 42 Management & Engineering Department, for the Watershed Management Division's Flood Hazard
- 43 Program for **flood studies in the Girdwood Area and Anchorage Area**; Project Management &
- 44 Engineering. (*Public Hearing 8-15-06*)
- 45 a. Assembly Memorandum No. AM 529-2006.
- 46 9.F.10. Ordinance No. AO 2006-108, an ordinance of the Anchorage Municipal Assembly amending
- 47 Anchorage Municipal Code Title 25, Public Lands, to enact a new chapter, AMC 25.80, **Delaney Park**
- 48 **Strip**, to require Assembly approval of site plans and facility development for Delaney Park Strip,
- 49 including all major additions, deletions and improvements; Assemblymember Sullivan. (*Public Hearing*
- 50 *8-29-06*) (**Addendum**)

51
52 The Administration requested this item be pulled for review on the Regular Agenda. (*See item 10.F.10*)

- 53
- 54 9.F.11. Ordinance No. AO 2006-109, an ordinance authorizing Amendment #1 to the Port of Anchorage
- 55 Terminal Tariff No. 6 to decrease the **Security Surcharge Tariff** retroactive to August 1, 2006; Port of
- 56 Anchorage. (*Public Hearing 8-15-06*)
- 57 a. Assembly Memorandum No. AM 539-2006. (**Addendum**)
- 58 9.F.12. Ordinance No. AO 2006-110, an ordinance authorizing a non-exclusive electric and
- 59 telecommunications easement across municipal property to Chugach Electric Association, Inc., within
- 60 **Lot 4, Block C, Pierce Subdivision**, Plat # P-645, at Papago Park located near Arctic Boulevard and
- 61 West 74th Avenue, Tax #012-172-01; Project Management & Engineering. (*Public Hearing 8-15-06*)
- 62 a. Assembly Memorandum No. AM 540-2006. (**Addendum**)
- 63 9.F.13. Ordinance No. AO 2006-111, an ordinance authorizing a non-exclusive electric and
- 64 telecommunications easement across municipal property to Chugach Electric Association, Inc., within
- 65 the **W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T12N, R3W, S.M., Alaska** at Rabbit Creek Park located near
- 66 DeArmoun Road and Lake Otis Parkway, Tax #018-391-39; Project Management & Engineering.
- 67 (*Public Hearing 8-15-06*)
- 68 a. Assembly Memorandum No. AM 541-2006. (**Addendum**)
- 69 9.F.14. Ordinance No. AO 2006-112, an ordinance authorizing a non-exclusive underground electric and
- 70 telecommunications easement across municipal property to Chugach Electric Association, Inc., within
- 71 **BLM Lot 47, Section 13, T13N, R3W, S.M.**, Alaska, at Turpin Park located near Oklahoma and Peck
- 72 Avenues, Tax #006-033-01; Project Management & Engineering. (*Public Hearing 8-15-06*)
- 73 a. Assembly Memorandum No. AM 542-2006. (**Addendum**)
- 74 9.F.15. Ordinance No. AO 2006-113, an ordinance of the Anchorage Municipal Assembly amending
- 75 Anchorage Municipal Code Section 9.30.280, Civil Penalties for Parking Violations, to **reduce expired**
- 76 **parking meter fines**; Assemblymember Sullivan. (*Public Hearing 8-29-06*) (**Addendum**)

1
2 The Administration requested this item be pulled for review on the Regular Agenda. (See item 10.F.15)

3
4 9.F.16. Ordinance No. AO 2006-114, an ordinance of the Anchorage Municipal Assembly amending
5 Anchorage Municipal Code Sections 21.35.020, 21.40.070, 21.40.080, 21.40.090, 21.40.100, and
6 21.40.110 to define **manufactured home** in place of mobile home, and to allow the temporary use of
7 motor homes and other recreational vehicles with self-contained sanitation systems as on-site living
8 quarters in certain rural and large lot zoning districts for a limited period of time during construction of
9 a permanent dwelling; Assemblymember Coffey. (Public Hearing 9-12-06) (**Addendum**)

10
11 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.16)

12
13 9.F.17. Resolution No. AR 2006-193, a resolution of the Municipality of Anchorage accepting when tendered
14 \$1,995,000 from the Federal Aviation Administration Airport Improvement Program Grant, and
15 \$52,500 from the State of Alaska Department of Transportation and Public Facilities Grant; and
16 \$52,500 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement Fund for the **2006**
17 **Merrill Field Rehabilitate Aprons (Phase-1), and Security Upgrades (Gate Improvements)** and
18 repealing Assembly Resolution No. AR 2006-108. (Public Hearing 8-15-06) (**Addendum**)

19 a. Assembly Memorandum No. AM 543-2006.

20 9.F.18. Ordinance No. AO 2006-115, an ordinance of the Anchorage Municipal Assembly amending AMC
21 Section 9.28.026, regarding notice and administrative procedures for **civil seizure and impoundment**
22 **and/or forfeiture, and release of vehicles**; Legal (**Laid on the Table**)

23 a. Assembly Memorandum No. AM 547-2006.

24
25 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.18)

26
27 Chair Sullivan called the Question on the remainder of Consent Agenda.

28
29 and this motion, as amended, was passed.

30
31 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

32 NAYES: None.

33 (Clerk's Note: See items 10.D.12 and 10.D.13 for details of Mr. Coffey's conflicts of interest with those items.)

34
35 The amended Consent Agenda was approved, with the exception of the pulled items and Chair Sullivan led the body
36 into discussion of those items.

37
38
39 **END OF CONSENT AGENDA**

40
41
42 **10. REGULAR AGENDA**

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

44 10.A.1. Resolution No. AR 2006-192, a resolution of the Anchorage Municipal Assembly recognizing and
45 honoring **Norma Wilkerson** for her 8 years of service with the Municipality of Anchorage; Mayor
46 Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout,
47 Sullivan, Tesche and Traini. (**Addendum**)

48
49 Ms. Fairclough moved, to approve AR 2006-192,
50 Ms. Shamberg seconded,
51 and this was passed without objection.

52
53 Ms. Fairclough presented and Mr. Birch read the resolution, recognizing and honoring Norma Wilkerson for her 8 years
54 of service with the Municipality. Ms. Wilkerson thanked the Assembly and the Administration for their recognition and
55 stated that she had enjoyed working with the team at the Department of Health and Human Services and the
56 Administration. She appreciated having the opportunity to make a difference and improve the quality of people's lives
57 in Anchorage.

58
59 **10.B. RESOLUTIONS FOR ACTION - OTHER** None were pulled for review.

60
61 **10.C. BID AWARDS** None were pulled for review.

62
63 **10.D. NEW BUSINESS**

64 10.D.4. Assembly Memorandum No. AM 512-2006, recommendation to enter into a sole source contract with
65 PO'B Montgomery for **Mountain View Drive Reconstruction, Glenn Highway to Commercial Drive**,
66 Project No. 03-17 (\$3,650,000); Project Management & Engineering.

67
68 Mr. Birch moved, AM 512-2006,
69 Ms. Fairclough seconded,

70
71 To Mr. Birch, Municipal Engineer Howard Holtan explained the improvements to Mountain View Drive. The project had
72 been competitively bid and a sole source agreement with PO'B Montgomery was the best value for the least cost.

73
74 Mr. Birch stated that it was wise to be careful when awarding sole source contracts and he was glad to hear this
75 project had been competitively bid. Mayor Begich responded that Mr. Birch's comment on sole source was important
76 and this arrangement was similar to a project completed on Piper Street and would also be used to complete
77 improvements on 40th Avenue. While a competitive bid process was still used, it was in the city's best interest to team

1 up with neighboring developments, to make improvements at the same time, to complete projects faster and at a much
2 lower price. Mr. Holtan responded that contractors liked the process because the projects were on the street faster
3 and it allowed their contractors to bid on the work.

4
5 and this motion was approved unanimously.

6
7 10.D.5. Assembly Memorandum No. AM 513-2006, recommendation of award to RISE Alaska LLC for
8 providing consultant services for the **Regional Homeland Defense Training Facility** for the
9 Municipality of Anchorage, Project Management & Engineering Department (PM&E) (RFP 26-P010)
10 (\$491,000); Purchasing.

11
12 Ms. Ossiander moved, to approve AM 513-2006,
13 Ms. Jennings seconded,

14
15 To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded that this was an assessment and involved
16 federal grant money. The study would determine the need for a training facility and, if there was a need, how it would
17 be paid for. There would be additional Assembly reviews of any further work on this project.

18
19 To Mr. Stout, Municipal Engineer Howard Holtan responded that RISE Alaska LLC was selected through a competitive
20 process and was an Alaskan management contractor, with extensive knowledgeable and professional resources for
21 executing projects. The Assembly would oversee the project as it moved forward.

22
23 To Chair Sullivan, Anchorage Fire Department (AFD) Chief Craig Goodrich responded that the department had
24 determined a need for a training facility and an outdoor training center for firearms and tactics.

25
26 To Ms. Ossiander, Chief Goodrich responded that the department had communicated with the military bases about
27 sharing facilities, but the AFD would have less priority for use and the military facility did not have an outdoor training
28 center for their SWAT Team.

29
30 To Mr. Bauer, Chief Goodrich responded that the study would include a needs and management assessment.

31
32 To Ms. Jennings, Chief Goodrich responded that the airport police were part of the Municipal Coalition and would be
33 included in the assessment.

34
35 and this motion was approved unanimously.

36
37 10.D.12. Assembly Memorandum No. AM 537-2006, recommendation of award to Noodlum Equities, Ltd for
38 providing leased space for the **East Anchorage Community Center and the East Anchorage**
39 **Library** for the Municipality of Anchorage, Real Estate Services (RFP 26-P019WW) (\$4,723,200),
40 Purchasing. (**Addendum**)

41
42 Mr. Traini moved, to approve AM 537-2006,
43 Mr. Stout seconded,

44
45 Mr. Coffey declared a conflict of interest with this item, due to his partnership with Noodlum Equities, Ltd. Chair
46 Sullivan ruled that he did have a conflict of interest and ordered him to abstain from participation with this matter.

47
48 and this was approved without objection,
49 with Mr. Coffey abstaining.

50
51 10.D.13. Assembly Memorandum No. AM 538-2006, recommendation of award to Noodlum Equities, Ltd for
52 providing leased space for the **Women, Infant, Children's (WIC) Satellite Clinic** for the Municipality
53 of Anchorage, Real Estate Services (RFP 26-P011WW) (\$333,900); Purchasing. (**Addendum**)

54
55 Mr. Traini moved, to approve AM 538-2006,
56 Ms. Jennings seconded,

57
58 Mr. Coffey declared a conflict of interest with this item, due to his partnership with Noodlum Equities, Ltd. Chair
59 Sullivan ruled that he did have a conflict of interest and ordered him to abstain from participation with this matter.

60
61 To Ms. Jennings, Community Health Services Lab Division Manager Diane Ingle explained the Women, Infant and
62 Children (WIC) Clinic would be set-up in a temporary location while the building construction was being completed.

63
64 and the motion was approved without objection,
65 with Mr. Coffey abstaining.

66
67 **10.E. INFORMATION AND REPORTS** None were pulled for review.

68
69 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

70 10.F.10. Ordinance No. AO 2006-108, an ordinance of the Anchorage Municipal Assembly amending
71 Anchorage Municipal Code Title 25, Public Lands, to enact a new chapter, AMC 25.80, **Delaney Park**
72 **Strip**, to require Assembly approval of site plans and facility development for Delaney Park Strip,
73 including all major additions, deletions and improvements; Assemblymember Sullivan. (*Public Hearing*
74 *[8-29-06] 9-12-06*) (**Addendum**)

75
76 Ms. Fairclough moved, to introduce AO 2006-108,

1 Mr. Coffey seconded,
2 and Ms. Jennings was the concurring third.

3
4 Mayor Begich requested that the Public Hearing date be changed to allow this matter to be reviewed by the Parks and
5 Recreation Commission.

6
7 Ms. Fairclough moved, *to forward AO 2006-108 to the Parks and Recreation*
8 Mr. Coffey seconded, *Commission for review prior to Public Hearing and to change*
9 and this was approved without objection. *Public Hearing to [8-29-06] 9-12-06,*

10
11 10.F.15. Ordinance No. AO 2006-113, an ordinance of the Anchorage Municipal Assembly amending
12 Anchorage Municipal Code Section 9.30.280, Civil Penalties for Parking Violations, to **reduce expired**
13 **parking meter fines**; Assemblymember Sullivan. *(Public Hearing [8-29-06] 9-12-06) (Addendum)*
14

15 Ms. Fairclough moved, *to introduce AO 2006-113,*
16 Mr. Coffey seconded,
17 and Ms. Jennings was the concurring third.

18
19 Mayor Begich requested that the Public Hearing date be changed to allow this matter to be reviewed by the Anchorage
20 Community Development Authority Board.

21
22 Ms. Fairclough moved, *to forward AO 2006-113 to the Anchorage Community*
23 Mr. Coffey seconded, *Development Authority Board for review and to change the*
24 and this was approved without objection. *Public Hearing date to [8-29-06] 9-12-06,*

25
26 10.F.16. Ordinance No. AO 2006-114, an ordinance of the Anchorage Municipal Assembly amending
27 Anchorage Municipal Code Sections 21.35.020, 21.40.070, 21.40.080, 21.40.090, 21.40.100, and
28 21.40.110 to define **manufactured home** in place of mobile home, and to allow the temporary use of
29 motor homes and other recreational vehicles with self-contained sanitation systems as on-site living
30 quarters in certain rural and large lot zoning districts for a limited period of time during construction of
31 a permanent dwelling; Assemblymember Coffey. *(Public Hearing 9-12-06) (Addendum)*
32

33 Mr. Coffey moved, *to postpone indefinitely AO 2006-114,*
34 Ms. Ossiander seconded,

35
36 Mr. Coffey stated that Planning Director Tom Nelson and Assembly Counsel Julia Tucker had advised that the title
37 needed to be revised.

38
39 and the motion was approved unanimously.

40
41 10.F.18. Ordinance No. AO 2006-115, an ordinance of the Anchorage Municipal Assembly amending AMC
42 Section 9.28.026, regarding notice and administrative procedures for **civil seizure and impoundment**
43 **and/or forfeiture, and release of vehicles**; Legal. *(Public Hearing 8-15-06) (Laid on the Table)*
44 a. Assembly Memorandum No. AM 547-2006.

45
46 Ms. Fairclough moved, *to introduce AO 2006-115 with Public Hearing*
47 Ms. Jennings seconded, *set for 8-15-06,*
48 and Mr. Coffey was the concurring third.

49
50 To Mr. Coffey, Municipal Attorney Fred Boness responded that the legal staff would consult with the Police Department
51 when reviewing this matter.

52 53 11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

54 11.A. Assembly Memorandum No. AM 468-2006, Amendment No. 6 to the lease and operating agreement
55 for **Anchorage Golf Course**; Office of Economic & Community Development.
56 *(Postponed from 7-11-06)*
57

58 Chair Sullivan stated that there was a motion to approve on the floor from July 11th, when

59
60 Ms. Fairclough had moved, *to approve AM 468-2006,*
61 Ms. Jennings had seconded,

62
63 Mr. Stout stated that the improvements were completed and the loan had been repaid and he had originally requested
64 that the surcharge golf fee be discontinued. The Administration had requested to keep the fee to be able to make
65 additional and necessary improvements to the golf course. With this understanding, he supported creating a
66 maintenance fund and would support the memorandum. He requested that the Assembly be involved with future
67 funding requests and that golf course fees be kept comparable with other prices in the area.

68
69 Ms. Fairclough requested consideration of using revenue bonds for capital improvements needed to rebuild the golf
70 course. She thanked Department of Economic and Community Development Director Mary Jane Michael for the
71 detailed analysis. Mr. Coffey concurred with Ms. Fairclough's recommendation of using revenue bonds.

72
73 Mayor Begich stated that the Assembly would have final say in all expenditures for capital improvements.

74
75 and this was approved without objection.
76

1 Ms. Fairclough moved, seconded by Ms. Ossiander, to Change the Order of the Day to take up item 14.M and there
2 were no objections.

3
4 **12. APPEARANCE REQUESTS** There were none.

5
6 **13. CONTINUED PUBLIC HEARINGS**

7 13.A. Resolution No. AR 2006-156, a resolution of the Anchorage Municipal Assembly appropriating
8 \$85,790 from the Areawide General Fund (101) Real Estate Services Department's 2006 Operating
9 Budget to the Areawide Capital Fund (401) for **City Hall capital maintenance and improvements**;
10 and appropriating \$75,000 from the Areawide General Fund (101) Real Estate Services Department's
11 2006 Operating Budget to the Areawide Capital Fund (401) for City Hall tenant improvements; Real
12 Estate Services.

13 1. Assembly Memorandum No. AM 431-2006. *(Carried Over from 7-11-06)*

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

17
18 Mr. Traini moved, to approve AR 2006-156,
19 Mr. Coffey seconded,
20 and this motion was passed, 11-0.

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

23 NAYES: None.

24
25 13.B. Resolution No. AR 2006-157, a resolution of the Municipality of Anchorage appropriating \$200,000
26 from the Girdwood Valley Service Area Fund (106), Anchorage Parks and Recreation Department
27 2006 Operating Budget, as a contribution to the Girdwood Valley Capital Improvement Project Fund
28 (406) for the **new Girdwood Community Center and Library Project**; Anchorage Parks and
29 Recreation.

30 1. Assembly Memorandum No. AM 432-2006. *(Carried Over from 7-11-06)*

31
32 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
33 and called the Question.

34
35 Ms. Shamberg moved, to approve AR 2006-157,
36 Ms. Ossiander seconded,
37 and this motion was passed, 11-0.

38
39 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.

40 NAYES: None.

41
42 13.C. Resolution No. AR 2006-161, a resolution of the Municipality of Anchorage appropriating \$970,874 as
43 a Federal Transit Administration Earmark Grant to the Girdwood Valley Service Area Capital
44 Improvement Fund (406) for the construction of a **Park-and-Ride Facility** for commuters from
45 Girdwood to Anchorage; Project Management & Engineering.

46 1. Assembly Memorandum No. AM 442-2006. *(Carried Over from 7-11-06)*

47
48 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
49 and called the Question.

50
51 Ms. Fairclough moved, to approve AR 2006-161,
52 Ms. Ossiander seconded,

53
54 Mr. Coffey stated that the parking facility was proposed for the Girdwood Town Center, which was to be used for retail
55 businesses, like hotels and restaurants. Municipal Engineer Howard Holtan responded that the overall development
56 plan called for perimeter parking around the town square and there was no conflict of use with the Town Center plan.
57 The Girdwood Board of Supervisors had approved this plan.

58
59 Ms. Jennings requested consideration of including bike racks with the plan.

60
61 and this motion was passed, 11-0.

62
63 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.

64 NAYES: None.

65
66 13.D. Resolution No. AR 2006-160, a resolution of the Municipality of Anchorage appropriating \$199,000
67 from the Southcentral Foundation to the Federal Categorical Grants Fund (241) for the **Emergency**
68 **Alcohol Services Program** in the Department of Health and Human Services.

69 1. Assembly Memorandum No. AM 441-2006. *(Carried Over from 7-11-06)*

70
71 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
72 and called the Question.

73
74 Ms. Ossiander moved, to approve AR 2006-160,
75 Mr. Coffey seconded,

76

1 To Mr. Coffey, Health and Human Services Director Beverly Wooley responded that the expenses for professional
2 services were included in the contract with Purcell.

3
4 To Ms. Jennings, Ms. Wooley responded that the department was addressing the serious incidents involving the
5 contractor. The investigation had not reached a determination of criminal intent and the department was continuing to
6 work with the Anchorage Police Department.

7
8 Ms. Fairclough stated that she, as the Executive Director of Standing Together Against Rape (STAR), along with the
9 Administration, had been involved with some of those discussions and there had been a review of the contractor's
10 policy and procedures and how they were being implemented.

11
12 and this motion was passed, 11-0.

13
14 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
15 NAYES: None.

16
17 Ms. Ossiander moved, seconded by Mr. Bauer, to Change the Order of the Day to take up Continued Public Hearings,
18 and finish New Public Hearings, before taking up 13.E, the secondhand smoking matter. This was approved, 9-2, with
19 Mr. Traini and Mr. Tesche opposing.

20
21 13.E. Ordinance No. AO 2006-86, an ordinance of the Anchorage Municipal Assembly repealing and
22 reenacting Anchorage Municipal Code Chapter 16.65, Prohibition of Smoking in Public Places, to
23 extend **secondhand smoke control**; Assemblymembers Traini, Coffey, Jennings, Shamberg, Stout,
24 and Tesche.

- 25 1. Assembly Memorandum No. AM 365-2006.
- 26 2. Information Memorandum No. AIM 70-2006.
- 27 3. Assembly Memorandum No. AM 457-2006. *(Continued from 7-11-06)*

28
29 Chair Sullivan read the ordinance title and opened Continued Public Hearing.

30
31 KATE HERRING testified that bars in Ireland had recently gone smoke-free and the establishments were still busy.
32 She supported the ordinance and urged Assembly approval.

33
34 JUSTIN MORRISON, a non-smoker, opposed the ordinance. He believed in freedom of choice.

35
36 Joan Wilson yielded to JENNY MURRAY, who worked for the Alaska Native Health Board and read written testimony
37 from workers who complained about working in smoking environments. To Ms. Jennings, Ms. Murray responded that
38 many of the employees she interviewed did not have health insurance.

39
40 CATHY GLEASON testified that restaurants were still not protecting customers from exposure to secondhand smoke.
41 It was hard to keep bar smoke out of adjoining restaurants.

42
43 DAN GLEASON, who suffered from asthma, supported the ordinance. He and his wife attended sports events and
44 wanted smoke-free public places. He cited a recent newspaper article, indicating that a national hotel chain would be
45 going smoke-free.

46
47 MIKE GUTIERREZ testified in support of the ordinance and urged the Assembly to pass it now and not to wait another
48 day. To Chair Sullivan, he responded that he supported most of the ordinance as-written and saw the points of
49 contention were with implementation. There was no hard scientific evidence of hotels being affected.

50
51 Perry Merkel yielded to DIANA REDWOOD, a research nutritionist, who wanted smoke-free areas in which to go
52 dancing. She traveled to many Alaskan villages, where a majority of the bingo halls were now smoke-free, and were
53 still busy. To Chair Sullivan, she responded that the villages she had visited had one bingo hall each.

54
55 MIKE LAYNE testified that this ordinance was the least obtrusive for creating a smoking ban. He did not like military
56 employees implying they were supporting freedom by opposing secondhand smoke. As a former Marine, he saw
57 military service as supporting patriotism and elected officials had a duty to regulate human behaviors which harmed
58 others. Ms. Shamberg and Ms. Jennings thanked him for his military service and his testimony.

59
60 GEORGE VAKALIS, representing the Anchorage Chamber of Commerce Board of Directors, supported the ordinance.
61 The board unanimously recommended a modification of allowing a transition period of one year, to allow businesses
62 time to revise their business plans and create accommodations for smokers. To Ms. Fairclough, he responded that the
63 one-year transition period was a condition of the board's unanimous support. To Mr. Stout, Mr. Vakalis, a former
64 military commander, responded that the military fought to preserve freedom, which included protecting health. To
65 Chair Sullivan, Mr. Vakalis responded that a committee reporting to the Chamber opposed a hotel exemption, but the
66 Board of Directors supported the ordinance, as written, with a hotel exemption.

67
68 RICHARD GALLAHER, owner of Sourdough News and Tobacco, opposed the ordinance. Statistics on the smoking
69 ban in Ireland contradicted testimony heard earlier that evening. Businesses had felt dramatic clientele and financial
70 losses. Bars needed to have the freedom to choose and he wanted exemptions for tobacco shops and for bars that
71 wanted to allow smokers.

72
73 John Perry yielded to TISH LAWSON, with Woodshed Lounge, who testified that a smoking ban needed to be equal
74 and across-the-board and include hotels. She supported a phase-in period, to allow owners time to create a new
75 business plan and a place for the smokers.

76

1 Linda Gaylor yielded to DON SKEWIS, with Crossroads Lounge, who testified against the ordinance. There were
2 cities that had passed smoking ordinances, but when businesses had suffered and people complained, some cities
3 had changed them back. To Mr. Stout, Mr. Skewis cited Southeastern Alaskan cities that had voted down smoking
4 bans. There were many places where bans were not being enforced. He had spent \$70,000 on an effective smoking
5 ventilation system, to comply with the last ordinance. He had been in the bar business for 38 years and if the
6 ordinance passed, he would sell out and move from town.

7
8 J.D. (*John*) HARRIS, a non-smoker, testified that it was a matter of choice for adults. To Ms. Ossiander, he responded
9 that he hoped some Assemblymembers would oppose the ordinance.

10
11 BETTY A. MOTES supported freedom, allowing everyone to have their own preferences. The bingo hall she
12 frequented had ventilation separations and was OK.

13
14 KEVIN TEMPLE, a non-smoker and a veteran, from a family of veterans dating back to 1732, opposed the ordinance
15 and believed in freedom of choice and happiness. He urged the Assembly to support individual rights and to make
16 exemptions. The Assembly was not supporting this matter for health and safety reasons, but because they did not
17 want anyone to smoke, ever.

18
19 MARY SUSAN LINDLE, a non-smoker and bar worker, opposed the ordinance and supported freedom of choice. A
20 non-smoker could leave a bar that allowed smoking. It was not the bar's fault. She opposed government control.

21
22 KATTARYNA STILES supported the ordinance. She opposed exemptions to private clubs because those clubs
23 allowed children. To Chair Sullivan, she responded that when considering hotels, all workers deserved to be
24 protected.

25
26 CHRISTINE HILL, a reformed smoker, opposed the ordinance and supported freedom of choice. Victims of
27 secondhand smoke were children, not adults. Ms. Ossiander responded that there were provisions in the ordinance
28 making it illegal for smokers who were non-parents, to baby-sit and childcare workers would not be allowed to smoke
29 around children.

30
31 ZACHERY KEETON, founder and creator of www.stomptheban.com website, opposed the ban. The site had recorded
32 over 3500 hits in the last three weeks. It shared petition results, information on adequate ventilation, smoking bans
33 and statistics on loss of clientele and revenue. He supported freedom of choice and urged the Assembly to oppose.

34
35 TREENA JOHNSON opposed the ban. A smoking ban in Denver had caused a 50% decline of clientele and she was
36 in the process of selling her business. She had accommodated smokers on an outside deck, but all the non-smokers
37 joined the smokers on the deck, and the bar was empty. To Ms. Shamberg, she responded that smokers in Denver
38 were holding house parties. To Ms. Jennings, she responded that the smoking ban passed in February and it was
39 implemented in June. Some of the clubs did not have space outside their clubs to build decks or separate facilities to
40 accommodate smokers.

41
42 CHUCK EDWARDS, representing the Petroleum Club of Anchorage and a member of Anchorage Cabaret Hotel
43 Restaurant and Retailers Association (*CHARR*), opposed the ordinance. The Petroleum Club was a private club which
44 catered to oil industry-related people. He urged the Assembly to not pass the ordinance. To Ms. Fairclough, he
45 responded that he thought the club was a 501(c)(3).

46
47 BILL BOUWENS, MPH, testified that government needed to control health issues. He talked about many dangers of
48 smoking. He supported the ordinance and urged the Assembly to pass it.

49
50 MICHELLE TRICKAY, a bartender who loved her job, opposed the ban. Non-smokers had the option not to go into
51 bars. She was worried that her bar would suffer. She read a letter from an anonymous person, who thought that Dan
52 Sullivan had a conflict of interest and should not participate with this matter. Chair Sullivan responded that the
53 Assembly had taken up the matter and had voted that he did not have a conflict of interest with the ordinance. Ms.
54 Fairclough and Ms. Ossiander concurred. Ms. Fairclough stated that there was no coercion at the Assembly level and
55 members were very much professional and not doing anything that the public was not well aware of.

56
57 CINDY EMERY supported the ban and opposed any exemptions. Children were always present in private clubs.

58
59 KURT PARKAN supported the ordinance.

60
61 NIKOLE HILL testified that there were ramifications from denying bar and lounge patrons the right to smoke. Adults
62 who could not smoke in a bar would stay home and expose children or the elderly to secondhand smoke. Passing the
63 ordinance would be a sign of a socialist government.

64
65 DAVID DUNSMORE was not in favor of the ban, as written. Banning smoking from bars would not stop people from
66 smoking and it would not put any bars out of business. There would be unintended consequences of a smoking ban.
67 The ordinance needed more work, with discussion from boards and commissions. A more cooperative solution
68 needed to be found for everyone.

69
70 SUZI ROAN, a non-smoker, worked in a smoking environment, but loved her job. A smoking ban would discriminate
71 against smokers.

72
73 DALE FOX, Executive Director of Alaska CHARR, opposed the ordinance. Bars would lose money. Businesses
74 needed time to make adjustments. Sitka, Ketchikan, Kodiak, Juneau and Homer had voted on smoking bans and only
75 Juneau had passed one. Building outside decks to accommodate smokers would take time to design, find financing,

1 get city permits and complete construction. A ban was not needed and would create new problems. Everyone had a
2 choice to enter a smoking bar. Bars would create private, after-hour clubs, to meet the needs of smoking customers.

3
4 SHANWNE ALBRIGHT, with the American Lung Association of Alaska, read a letter from a musician, who wrote in
5 support of protection from secondhand smoke.

6
7 BRANDY PETERSON, a coordinator with the Anchorage Smoke-free Coalition with the American Lung Association of
8 Alaska, spoke of educating the public about the health effects of secondhand smoke and the economic effects of
9 smoking bans in the nation.

10
11 DR. GEORGE STEWART, a physician of patients with lung disease and a sufferer of asthma, viewed smoking and
12 secondhand smoke as a public health issue. The Surgeon General had concluded there was no risk-free level of
13 exposure to secondhand smoke. A smoke-free environment was the only way to fully protect non-smokers from the
14 dangers. He urged approval of the ordinance, as-is, with an implementation date no later than November.

15
16 CELESTE BARRETT supported the ordinance.

17
18 ED BOURGEOIS, Executive, General and Artistic Director of the Opera, a non-profit organization, urged the Assembly
19 to allow exemptions for private clubs that were involved with charitable gaming. To Ms. Jennings, Mr. Bourgeois
20 responded that 5% of his budget was from charitable gaming. To Mr. Birch, he responded that while he preferred a
21 non-smoking workplace, he supported freedom of choice and opposed being controlled.

22
23 CRAIG CRUMBLEY testified that people had the right to have a choice. He supported freedom and did not want the
24 nation to become a socialist government.

25
26 DON SMITH opposed the ordinance and supported the right to choose. He was a veteran who had fought for freedom
27 of choice. He was speaking for the rights of his ex-wife, who had worked for the family business for the past 32 years.
28 This matter was about equal rights and his ex-wife had the right to choose.

29
30 SHERRIE GEORGE, owner of a bar and liquor store that sold alcohol and tobacco, opposed the smoking ban. A ban
31 would create a dangerous situation, forcing her employees and clientele outside. She urged a NO-vote.

32
33 ALEX CRAWFORD opposed the ordinance. It would restrict individuals' liberties. The Assembly did not have the right
34 to make this decision. He would not support any Assemblymember's voting for this ordinance.

35
36 JOE RESSEL opposed the smoking ban because it was a free country. Smokers were treated like criminals. He
37 urged the Assembly to concentrate on more urgent things in the city, like crime.

38
39 MARCO GONZALES opposed the ordinance and thought this was a rights issue. This matter was a safety issue when
40 women were forced to go outside to smoke and would be at risk from predators. People should always have the right
41 to choose.

42
43 SILVIA VILLAMIDES, Director of Anchorage CHARR, representing over 200 Anchorage businesses, had discussed
44 this matter with the Smoke-free Coalition, the Assembly and the Mayor. CHARR opposed the ordinance and
45 requested consideration for allowing a 12-month implementation period. CHARR supported exemptions for decks,
46 patios and outdoor areas attached or adjacent to the establishments. CHARR requested a report on patronage levels
47 and revenues, and a 2-month and 4-month economic evaluation of businesses affected, once a smoking ban was
48 implemented.

49
50 NELSON PRICE testified that working police and fire personnel, who had to frequent smoking establishments, also
51 faced health and safety risks. He supported the ordinance as-is.

52
53 ALBA DIAZ CARMONA, an asthma sufferer, supported the ordinance.

54
55 ROBERT HUBBARD, a House Committee Chairman of the Veteran of Foreign War (VFW) Post 9981, opposed the
56 ordinance. Losing tobacco sales would be an economic loss to the non-profit organization and would affect the
57 contributions they could make. The ordinance would take away the freedom of choice. To Ms. Jennings, he
58 responded that the ordinance would force Vend-Alaska to pull out all their tobacco vending machines.

59
60 LIZZIE NEWELL, an artist and writer, supported the ordinance.

61
62 MARTI PAUSBACK supported the ordinance as-is and urged that it be passed and implemented immediately.

63
64 JON ERICKSON, Woodshed Manager, testified about many things wrong with the ordinance. He proposed that there
65 should be an amendment that would allow the same compromises for bars as for hotels. Bingo halls had already
66 successfully resolved the smoking problem. Ms. Fairclough responded that there would be a risk of allowing
67 ventilation systems to resolve the problems, when there may be future code changes that may cause that investment
68 to be lost. To Mr. Stout, Mr. Erickson responded that a smoking room should allow serving alcohol. To Chair Sullivan,
69 he responded that the size of a smoking room or allowing enclosed decks should be researched.

70
71 PETER WALLACK supported freedom of choice. He opposed government control.

72
73 JOHN RYAN JR., a military veteran and a non-smoker, opposed the ordinance. People had the right to smoke and
74 had the responsibility to not infringe on the rights of non-smokers. The freedom of choice needed to be supported. To
75 his question, Ms. Osslander responded that there were provisions in the ordinance making it illegal for childcare
76 workers to smoke around children and smokers who were non-parents would not be allowed to baby-sit. Mr. Ryan

1 opposed government coming onto a home to oppose anything. Ms. Ossiander responded that this matter would be
2 clarified during debate.

3
4 CAROL HARTMAN opposed the ordinance. She shared her family history of health and illnesses, which were not
5 caused by smoking, but were a matter of genetics. Smoking was a matter of choice.

6
7 KAYE W. SATTERTHWAITTE opposed the ordinance because it caused discrimination and was against the
8 Declaration of Independence. There were so many issues in the ordinance that were against citizens' rights, including
9 telling businesses what or what not to do. Safety issues would be created by forcing people outside.

10
11 AARON JOHNSTON opposed the ordinance and government control. He supported the freedom of choice. He would
12 not go to bars that did not allow smoking.

13
14 Chair Sullivan called for objections from Assemblymembers to extend the Assembly Meeting past 11:00 p.m., to
15 complete public testimony on AO 2006-86. Ms. Fairclough requested an indication from the audience, to determine
16 how many people still wished to testify and there were nine. Chair Sullivan ruled the meeting would be extended and
17 there were no objections.

18
19 MIKE NOLEN, a non-smoker who did not go to bars, opposed the ordinance on principle. He supported the freedom
20 of choice and opposed government control and regulations. There would be health, safety and other unintended
21 consequences associated with forcing people outside. It would be an on-going matter and he would continue to
22 oppose.

23
24 JOHN O. YOUNG opposed the ordinance. It was a matter of choice. The decision should be left up to the business.

25
26 BERNADETTE BRADLEY, owner of the Bradley House, opposed the ordinance. The industry had not known this was
27 coming. She would lose business and it would cost her money to create a new business plan and build a separate
28 smoking room. She requested additional time to make adjustments to her business plan and bar. She requested
29 Assembly assistance with securing building permits in a timely fashion for businesses affected by the ordinance. To
30 Ms. Shamberg, she responded that it would take her about a year to complete business modifications.

31
32 NEAL BOYD, in the military and heading to Iraq to fight for freedom, opposed the government taking away choices.

33
34 MONIQUE HNATIK opposed the ordinance.

35
36 MICHAEL DUNSMORE opposed the ordinance. The government had no right to address matters of choice in a
37 private home. The Assembly needed to address the definition of 'place of employment,' which, as-is would ban
38 smoking in all of Anchorage. He urged all citizens in Anchorage to come out and oppose this ordinance.

39
40 SUZANNE MEUNIER, representing the American Heart Association and the American Stroke Association, thanked the
41 Assembly for all their work on this matter. Any loss of life was too much of a loss.

42
43 ARNOLD HECK, Post Manager of American Legion Post 28, supported exemptions. Post 28 had been built by
44 members, with their own money and their own hands. It was their right to be there, both the smokers and the non-
45 smokers. To Mr. Bauer, Mr. Heck responded that it was not a requirement for employees to be members. He
46 described the smoking room. To Mr. Stout, he responded that the smoking room had its own ventilation system and
47 was for smoking only and not for service. Ms. Shamberg responded that ordinances were often changed, based on
48 public testimony.

49
50 KATIE NOLAN stated that the question was if government should prohibit the legal use of a legal product, by adults of
51 legal age, on private property. Citizens expected elected officials to protect private property rights and endorse
52 personal responsibility and self determination. She urged Assemblymembers to research the facts and rethink the
53 ordinance.

54
55 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question. (*Clerk's Note: See*
56 *Agenda item 20, for details of adjournment.*)

- 57
58 13.F. Ordinance No. AO 2006-94, an ordinance authorizing withdrawal of Heritage Land Bank (HLB) Parcel
59 No. 5-018, commonly known as **Klatt Bog, Tracts A and B**, from HLB inventory for transfer to Real
60 Estate Services, and amending Anchorage Municipal Code Chapter 21.05, including Section
61 21.05.115, the *Anchorage Wetlands Management Plan* element of the Comprehensive Plan; Heritage
62 Land Bank.

- 63 1. Assembly Memorandum No. AM 433-2006. (*Carried Over from 7-11-06*)

64
65 Chair Sullivan read the ordinance title and opened Public Hearing.

66
67 CATHY GLEASON testified that she had been involved with this matter over the years and opposed filling in the bog.
68 The Assembly had supported filling in the wetlands, unrightfully, for continued development at the airport. She
69 supported the ordinance, which transferred the land to Real Estate Services and eventually to the Municipal Parks and
70 Recreation Department as permanently protected wetlands. Ms. Gleason stated that some development rights had
71 been sold to the airport, in exchange for development of Klatt Bog. A Joint Master Plan with the city and the airport
72 had never been done and the airport was currently proposing to sell lots in Turnagain Bog, as part of the General
73 Aviation Master Plan. She urged the Assembly and the Administration to become involved with the matter.

74
75 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

1 Ms. Fairclough moved, to approve AO 2006-94,
2 Ms. Jennings seconded,

3
4 To Chair Sullivan, Municipal Attorney Fred Boness responded that the Legal Department was looking into the facts
5 involved with this matter. Heritage Land Bank Executive Director Robin Ward responded that she had requested to be
6 involved with the Technical Advisory Committee for the Airport Master Plan

7
8 and this motion was passed, 11-0.

9
10 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
11 NAYES: None.

12
13 13.G. Ordinance No. AO 2006-92, an ordinance amending the zoning map and providing for the rezoning of
14 approximately 0.69 acres from B-3 (General Business District) to R-7 (Intermediate Rural Residential
15 District) for **Stephens Subdivision, Lots 3 and 4**, generally located at 23107 and 23108 Barbara
16 Street (Chugiak Community Council) (Planning and Zoning Commission Case 2006-003); Planning
17 Department.

18 1. Assembly Memorandum No. AM 404-2006. *(Carried Over from 7-11-06)*

19
20 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
21 and called the Question.

22
23 Ms. Ossiander moved, to approve AO 2006-92,
24 Ms. Jennings seconded,
25 and this motion was passed, 11-0.

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

29
30 13.H. Ordinance No. AO 2006-96, an ordinance **dedicating certain parks and unnamed parcels** located in
31 Discovery, Discovery Heights, Lookout Landing, Southport, and Southport Tracts Subdivisions for
32 municipal park or recreational purposes; Assemblymember Shamberg.

33 1. Information Memorandum No. AIM 82-2006.
34 *(Carried Over from 7-11-06)*

35
36 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
37 and called the Question.

38
39 Ms. Shamberg moved, to approve AO 2006-96,
40 Mr. Bauer seconded,

41
42 Mr. Coffey asked if the map included these new parcels. A vote of the public was required to change a disposition of
43 dedicated land. There were two recent experiences where there had been a desire to change dedicated park lands
44 and both required a vote of the public. Some of the parcels were inherited with the understanding they would become
45 dedicated park land, like property submitted by Mr. Gottstein and Mr. Carr. The rest of the land needed legal
46 clarification.

47
48 To Chair Sullivan, Deputy Municipal Manager Michael Abbott responded that all the parcels had been donated to the
49 city by Mr. Carr and Mr. Gottstein, with the express understanding that they would be used for park purposes. Chair
50 Sullivan concurred that the private owners of these properties had dedicated the land for a specific purpose.

51
52 Mr. Coffey responded that he would support the ordinance.

53
54 Mr. Stout stated that there were times when people gave useless property to the city, just to take it off their tax rolls. In
55 the future the Assembly needed to be aware of some of those instances. The Carr-Gottstein property was very nice
56 land.

57
58 To Ms. Fairclough, Mayor Begich responded that donated lands were reviewed by the Parks and Recreation
59 Department, the Parks and Recreation Commission and Real Estate Services, to make certain the property did not
60 have environmental hazards and they had a true public purpose. Mayor Begich responded that the Administration
61 would support formalizing a process of accepting park lands. With the concurrence from Mr. Stout, Ms. Fairclough
62 stated that they would work on this matter.

63
64 Mr. Traini requested a response from the Parks and Recreation Commission on these lands, when this matter again
65 was before the Assembly. Mayor Begich concurred.

66
67 and this motion was passed, 11-0.

68
69 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
70 NAYES: None.

71
72 **14. NEW PUBLIC HEARINGS**

73 14.A. Ordinance No. AO 2006-97, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
74 providing for the issuance of **General Obligation Refunding Bonds** of the Municipality to provide
75 funds required to refund certain outstanding General Obligation Bonds of the Municipality; providing
76 for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to

1 the payment thereof; authorizing the authorized municipal representative to determine the manner of
2 sale of said bonds; and related matters; Finance.

- 3 1. Assembly Memorandum No. AM 483-2006.
4

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

7
8 Ms. Fairclough moved, to approve AO 2006-97,
9 Mr. Traini seconded,

10
11 Ms. Jennings congratulated the Administration for saving \$1.2 million dollars and continuing to find ways to save the
12 Municipality money.

13
14 and this motion was passed, 11-0.

15
16 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
17 NAYES: None.

- 18
19 14.B. Ordinance No. AO 2006-98, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
20 providing for the issuance of not to exceed \$48,495,000 in aggregate principal amount of **General**
21 **Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of
22 educational capital improvement projects in the Municipality; fixing certain details of said bonds;
23 providing for the form and manner of sale of said bonds; pledging the full faith and credit of the
24 Municipality to the payment thereof; negotiate and execute a contract for the purchase and sale of
25 said bonds; and related matters; Finance.

- 26 1. Assembly Memorandum No. AM 484-2006.
27

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

30
31 Ms. Ossiander moved, to approve AO 2006-98,
32 Ms. Fairclough seconded,
33 and this motion was passed, 11-0.

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

- 37
38 14.C. Ordinance No. AO 2006-99, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
39 providing for the issuance of not to exceed \$46,110,000 in aggregate principal amount of **General**
40 **Obligation General Purpose Bonds** of the Municipality for the purpose of raising funds to pay the
41 costs of fire related improvements and road and drainage improvements and related capital
42 improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and
43 manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment
44 thereof; authorizing the authorized municipal representative to determine the manner of sale of said
45 bonds; and related matters; Finance.

- 46 1. Assembly Memorandum No. AM 485-2006.
47

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

50
51 Ms. Ossiander moved, to postpone indefinitely AO 2006-99,
52 Ms. Fairclough seconded,

53
54 To Chair Sullivan, Chief Fiscal Officer Jeff Sinz responded that when this ordinance was originally prepared it was
55 anticipated that in order to minimize issuing costs, the bonds would be combined with school bonds, for pricing
56 purposes, and then the closing would be delayed until the fall. The Administration was continuing to analyze the
57 market impacts of this approach and currently it was less efficient to move ahead with the consolidation and delayed
58 closing. It had been determined that it was more efficient to simply delay the action until the fall. The Administration
59 supported postponing indefinitely and a new ordinance would come to the Assembly in November.

60
61 and this motion was passed, 11-0.

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

65
66 Mayor Begich reported that Standard and Poor's had recently upgraded the city's bond rating to an AA rating.

- 67
68 14.D. Resolution No. AR 2006-179, a resolution of the Anchorage Municipal Assembly approving an
69 alcoholic beverages conditional use in the B-4 (Rural Residential District) for a beverage dispensary
70 use per AMC 21.40.190 B.2.L., for Maurice MacDonald, dba **O'Brady's Burgers & Brew**, located in
71 the Huffman Business Park Subdivision, Tract S1; site address being 1501 Huffman Road; generally
72 located at the northwest corner of Huffman Road and the New Seward Highway (Old Seward – Ocean
73 View Community Council) (Planning Case 2006-095); Planning Department.

- 74 1. Assembly Memorandum No. AM 501-2006.
75

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

3
4 Mr. Bauer facetiously moved to postpone, allowing time for the petitioner to reconsider moving from East Anchorage to
5 South Anchorage. He did not want to lose one of the city's better restaurants from his district. He stated that the
6 restaurant would be a great asset for the Huffman Business Park and he would support the resolution. Chair Sullivan
7 concurred and ruled that Mr. Bauer's motion was not recognized.

8
9 Mr. Bauer moved, to approve AR 2006-179,
10 Ms. Fairclough seconded,
11 and this motion was passed, 11-0.

12
13 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
14 NAYES: None.

15
16 14.E. Resolution No. AR 2006-169, a resolution of the Municipality of Anchorage, Alaska, accepting and
17 appropriating State of Alaska Drinking Water Fund loan offers in the aggregate amount of \$2,500,000
18 for financing a portion of the costs of the **88th Avenue (PZ411) Water Transmission Main and**
19 **Girdwood Water Improvements Projects**; Anchorage Water & Wastewater Utility.
20 1. Assembly Memorandum No. AM 489-2006.

21
22 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
23 and called the Question.

24
25 Ms. Fairclough moved, to approve AR 2006-169,
26 Ms. Ossiander seconded,
27 and this motion was passed, 11-0.

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

31
32 14.F. Resolution No. AR 2006-170, a resolution of the Municipality of Anchorage appropriating \$9,800,000
33 of Retirement Certificates of Participation proceeds from Fund 719 Fund Balance and contributing
34 such proceeds to the **Police/Fire Retiree Medical Liability Fund** (Fund 313) to be reinvested by the
35 Pre-Funding Investment Board established by AMC 3.88; Finance.
36 1. Assembly Memorandum No. AM 490-2006.

37
38 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
39 and called the Question.

40
41 Ms. Ossiander moved, to approve AR 2006-170,
42 Ms. Fairclough seconded,

43
44 Chair Sullivan stated that there had been a worksession on this matter and Chief Fiscal Officer Jeff Sinz had updated
45 the Assembly with the positive information.

46
47 and this motion was passed, 11-0.

48
49 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
50 NAYES: None.

51
52 14.G. Resolution No. AR 2006-171, a resolution of the Municipality of Anchorage appropriating \$6,200,000
53 in Hotel/Motel Bed Tax Revenue and \$40,000 in associated penalty/interest to the **Convention**
54 **Center Room Tax Fund** (202) to pay debt service on the new Civic and Convention Center and other
55 payments required by the Use Agreement with CIVICVentures and the Professional and Management
56 Services Agreements with the Anchorage Convention and Visitors Bureau; Finance.
57 1. Assembly Memorandum No. AM 491-2006.

58
59 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
60 and called the Question.

61
62 Mr. Traini moved, to approve AR 2006-171,
63 Ms. Fairclough seconded,
64 and this motion was passed, 11-0.

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

68
69 14.H. Resolution No. AR 2006-172, a resolution of the Municipality of Anchorage appropriating \$160,720 of
70 anticipated additional Hotel/Motel Bed Tax Revenues and re-appropriating \$4,473,280 in Hotel/Motel
71 Bed Tax and penalty/interest on Hotel/Motel Bed Tax Revenues from Areawide General Fund (101) to
72 the **Convention Center Room Tax Fund** (202) to provide payments under the professional services
73 contract with Anchorage Convention & Visitors Bureau (ACVB) and the Use Agreement with
74 CIVICVentures; Finance.
75 1. Assembly Memorandum No. AM 492-2006.

1 (Clerk's Note: See Agenda Item 15, Special Orders, for details of AR 2006-194, the newly-introduced resolution.)

2
3 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
4 and called the Question.

5
6 To Chair Sullivan, Chief Fiscal Officer Jeff Sinz responded that there were three resolutions concerning bed tax. While
7 the Administration supported the first and the third resolutions, it was their request that the second one be postponed
8 indefinitely, and a resolution with new title be introduced that evening.

9
10 Ms. Ossiander requested that a Title 21 economic impact analysis be completed. She requested that she be kept
11 informed when this analysis was ready to be shared with the public. Chair Sullivan concurred and requested that all
12 Assemblymembers be kept informed.

13
14 Mr. Traini moved, *postpone indefinitely* AR 2006-172,
15 Ms. Fairclough seconded,
16 and this motion was passed, 11-0.

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

20
21 14.I. Resolution No. AR 2006-173, a resolution of the Municipality of Anchorage appropriating \$125,000 in
22 additional Hotel/Motel Bed Tax Revenue to the Areawide General Fund (101) \$6,000 is to fund an
23 **Alaska Federation of Natives Municipal Coordinator** and other unbudgeted expenditures in the
24 Office of Economic & Community Development; Finance.
25 1. Assembly Memorandum No. AM 493-2006.

26
27 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
28 and called the Question.

29
30 Ms. Fairclough moved, *approve* AR 2006-173,
31 Ms. Shamberg seconded,

32
33 To Mr. Coffey, Office of Economic and Community Development Director Mary Jane Michael responded that the
34 document referenced legal services needed to address a settlement with the Weatherization Program. Consulting
35 services were needed to address current and anticipated projects, including a Title 21 economic impact study, a
36 Saturday-Sunday Market plan and the Fur Rendezvous. Mr. Coffey stated that many other special projects were
37 listed, including a proposal to hire a position to help with the responsibilities of meeting the state historic preservation
38 requirements, and to coordinate the move of the library to the Muldoon Mall. Mr. Coffey declared a possible conflict of
39 interest with this position because of his partnership with Noodlum Equities and the Muldoon Mall. Chair Sullivan ruled
40 that Mr. Coffey did not have a conflict of interest. Ms. Michael responded that the Office of Economic and Community
41 Development would oversee and coordinate the library move.

42
43 To Chair Sullivan, Ms. Michael responded that the department would be addressing policies and matters, formerly
44 addressed by Anchorage Historic Properties, including the management of the Oscar Anderson House. Chair Sullivan
45 requested a list of the historic preservation appropriations.

46
47 Ms. Ossiander stated that the list of projects for this appropriation was huge and included an assessment of the State
48 Parking Garage and an update of the Girdwood Area Plan. Ms. Michael responded that the state had requested the
49 city's input for access points for the parking garage and pedestrian amenities. An additional Girdwood community
50 survey was \$2500. Ms. Ossiander requested that a survey for the Chugiak-Eagle River Plan also be completed.

51
52 To Mr. Birch, Ms. Michael responded that the Saturday-Sunday Market Plan was also proposed to be addressed. Mr.
53 Birch responded that he had been contacted by many downtown businesses owners, who complained of the property
54 tax they paid, when street vendors paid none. He requested an explanation of the Saturday-Sunday Markets Plan.
55 Ms. Michael responded that a consultant was working with downtown businesses and vendors on the matter and a
56 final report would be available for Assembly review within 30 days.

57
58 Mayor Begich stated that the Administration could share the figures the Saturday-Sunday Market paid to the
59 Development Authority. The fees were comparable with property taxes paid for by downtown businesses. Mr. Coffey
60 responded that the consultant had indicated the downtown Saturday-Sunday Market matter would not be renewed past
61 2007 and a new contract would be addressed by the Assembly. Mayor Begich responded that eight vendors currently
62 paid a total of \$32,000 fees annually.

63
64 and this motion was passed, 11-0.

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

68
69 14.J. Resolution No. AR 2006-174, a resolution of the Municipality of Anchorage appropriating \$69,378 in
70 Golf Course Surcharge Revenues from the 2005 Golfing Season, an amount not to exceed \$21,000 in
71 golf Course Surcharge Revenues from the 2006 Golf Season, and an amount not to exceed \$20,000
72 in Cash Pool Interest Earnings to the Areawide Capital Improvement Fund (401) Golf Course Capital
73 Reserve for the final and full repayment of the **Golf Course loan**; Office of Economic & Community
74 Development.
75 1. Assembly Memorandum No. AM 494-2006.

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

3
4 Ms. Fairclough moved, to approve AR 2006-174,
5 Ms. Jennings seconded,
6 and this motion was passed, 11-0.

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

10
11 14.K. Ordinance No. AO 2006-100, an ordinance of the Anchorage Municipal Assembly amending
12 Anchorage Municipal Code Title 3.30.191, 3.30.194, 3.30.1913, and 3.30.1914 to comply with Federal
13 regulatory changes to the Department of Transportation regulations on **substance abuse testing**;
14 Employee Relations Department.
15 1. Assembly Memorandum No. AM 486-2006.

16
17 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
18 and called the Question.

19
20 Ms. Fairclough moved, to approve AO 2006-100,
21 Ms. Jennings seconded,
22 and this motion was passed, 11-0.

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

26
27 14.L. Ordinance No. AO 2006-101, an ordinance amending the *Hillside Wastewater Management Plan*,
28 Anchorage Municipal Code 21.05.030.D.4., to add to the area recommended for public sewerage the
29 7.5-acre **Tract A, Ashland Subdivision**, generally located southeast of the intersection of John's
30 Pointe Drive and Olena Pointe Circle in the South Hillside Area (Rabbit Creek Community Council)
31 (Planning and Zoning Commission Case 2006-052); Planning Department. (**Continued Public**
32 **Hearing to 8-29-06**)
33 1. Assembly Memorandum No. AM 487-2006.

34
35 Chair Sullivan read the ordinance title and opened Public Hearing. There was no one to testify.

36
37 Ms. Shamberg moved, to Continue Public Hearing on AO 2006-101 to
38 Mr. Coffey seconded, August 29, 2006,
39 and this motion was passed unanimously.

40
41 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
42 NAYES: None.

43
44 14.M. Ordinance No. AO 2006-95, an ordinance amending the zoning map and providing for the rezoning of
45 approximately 2.3 acres from R-2M (Multiple Family Residential District) to R-3 SL (Multiple Family
46 Residential District with Special Limitations), for **Eastview Estates Subdivision, Tract A**; generally
47 located at Peck Avenue and Wanner Circle (Northeast Community Council) (Planning and Zoning
48 Commission Case 2005-140); Planning Department. (**Continued Public Hearing to 9-12-06**)
49 1. Assembly Memorandum No. AM 434-2006.

50
51 Chair Sullivan read the ordinance title and opened Public Hearing. There was no one to testify.

52
53 Ms. Fairclough moved, to Continue Public Hearing on AO 2006-95 to
54 Mr. Bauer seconded, September 12, 2006,

55
56 Ms. Fairclough stated that there was a new homeowners' group being formed that had requested that the Assembly
57 postpone this matter to allow time for the group to become established for this area.

58
59 and this motion was passed unanimously.

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

63 64 15. SPECIAL ORDERS

65 15.A. Resolution No. AR 2006-194, a resolution of the Municipality of Anchorage appropriating One
66 Hundred Twenty-Five Thousand Dollars (\$125,000) of anticipated additional Hotel/Motel Bed tax
67 revenues and re-appropriating Four Million Five Hundred Nine Thousand Dollars (\$4,509,000) in
68 Hotel/Motel Bed tax and penalty/interest on Hotel/Motel Bed tax revenues from areawide general fund
69 (101) to the **Convention Center Room Tax Fund** (202) to provide payments under the Professional
70 Services Contract with the Anchorage Convention & Visitors Bureau (ACVB) and the Use Agreement
71 with CIVICVentures; Finance. (*Public Hearing set 8-15-06*) (**Laid on the Table**)
72 1. 1. Assembly Memorandum No. AM 548-2006.

73
74 (*Clerk's Note: See Agenda item 14.D, AR 2006-172, for related discussion and action.*)

75
76 Ms. Fairclough moved, to introduce AR 2006-194,

1 Ms. Ossiander seconded,
2 Ms. Jennings was the concurring third.

3
4 Ms. Fairclough moved, to set Public Hearing for AR 2006-194 for
5 Mr. Coffey seconded, August 15, 2006,
6 and this was approved without objection.

7
8 **16. UNFINISHED AGENDA** None.

9
10 **17. AUDIENCE PARTICIPATION** None.

11
12 **18. ASSEMBLY COMMENTS** None.

13
14 **19. EXECUTIVE SESSIONS** None.

15
16 **20. ADJOURNMENT**

17
18 Mr. Coffey moved, to adjourn the Regular Assembly Meeting of
19 Ms. Fairclough seconded, July 25, 2006.
20 and this passed without objection.

21
22 The Assembly Meeting was adjourned at 11:23 p.m.

23
24

25
26

27
28

29
30

DAN SULLIVAN, Assembly Chair

31 ATTEST:

32
33

34
35

36
37

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

38
39
40

41
42 *(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage,*
43 *Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)*
44