

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of January 9, 2007

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Sullivan at 5:03 p.m. in 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 (*participating telephonically*) William Starr (*participating, following his appointment and swearing in*) Paul Bauer, Dan Sullivan, Debbie Ossiander, Chris Birch, Dan Coffey, Ken Stout, Dick Traini and Pamela Jennings.

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Anchorage Fire Chief Craig Goodrich led the pledge.

Chair Sullivan congratulated the Fire Training Academy graduates. Municipal Manager Denis LeBlanc welcomed the firefighters to the Anchorage Fire Department. Mayor Begich gave the oath, swearing in Joshua Browning, Don Wagner, Brandon Groth, Brent Byrne, Chris Cravens, Rhett Paulson, Chip Serns, Nicholas Constantino, Jeff Hall, Wes Tibbetts, Phil Wilson, Travis Humble, Will Watson and Mark Bundy. Mayor Begich congratulated them and thanked them for serving. Ms. Ossiander expressed a sincere appreciation to firefighters at Station 11 and the Chugiak Volunteer Fire Department who had responded to the tragic house fire in Chugiak-Eagle River.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting - November 14, 2006.

Mr. Traini moved, to approve the Regular Meeting Minutes of
Mr. Coffey seconded, November 14, 2006,

Mr. Coffey moved, to amend the November 14, 2006 Minutes on Page 4, Line
Ms. Ossiander seconded, 38, concerning Dimond Bowl, *by changing:* His former law
and this passed without objection. firm now [~~represented~~] "represents;" *And*, he had "not"
handled the matter,

Mr. Coffey moved, to amend the November 14, 2006 Minutes on Page 17, Line
Ms. Ossiander seconded, 65, *by changing:* [~~restitution~~] "resolution,"
and this passed without objection.

and the main motion, as amended, was approved without objection.

5. MAYOR'S REPORT

Mayor Begich distributed information on internal reports about neighborhood speed humps and the 2006 construction season. He distributed information concerning Anchorage Downtown Revitalization.

Mayor Begich acknowledged newly appointed board and commission members present, including Patty Ginsburg, Lori Hackenberger and Kelly Reagan to the Animal Control Advisory Board; Danny Consenstein and Susanne DiPietro to the Port Commission; and James Sheridan to the Animal Control Appeals Board. Chair Sullivan and Mayor Begich thanked them for serving.

6. ASSEMBLY CHAIR'S REPORT

Chair Sullivan announced that he would be attending the Alaska Municipal League Meeting in Juneau on January 24th.

7. COMMITTEE REPORTS

Mr. Bauer announced that the Public Safety Committee would meet on Thursday, January 11, 2006, from 4:00 to 5:00 p.m., at the Assembly Conference Room in City Hall, to discuss a new insurance ordinance, a gang update and the public safety issues in the Legislative Program. The public was invited to attend.

Mr. Coffey reported the Title 21 Committee Meetings that had been postponed due to his health, would be rescheduled within the next two or three weeks and would be publicly noticed.

8. **ADDENDUM TO AGENDA**

Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AO 2006-7, AO 2006-8, AO 2006-9, AO 2006-10, AO 2006-11, AO 2006-12, AO 2006-13, AO 2006-14, AO 2006-15, AO 2006-16, AO 2006-17, AO 2006-18, AO 2006-19, AO 2006-20 and AO 2006-21 were added and assigned Agenda Numbers 9.F.16, 9.F.17, 9.F.18, 9.F.19, 9.F.20, 9.F.21, 9.F.22, 9.F.23, 9.F.24, 9.F.25, 9.F.26, 9.F.27, 9.F.28, 9.F.29 and 9.F.30, respectively. There were no additional Addendum items and he called for a vote to incorporate the Addendum items.

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

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

Chair Sullivan called for a motion on the Consent Agenda.

Mr. Tesche moved, to approve the Consent Agenda,
Mr. Traini seconded,

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

9. **CONSENT AGENDA**

9.A. **RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** There were none.

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

9.B.1. Resolution No. AR 2007-2, a resolution of the Municipality of Anchorage appropriating the sum of \$48,795 from the State of Alaska, Department of Transportation & Public Facilities and reappropriating \$1,000 of contributions from the 2006 Drug Recognition Expert Training Grant, State Categorical Grants Fund (231) to the State Categorical Grants Fund (231) Anchorage Police Department, for this **Impaired Driving Holiday Blitz Enforcement Program**; Anchorage Police Department.

a. Assembly Memorandum No. AM 2-2007.

9.B.2. Resolution No. AR 2007-3, a resolution of the Municipality of Anchorage appropriating the sum of \$40,872 from the State of Alaska, Department of Transportation & Public Facilities, reappropriating \$509 of contributions from the 2006 Drug Recognition Expert Training Grant, State Categorical Grants Fund (231) and reappropriating \$331 of contributions from the 2004 Commercial Vehicle Inspection Grant, State Categorical Grants Fund (231) to the State Categorical Grants Fund (231) Anchorage Police Department, for this **Seat Belt Enforcement Holiday Blitz Program**; Anchorage Police Department.

a. Assembly Memorandum No. AM 3-2007.

9.C. **BID AWARDS** There were none.

9.D. **NEW BUSINESS**

9.D.1. Assembly Memorandum No. AM 32-2007, **Community Development Authority Board of Directors** appointment (Jana Hayenga); Mayor's Office.

Ms. Jennings requested this item be pulled for review on the Regular Agenda. (*See item 10.D.1*)

9.D.2. Assembly Memorandum No. AM 33-2007, **Zoning Board of Examiners and Appeals** appointment (Donna Williams); Mayor's Office.

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

9.D.3. Assembly Memorandum No. AM 34-2007, **Animal Control Advisory Board** appointments (Martha "Patty" Ginsburg, Lori Hackenberger, Kelly Reagan); Mayor's Office.

9.D.4. Assembly Memorandum No. AM 35-2007, **Animal Control Appeals Board** appointment (James Sheridan); Mayor's Office.

9.D.5. Assembly Memorandum No. AM 36-2007, **Arts Advisory Commission** appointments (Perry Eaton, Terrie Gottstein); Mayor's Office.

9.D.6. Assembly Memorandum No. AM 37-2007, **Police and Fire Retirement Board of Trustees** appointment (Jim Bauman); Mayor's Office.

9.D.7. Assembly Memorandum No. AM 38-2007, **Port Commission** appointments (Danny Consenstein, Susanne DiPietro); Mayor's Office.

9.D.8. Assembly Memorandum No. AM 39-2007, **Public Facilities Advisory Commission** appointment (Devery Prince); Mayor's Office.

9.D.9. Assembly Memorandum No. AM 40-2007, **Youth Advisory Commission** appointments (Christopher Mumford, Conrad Wharton); Mayor's Office.

9.D.10. Assembly Memorandum No. AM 41-2007, **Solid Waste and Recycling Advisory Commission** appointment (Richard Whitehead); Mayor's Office.

9.D.11. Assembly Memorandum No. AM 19-2007, **2007/2008 Liquor License Renewals**: Lone Star Steakhouse #3494, O'Malley's on the Green #2696, Sea Galley #1666 – Beverage Dispensary; Sorrento's #1064, Muldoon Pizza #761 – Restaurant/Eating Place; Anchorage Golf Course #4235 – Golf Course; Alyeska Prince Hotel #3449, Sam's Club #6602, Sam's Club #3303 – Package Store (Girdwood, Northeast, Abbott Loop, Downtown, Midtown Community Councils); Clerk's Office.

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

- 1
2 9.D.12. Assembly Memorandum No. AM 20-2007, proprietary contract with **Chamber, Conlon & Hartwell, Inc.** to provide lobbying services for the Municipality of Anchorage, Port of Anchorage (\$200,000),
3 Purchasing.
4
5 9.D.13. Assembly Memorandum No. AM 21-2007, proprietary purchase with **Legislative Consultants, Inc.** for
6 professionally lobbying services for the Municipality of Anchorage, Municipal Light & Power and
7 Anchorage Water & Wastewater Utility (\$112,500); Mayor's Office.
8 9.D.14. Assembly Memorandum No. AM 22-2007, Change Order No. 3 to Contract 24WWU103 with Hughes
9 Supply for **fire hydrant replacement parts** for the Municipality of Anchorage; Anchorage Water and
10 Wastewater Utility (\$35,000).
11 9.D.15. Assembly Memorandum No. AM 23-2007, Amendment No. 4 to professional services contract with
12 PTS, Inc. for the design of **Raspberry Road Extension, Rovenna Street to Arctic Boulevard**,
13 Project No. 02-13 (\$366,353); Project Management & Engineering.
14

15 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.15)

- 16
17 9.D.16. Assembly Memorandum No. AM 24-2007, recommendation of award of two contracts to USKH, Inc.
18 for providing "**electrical**" and "**hydrological & water quality**" **engineering services** to the
19 Municipality of Anchorage, Project Management & Engineering Department (RFP 26-P051DC)
20 (\$250,000 each); Purchasing.
21 9.D.17. Assembly Memorandum No. AM 25-2007, Contract Amendment No. 1 to the professional services
22 contract with Lantech, Inc. to provide **land survey services** (\$150,000); Project Management &
23 Engineering.
24 9.D.18. Assembly Memorandum No. AM 26-2007, renewal of proprietary lease between the Municipality of
25 Anchorage and the U.S. Department of Agriculture, Forest Service, for the **Windy Point**
26 **Communications Facility** located Near Hope, Alaska, on a parcel legally described as NW4SE4 Sec.
27 25, T10N R2W, Seward Meridian; Heritage Land Bank/Real Estate Services.
28 9.D.19. Assembly Memorandum No. AM 27-2007, **4th Avenue Theatre – OCCUPANCY AGREEMENT**, 630
29 West 4th Avenue, Anchorage, Alaska; Heritage Land Bank/Real Estate Services.
30

31 Mr. Traini requested this item be pulled for review on the Regular Agenda. (See item 10.D.19)

- 32
33 9.D.20. Assembly Memorandum No. AM 28-2007, 2007 Grant Agreement with **Anchorage Economic**
34 **Development Corporation** (\$490,500); Office of Economic & Community Development.
35

36 Mr. Stout requested this item be pulled for review on the Regular Agenda. (See item 10.D.20)

- 37
38 9.D.21. Assembly Memorandum No. AM 29-2007, 2007 Grant Agreement with Greater Anchorage, Inc. to
39 support the **Fur Rendezvous Winter Festival** (\$48,867); Office of Economic & Community
40 Development.
41

42 Mr. Stout requested this item be pulled for review on the Regular Agenda. (See item 10.D.21)

- 43
44 9.D.22. Assembly Memorandum No. AM 30-2007, **UAA Small Business Development Center** Grant
45 Agreement (\$50,000); Office of Economic & Community Development.
46 9.D.23. Assembly Memorandum No. AM 31-2007, a grant to Alaska Arts & Culture Foundation (AACF) for the
47 purpose of administering the **2007 Municipal Arts Grants Program** for the Municipality of Anchorage,
48 Office of Economic and Community Development (\$274,330); Office of Economic & Community
49 Development.
50 9.D.24. Assembly Memorandum No. AM 43-2007, **Piccolino's** #4679 - New Restaurant/Eating Place Liquor
51 License (Eagle River Community Council); Clerk's Office. (**Addendum**)
52 9.D.25. Assembly Memorandum No. AM 44-2007, **Little BBQ House Korean Cuisine** #4680 – New
53 Restaurant/Eating Place Liquor License (Northeast Community Council); Clerk's Office. (**Addendum**)
54 9.D.26. Assembly Memorandum No. AM 47-2007, **Sheraton Anchorage Hotel** #1443- Transfer of a
55 Beverage Dispensary Tourism License; Clerk's Office. (**Addendum**)
56

57 Mr. Stout requested this item be pulled for review on the Regular Agenda. (See item 9.D.26)

- 58
59 9.D.27. Assembly Memorandum No. AM 48-2007, **Dimond BBQ Pit** #4425 – Transfer of a Restaurant/Eating
60 Place Liquor License (Taku/Campbell Community Council); Clerk's Office. (**Addendum**)
61 9.D.28. Assembly Memorandum No. AM 45-2007, Change Orders Nos. 1 & 2 to Purchase Order No. 260183
62 with Consolidated Contracting & Engineering for additional work on the **Loussac Library Cooling**
63 **Water Well Project** for the Municipality of Anchorage, Maintenance & Operations Department
64 (\$410,082.99); Purchasing. (**Addendum**)
65 9.D.29. Assembly Memorandum No. AM 46-2007, Contract Amendment No. 10 to Purchase Order 231576
66 with Paratransit Services, Inc. for providing a coordinated transportation system "**AnchorRIDES**" for
67 the Municipality Of Anchorage, Public Transportation Department (\$315,433); Purchasing.
68 (**Addendum**)
69

70 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.29)

71
72 **9.E. INFORMATION AND REPORTS**

- 73 9.E.1. Information Memorandum No. AIM 1-2007, Internal Audit Report 2006-18 – **Spenard Recreation**
74 **Center Cash Controls, Parks and Recreation Department**; Internal Audit Department.
75 9.E.2. Information Memorandum No. AIM 2-2007, Internal Audit Report 2006-19 – **Fairview Recreation**
76 **Center Cash Controls, Parks and Recreation Department**; Internal Audit Department.
77

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

- 79 9.F.1. Ordinance No. AO 2007-1, an ordinance authorizing a non-exclusive natural gas easement across
80 municipal property to ENSTAR Natural Gas Company, within **Tract 3B, International East**

Subdivision, Plat No. 99-10, at the Kloop Station Sand Storage Facility located near West International Airport Road and Northwood Street, Tax #010-531-04; Project Management & Engineering. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 13-2007.

9.F.2. Ordinance No. AO 2007-2, an ordinance amending Anchorage Municipal Code Title 25 to add a new chapter for the **Anchorage Museum at Rasmuson Center** and repealing Section 4.60.020, Historical and Fine Arts Commission, retroactive to January 1, 2007; Office of Economic & Community Development. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 14-2007.

9.F.3. Ordinance No. AO 2007-3, an ordinance submitting to the qualified voters residing in the South Goldenview Limited Road Service Area (LRSA) at the Regular Municipal Election on April 3, 2007, a ballot proposition to annex the **Shangri-La East Subdivision-Phase II and Horace Subdivision-Tract 1** to the South Goldenview LRSA and amend the South Goldenview LRSA boundaries in Anchorage Municipal Code Section 27.30.700, effective retroactive to January 1, 2007; Maintenance & Operations Department. (*Public Hearing 1-30-07*)

a. Assembly Memorandum No. AM 15-2007.

9.F.4. Ordinance No. AO 2007-4, an ordinance submitting to the qualified voters residing in the South Goldenview Limited Road Service Area (LRSA) at the Regular Municipal Election on April 3, 2007, a ballot proposition to convert the South Goldenview Limited Road Service Area (LRSA) to **South Goldenview Rural Road Service Area (RRSA)**, and repealing and re-enacting Anchorage Municipal Code Sections 27.20.190 and 27.30.280 retroactive to January 1, 2007; Maintenance & Operations Department. (*Public Hearing 1-30-07*)

a. Assembly Memorandum No. AM 16-2007.

9.F.5. Ordinance No. AO 2007-5, an ordinance submitting to the qualified voters residing in the Talus West Limited Road Service Area (LRSA) at the Regular Municipal Election on April 3, 2007, a ballot proposition to annex the **Cross Estates Subdivision** to the Talus West LRSA and to amend the Talus West LRSA boundaries in Anchorage Municipal Code Section 27.30.700, effective retroactive to January 1, 2007; Maintenance & Operations Department. (*Public Hearing 1-30-07*)

a. Assembly Memorandum No. AM 17-2007.

9.F.6. Ordinance No. AO 2007-6, an ordinance amending Anchorage Zoning Ordinances AO 94-235(S-1)(AA), AO 2000-143(S-2), and AO 2002-7 to amend the PC (Planned Community District) and to modify the existing Master Development Plan and design standards for **Tract A, Powder Reserve**, for Development Areas A, C D, E, F, H, I, J, K, and L within Tract 40A, Powder Ridge Subdivision (Plat 98-80) (Eagle River, Birchwood Community Councils) (Planning and Zoning Case 2006-125); Planning Department. (*Public Hearing 2-27-07*)

a. Assembly Memorandum No. AM 18-2007.

9.F.7. Resolution No. AR 2007-4, a resolution approving the acceptance and appropriation of State of Alaska grant funds in the amount of \$2,760,490 from the Department of environmental Conservation Matching Grant Program to be applied toward the **Anchorage Loop Water Transmission Main Phase IV Project** (SB231); Anchorage Water & Wastewater Utility. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 4-2007.

9.F.8. Resolution No. AR 2007-5, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating a State of Alaska Drinking Water Fund loan offer in the amount of \$1,000,000 for financing a portion of the costs of the **Pine Street Water Upgrade Project**; Anchorage Water & Wastewater Utility. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 5-2007.

9.F.9. Resolution No. AR 2007-6, a resolution appropriating \$298,704 of revenue from the State of Alaska Department of Transportation & Public Facilities to the State Categorical Grant Fund 231 to the Project Management & Engineering Department for **National Pollutant Discharge Elimination System** (NPDES) permit services provided in 2007; Project Management & Engineering. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 6-2007.

9.F.10. Resolution No. AR 2007-7, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement in the amount of \$385,096 with the Department of Transportation and Public Facilities, State of Alaska, for the **Municipal Share-A-Ride Program** and appropriating these funds to the State Categorical Grants Fund (231); Public Transportation Department. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 7-2007.

9.F.11. Resolution No. AR 2007-8, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$259,940 with the State of Alaska, Department of Transportation and Public Facilities, for financing the implementation of a **Public Transportation Marketing Program** and appropriating these funds to the State Categorical Grants Fund (231); Public Transportation Department. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 8-2007.

9.F.12. Resolution No. AR 2007-9, a resolution of the Municipality of Anchorage authorizing the acceptance of an Alaska Mental Health Trust Authority (AMHTA) grant and appropriating \$120,000 from the Alaska Mental Health Trust Authority through State of Alaska, the Department of Transportation and Public Facilities, to the Public Transportation Capital Improvement Fund (485) as the required local match for the 2006 purchase of ten **paratransit vehicles**; Public Transportation Department. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 9-2007.

9.F.13. Resolution No. AR 2007-10, a resolution of the Municipality of Anchorage appropriating \$1,000,000 as a grant from the **Denali Commission** to the Areawide General CIP Fund (401) for the Girdwood Community Center and Library construction project; Office of Economic & Community Development. (*Public Hearing 1-23-07*)

a. Assembly Memorandum No. AM 10-2007.

9.F.14. Resolution No. AR 2007-11, a resolution of the Municipality of Anchorage appropriating \$314,449 as a grant from the **Rasmuson Foundation** to the Areawide General CIP Fund (401) for the Girdwood Community Center and Library construction project; Office of Economic & Community Development. (*Public Hearing 1-23-07*)

- a. Assembly Memorandum No. AM 11-2007.
- 9.F.15. Resolution No. AR 2007-12, a resolution of the Anchorage Municipal Assembly appropriating \$250,000 from the Historic Preservation Fund (Fund 740) for costs associated with the **4th Avenue Theatre**; and appropriating a \$600,000 restricted contribution to the Anchorage Community Development Authority (Fund 598) for costs associated with the 4th Avenue Theatre; Office of Economic & Community Development. (*Public Hearing 1-23-07*)
- a. Assembly Memorandum No. AM 12-2007.
- 9.F.16. Ordinance No. AO 2007-7, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.40.180, B-3, General Business District, to permit a natural resource extraction on tracts of not less than five acres as a conditional use and to allow open storage concurrent with the **natural resource extraction** conditional use; Assemblymember Coffey. (**Laid on the Table**) (**To be Referred to the Planning and Zoning Commissions**)
- 9.F.17. Ordinance No. AO 2007-8, an ordinance submitting to the Qualified Voters residing in the **Lake Hill Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by the majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.600 accordingly, and repealing AO 2006-160; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.18. Ordinance No. AO 2007-9, an ordinance submitting to the qualified voters residing in the **Mountain Park Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.330 accordingly, and repealing AO 2006-161; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.19. Ordinance No. AO 2007-10, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.360 accordingly, and repealing AO 2006-162; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.20. Ordinance No. AO 2007-11, an ordinance submitting to the qualified voters residing in the **Paradise Valley South Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.640 accordingly, and repealing AO 2006-163; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.21. Ordinance No. AO 2007-12, an ordinance submitting to the qualified voters residing in the **Rabbit Creek and Rabbit Creek Heights Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.240 accordingly, and repealing AO 2006-164; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.22. Ordinance No. AO 2007-13, an ordinance submitting to the qualified voters residing in the **Raven Wood/Bubbling Brook Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.350 accordingly, and repealing AO 2006-165; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.23. Ordinance No. AO 2007-14, an ordinance submitting to the qualified voters residing in the **Rockhill Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.590 accordingly, and repealing AO 2006-166; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.24. Ordinance No. AO 2007-15, an ordinance submitting to the qualified voters residing in the **Skyranch Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.320 accordingly, and repealing AO 2006-167; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.25. Ordinance No. AO 2007-16, an ordinance submitting to the qualified voters residing in the **Totem Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.610 accordingly, and repealing AO 2006-168; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.26. Ordinance No. AO 2007-17, an ordinance submitting to the qualified voters residing in the **Upper Grover Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.340 accordingly, and repealing AO 2006-169; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.27. Ordinance No. AO 2007-18, an ordinance submitting to the qualified voters residing in the **Valli Vue Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.310 accordingly, and repealing AO 2006-170; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)
- 9.F.28. Ordinance No. AO 2007-19, an ordinance submitting to the qualified voters residing in the **Talus West Limited Road Service Area** (LRSA) at the Regular Municipal Election April 3, 2007 a ballot

proposition approving the continuation of the limited road service area until altered or abolished by majority vote of those voting within the affected area and amending Anchorage Municipal Code Section 27.30.200 accordingly; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)

9.F.29. Ordinance No. AO 2007-20, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 27.10.015, **Service Area Jurisdiction**, to allow Limited Road Service Areas to remain in existence until altered or abolished by majority vote within the affected area; Assemblymembers Stout, Tesche and Birch. (*Public Hearing 1-30-07*) (**Laid on the Table**)

Mr. Birch requested to be added as a cosponsor to the LRSA ordinances, items 9.F.16 to 9.F.29.

Mr. Tesche stated that LRSA service contracts were reauthorized every three-year, causing an enormous hassle for Municipal Elections. He supported the new ordinances, which, if approved by voters, would eliminate the hassle.

9.F.30. Ordinance No. AO 2007-21, an ordinance authorizing a **purchase and sale agreement for the 4th Avenue Theatre**, located at 630 West 4th Avenue, Legal Description Lots 3 and 4, Block 41, Original Townsite of Anchorage, excepting the East 5 Feet of the North 101 Feet of Lot 3 and the West 7.5 Feet of Lot 4, subject to obtaining tax credit financing; and assignment of the agreement to a single purpose entity; Office of Economic & Community Development. (**Laid on the Table**)

The Administration distributed the ordinance concerning the 4th Avenue Theatre. Chair Sullivan read the ordinance title and called the Question.

Mr. Coffey moved, *to introduce AO 2007-21, with Public Hearing*
Mr. Tesche seconded, *scheduled for January 23, 2007,*
Ms. Jennings was the concurring third.

To Mr. Birch, Mayor Begich responded the body of the new ordinance would be completed by Friday.

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

and this motion, as amended, was passed, 10-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

END OF CONSENT AGENDA

Ms. Jennings moved, *to Change the Order of the Day to take up 15.A.*
Mr. Traini seconded,
and this was approved without objection.

(Clerk's Note: Following completion of 15.A, voting for and swearing in newly elected Assemblymember William Starr, Chair Sullivan returned the body to the Regular Agenda to lead discussion of the pulled items.)

10. REGULAR AGENDA

10.A. **RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** There were none.

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

10.C. **BID AWARDS** There were none.

10.D. NEW BUSINESS

10.D.1. Assembly Memorandum No. AM 32-2007, **Community Development Authority Board of Directors** appointment (Jana Hayenga); Mayor's Office.

Ms. Jennings moved, *to approve AM 32-2007,*
Ms. Ossiander seconded,

Ms. Jennings moved, *to postpone AM 32-2007 to January 23, 2007 to allow a*
Mr. Stout seconded, *10-day public comment period,*
and this was approved without objection.

10.D.2. Assembly Memorandum No. AM 33-2007, **Zoning Board of Examiners and Appeals** appointment (Donna Williams); Mayor's Office.

Ms. Jennings moved, *to approve AM 33-2007,*
Ms. Ossiander seconded,

Ms. Jennings moved, *to postpone AM 33-2007 to January 23, 2007 to allow a*
Mr. Stout seconded, *10-day public comment period,*
and this was approved without objection.

10.D.11. Assembly Memorandum No. AM 19-2007, **2007/2008 Liquor License Renewals**: Lone Star Steakhouse #3494, O'Malley's on the Green #2696, Sea Galley #1666 – Beverage Dispensary; Sorrento's #1064, Muldoon Pizza #761 – Restaurant/Eating Place; Anchorage Golf Course #4235 – Golf Course; Alyeska Prince Hotel #3449, Sam's Club #6602, Sam's Club #3303 – Package Store (Girdwood, Northeast, Abbott Loop, Downtown, Midtown Community Councils); Clerk's Office.

1 Mr. Coffey moved, to approve AM 19-2007,
2 Mr. Bauer seconded,

3
4 Mr. Coffey moved, to *bifurcate* the Lone Star Steakhouse #3494
5 Mr. Bauer seconded, from AM 19-2007,
6 and this was approved without objection.

7
8 and the main motion, as amended, was approved without objection.
9

10 Mr. Coffey stated that he had represented the Lone Star Steakhouse for many years, prior to becoming of counsel to
11 his law firm. Chair Sullivan ruled that Mr. Coffey did have a conflict of interest and ordered him to abstain from
12 participating in the matter concerning Lone Star Steakhouse.

13
14 Mr. Bauer moved, to approve the Lone Star Steakhouse #3494,
15 Mr. Traini seconded,
16 and this was approved without objection,
17 with Mr. Coffey abstaining.

18
19 10.D.15. Assembly Memorandum No. AM 23-2007, Amendment No. 4 to professional services contract with
20 PTS, Inc. for the design of **Raspberry Road Extension, Rovenna Street to Arctic Boulevard**,
21 Project No. 02-13 (\$366,353); Project Management & Engineering.

22
23 Mr. Coffey moved, to approve AM 23-2007,
24 Ms. Jennings seconded,

25
26 Mr. Coffey stated that this contract had grown to a million dollars, which was three or four times greater than what was
27 originally bid. All items in the added memorandums could have been included with the original contract. Municipal
28 Engineer Howard Holtan responded that following approval of the original appropriation, the design study had
29 expanded the project scope for additional improvements to the west, for which State grant funds were pursued.

30
31 To Chair Sullivan, Deputy Municipal Manager Michael Abbott responded the project was fully funded from Artic to
32 Minnesota. Intersection design work was being completed, but the city was not committed to completing the
33 connection to C Street. Mayor Begich responded that the city was still on a budget and, while they hoped there would
34 be funding to complete the project to Minnesota, there had been continual increased costs due to inflation. Mr. Holtan
35 responded this project was to go to bid and begin construction in the summer of 2007.

36
37 and the motion was passed unanimously.

38
39 10.D.19. Assembly Memorandum No. AM 27-2007, **4th Avenue Theatre – OCCUPANCY AGREEMENT**, 630
40 West 4th Avenue, Anchorage, Alaska; Heritage Land Bank/Real Estate Services.

41
42 Mr. Traini moved, to *postpone indefinitely* AM 27-2007,
43 Mr. Bauer seconded,

44
45 Mayor Begich stated he intended for this item to be postponed indefinitely, because the Administration would introduce
46 a new ordinance, incorporating all aspects of the 4th Avenue Theatre, including the purchase agreement, occupancy
47 and funding, to be heard on January 23rd.

48
49 To Mr. Traini, Mayor Begich responded that the city had paid for the newspaper advertisement, which would be
50 reimbursed by the non-profit, that would be formed. The 4th Avenue Theatre project would be made clear with the new
51 ordinance, and involved no city tax dollars. He was aware of the misinformation campaign.

52
53 Mr. Coffey stated that he had gotten emails from constituents and understood many were misinformed.

54
55 Mr. Tesche stated that he had also gotten questions about city involvement in this venture.

56
57 Chair Sullivan stated that it was inappropriate for the city to be advertising for potential renters before the Assembly
58 had approved the agreement. Mayor Begich responded that the city would be reimbursed for advertising expenses.
59 The city had received many calls in response to the newspaper advertisement and had explained that proceeding was
60 dependent upon Assembly approval. Chair Sullivan gave a word of caution and advised against such activity without
61 Assembly approval.

62
63 and the motion was approved without objection.

64
65 10.D.20. Assembly Memorandum No. AM 28-2007, 2007 Grant Agreement with **Anchorage Economic**
66 **Development Corporation** (\$490,500); Office of Economic & Community Development.

67
68 Mr. Stout moved, to approve AM 28-2007,
69 Ms. Jennings seconded,

70
71 Mr. Stout stated this half-million dollars was appropriated to the Anchorage Economic Development Corporation (AEDC),
72 which had listed their 2007 strategies, but had not included a budget. Mayor Begich responded that the Assembly had
73 approved the AEDC budget last fall. Mr. Stout concurred.

74
75 Mr. Coffey stated that this appropriation had been the same for many years. The AEDC kept their members informed.
76 He and Mr. Stout, who were on the AEDC Advisory Board, would review the process and report back to the Assembly.

77
78 Ms. Jennings concurred and stated that the Assembly needed to be kept better informed on the AEDC matters.
79

Mr. Coffey stated the AEDC process was an ongoing promotion of information and doing business, which created awareness and opportunity. Quantification was often difficult to monitor. Mayor Begich concurred and stated that the AEDC business management and creating business opportunity had been successful.

Chair Sullivan stated that the AEDC executive administration had not tracked job growth, which the Assembly would view as a quantifiable effort to show that money had been well spent.

and this motion was passed without objection.

10.D.21. Assembly Memorandum No. AM 29-2007, 2007 Grant Agreement with Greater Anchorage, Inc. to support the **Fur Rendezvous Winter Festival** (\$48,867); Office of Economic & Community Development.

Mr. Stout moved, to approve AM 29-2007,
Mr. Traini seconded,

Mr. Stout stated that many people had requested a parade at Fur Rendezvous this year. Economic and Community Development Deputy Director Schawna Thoma responded that Traffic Director Lance Wilber had indicated there had been requests for three events that day, which was too much activity for 4th, 5th and 6th Avenues. Fur Rendezvous Executive Director Susan Duck responded that their festival had been reduced to a ten-day schedule, which had many events occurring concurrently. If they moved an event to another day, it would incur additional costs for traffic control, administration and advertising.

Mr. Traini requested a response from the Administration by the next Assembly Meeting to GAI's request for parade support. Mayor Begich stated he supported a parade, but understood the concerns of downtown traffic with the other proposed events. Ms. Duck responded that Fur Rondy had talked with the Traffic Department in November about this matter. Mr. Stout responded that it seemed that the Winter Festival had taken precedence over the Fur Rendezvous.

To Ms. Jennings, Ms. Duck responded that the Fur Rendezvous would be capable of putting on a parade this year, with an appropriation of \$10,000. Mr. Coffey requested that every effort be made to accommodate Fur Rondy.

and this motion was passed without objection.

10.D.26. Assembly Memorandum No. AM 47-2007, **Sheraton Anchorage Hotel** #1443- Transfer of a Beverage Dispensary Tourism License; Clerk's Office. (**Addendum**)

Mr. Stout moved, to approve AM 47-2007,
Mr. Bauer seconded,

Mr. Stout questioned the extensive police report. Police Chief Rob Heun responded this was a large establishment in a key location with high traffic volume. Many calls were initiated by the hotel security, which included incidents of vandalism in the very large parking lot. The incidents involved the location and not the bar. Chief Heun supported the license transfer.

and this was approved without objection.

10.D.29. Assembly Memorandum No. AM 46-2007, Contract Amendment No. 10 to Purchase Order 231576 with Paratransit Services, Inc. for providing a coordinated transportation system "**AnchorRIDES**" for the Municipality Of Anchorage, Public Transportation Department (\$315,433); Purchasing. (**Addendum**)

Ms. Ossiander moved, to approve AM 46-2007,
Ms. Jennings seconded,

To Ms. Ossiander, Public Transportation Director Jody Karcz responded that Paratransit Services, operating AnchorRIDES, was now represented by the Teamsters Union and the city had to pay for the contractor operating increased labor costs. Ms. Karcz stated that this would extend the 5-year service contract to July and be retroactive back to January on labor costs. Municipal Manager Denis LeBlanc explained that the transit service was required. Paratransit Services had been faced with a labor strike and had threatened to discontinue the service. Drivers had been grossly underpaid and in order to maintain the service, the city proposed to maintain the contract until July and then renegotiate.

Chair Sullivan stated that a contract for an essential service should consider a no-strike provision. Mayor Begich stated that an Executive Session would be scheduled to discuss labor issues.

Mr. Birch stated the city had also revised the contract by taking over vehicle insurance costs. Ms. Karcz concurred.

and this was approved without objection.

10.E. INFORMATION AND REPORTS None were pulled for review.

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

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Assembly Memorandum No. AM 905-2006, Change Order Authority for Purchase Order (PO) 251138 with Construction Unlimited for **Kincaid Park Trail Connection** for the Municipality of Anchorage, Project Management & Engineering (PM&E) (\$250,000); Purchasing. (*Postponed from 12-19-06*)

Chair Sullivan stated there was a motion to approve on the floor.

Mr. Birch had moved, to approve AM 905-2006,
Mr. Coffey had seconded,
and this motion was passed, 11-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout,
Traini and Jennings.
NAYES: None.

11.B. Resolution No. AR 2006-328, a resolution adopting the **2007 Legislative Program** for the Municipality
of Anchorage; Mayor's Office.
1. Assembly Memorandum No. AM 920-2006. (*Postponed from 12-19-06*)

Chair Sullivan read the resolution title and called the Question.

Ms. Jennings moved, to approve AR 2006-328,
Mr. Coffey seconded,

Mr. Birch stated that it had been requested that the projects be shown by Legislative District. Deputy Municipal
Manager Michael Abbott responded his office would be completing the requested spreadsheets.

Ms. Jennings moved, to amend AR 2006-328 on Page 10.1, Public Health
Mr. Tesche seconded, Operating Budget, *by adding: "Increase treatment staff at
and this was approved without objection. Clitheroe Center by one FTE to accommodate 5 to 6 more
residential treatment beds (a total of about 20 additional
patients per year); \$105,000;"*

Ms. Jennings moved, to amend AR 2006-328 on Page 12.1, Public Health Capital
Mr. Tesche seconded, Budget, *by adding: "to fund design of new **detoxification
and treatment facility** [for Clitheroe]; \$500,000;"*
and this was later amended,

Ms. Jennings stated the Clitheroe facility was being forced to move because of state funding cuts and arsenic had
been found in the water. To Ms. Ossiander, Ms. Jennings responded that a possible new location was next to the
Highland Correctional Center in Eagle River.

To Mr. Coffey, Health and Human Services Director Beverly Wooley responded this funding was for a detoxification-
treatment center, but would not necessarily be contracted to the Salvation Army. Mr. Coffey concurred. Ms. Jennings
accepted this as a friendly amendment and Mr. Tesche, the second, concurred.

and the motion, as amended, was approved without objection.

Ms. Ossiander moved, to amend AR 2006-328, *by incorporating* the Administrative
Mr. Coffey seconded, Amendments To-Date, *by adding:*

Public Safety, Legislation

"Real Time Access to Conditions of Release;" Page 4.2

***Economic & Community Development Capital Projects
Capital Projects***

"Creekside Redevelopment Project – Tract B, Muldoon

Estates Subdivision; \$4,000,000;" Page 6.11;

"Russian Jack Spring Park; \$1,500,000;" Page 6.25;

***Other Priority Transportation Capital Projects,
Capital Budget***

"Girdwood Town Center public parking, road and pedestrian
improvements; \$360,000;" Page 8.15;

District Transportation Capital Projects, Capital Budget

"145th Ave./Metz Ct. Area Drainage – Buffalo St. to 147th
Ave.; \$60,000;" Page 9.81;

"Goldenview Dr./Buffalo St./Elmore Rd. and 147th Ave. Area
Chip Seal Surfacing; \$200,000;" Page 9.87

"Manytell Ave. Upgrade – Longbow Dr. to Buffalo St.;
\$120,000;" Page 9.88;

Public Health Operating Budget

"Human Services Matching Grant, \$1,924,285;" Page 10.2;

Ms. Ossiander stated this reflected the needs in the districts being addressed by the Assembly. She urged support.

To Ms. Jennings, Deputy Municipal Manager Michael Abbott responded there would probably be costs to the State of
Alaska Court System associated with the request for access to conditions of release for bail or probation. The
information would be used by police officers, who could access the data on their mobile data units.

To Ms. Shamberg, Mr. Abbott responded that her requests had been included. One amendment was for Birch
Tree/Elmore Limited Road Service Area and the other was included in the Girdwood Town Center improvements.

and this was passed without objection.

To Mr. Coffey, Mr. Abbott responded that the Tudor Road Fire Station expansion was fully funded with existing funds.

Mr. Coffey moved, to amend AR 2006-328 on Page 4.1, *by prioritizing*
Ms. Jennings seconded, Items 1 through 5,
and this was approved without objection.

Mr. Coffey requested that a master plan be included with the proposed \$1,000,000 on Page 6, Section 36. Mr. Abbott responded that a narrative would be included by the end of the week. The Legislative Priorities would be sent to Juneau by January 20th. Chair Sullivan requested that all Assemblymembers receive all associated narratives before it was sent to Juneau.

Mr. Coffey stated that he and Mr. Traini had requested an appropriation of \$500,000 for the Bragaw Extension, which was included in the Legislative Priorities as 9.2, North Access to the U-Med District. He requested that the Legislative Committee be allowed to review that important and specific narrative. Mr. Abbott concurred.

Ms. Ossiander stated it was important for Assemblymembers to review the narratives, so the proposals were worded in such a way that it would complement the work of the community councils and the Chugiak-Eagle River Chamber of Commerce. It was important to effectively advocate for the projects.

Mr. Coffey moved, to amend AR 2006-328 on Page 9.2, *by adding* to read:
Ms. Jennings seconded, North Access to U-Med District – “Bragaw Extension,
Northern Lights to Providence Drive/Access to Anchorage
Police Department Headquarters;”

Mr. Traini stated the appropriation to Bragaw would make the Police Department Headquarters more accessible.

and this motion was passed without objection.

Mr. Starr stated that he would continue to maintain Ms. Fairclough’s role on the Legislative Committee as the Assembly addressed these matters.

Mr. Traini moved, to amend AR 2006-328 on Page 4.1, APD Headquarters
Mr. Coffey seconded, Expansion, Phase II, *by adding* “Including Bragaw Extension
Access;”

Mr. Traini stated that it was important to ensure access to the Anchorage Police Headquarters. Mr. Coffey proposed additional language, which was accepted as a friendly amendment by Mr. Traini.

To Ms. Jennings, Mr. Abbott responded this specific proposal involved the headquarters expansion and did not include road construction dollars. Ms. Jennings thought this was the wrong place to address road construction. Chair Sullivan stated that technically adding the amendment would cause no harm to the proposal.

and the Traini Amendment, as amended, was passed, 10-1.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout and Traini.

NAYES: Jennings.

Chair Sullivan put the Question on the main motion.

and the main motion, as amended, was passed, 11-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

- 11.C. Ordinance No. AO 2006-155, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Sections 28.60.040 and 28.60.050 regarding **Special Needs ballots** to hospital patients, allowing personal representative assistance to disabled voters, and requiring one attestation on an absentee ballot by mail, Assemblymembers Stout and Tesche.
1. Assembly Memorandum No. AM 829-2006.
 2. Ordinance No. AO 2006-155(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Sections 28.60.040 and 28.60.050 regarding Special Needs ballots to hospital patients, allowing personal representative assistance to disabled voters, and requiring one attestation on an absentee ballot by mail, Assemblymembers Stout and Tesche.
 3. Assembly Memorandum No. AM 917-2006.
(Public Hearing was Closed 12-12-06; Action was Postponed from 12-12-06)

Chair Sullivan read the ordinance title, stated that Public Hearing was closed and called the Question.

Mr. Tesche moved, to approve AO 2006-155(S),
Mr. Coffey seconded,

Mr. Tesche explained that the ordinance had been postponed to allow time to make legal improvements to make municipal procedures consistent with State of Alaska procedures.

Municipal Clerk Barbara Gruenstein stated that State Elections Director Whitney Brewster had explained the state had had no experience of fraud. The Municipal Clerk’s Office and the State Elections Office were addressing election workers assisting special needs voters because of unsafe conditions, which put workers at risk. The April 3rd Election

would be easier if the processes were in-sync. To Mr. Coffey, Ms. Gruenstein responded the concern of a candidate being a special representative had been addressed.

Ms. Ossiander stated there were some particular differences between State Statute and this ordinance. A qualified voter with a disability and unable to go to a polling place was allowed to vote a Special Needs ballot. The ordinance was broader, including persons admitted as hospital patients and other persons physically prevented from voting at a polling place, which could be as broad as someone having a flat tire or not having an available car that day. Under State Statute, personal representatives were more prescribed than what was offered in this version. A personal representative should not be a candidate running for office, nor a campaign coordinator nor a volunteer working for a candidate. Limitations were needed on how many people a personal representative could represent. For those reasons, she would not support the S-version and she would support the original version, with some amendments. Mail-in ballots, particularly for the LRSAs, were worthwhile.

Mr. Tesche moved, to approve [~~AO 2006-155(S)~~] "AO 2006-155,"
Mr. Stout seconded,

Ms. Ossiander stated that if there was a need to become more compatible with what was offered by the State, it was wiser to make the changes incrementally. She had reviewed the entire state section on Elections and would continue that review. Currently she wanted to address only areas that were clearly not controversial, to limit potential fraud. She urged support for the original version.

To Mr. Tesche, Assembly Counsel Julia Tucker responded that she had prepared the original version and the S-version had been assisted by Deputy Municipal Attorney Rhonda Fehlen Westover and the Municipal Clerk. Ms. Westover responded that additional review may be necessary, to determine if the S-version tracked State Law 100% and to bring back a consensus draft to the Assembly. Ms. Tucker concurred.

Mr. Tesche moved, to postpone AO 2006-155 to January 23, 2007,
Mr. Stout seconded,
and this was passed without objection.

12. APPEARANCE REQUESTS There were none.

13. CONTINUED PUBLIC HEARINGS

- 13.A. Ordinance No. AO 2006-87, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.080, **Off-Street Parking Requirements**, to clarify off-street parking standards and amend provisions for joint use of a single parking area; Assemblymembers Coffey and Traini.
1. Information Memorandum No. AIM 68-2006.
 2. Ordinance No. AO 2006-87(S-1), an ordinance amending Anchorage Municipal Code Section 21.45.080 to amend the Off-Street Parking Standards and amend provisions for joint use of off-street parking areas Planning and Zoning Commission, Case 2006-112), Planning Department.
 3. Assembly Memorandum No. AM 885-2006.
(Public Hearing on AO 2006-87 was Closed 6-6-06; Action was Postponed to 6-20-06; Referred to the Planning & Zoning Commission on 6-20-06; Public Hearing was Re-opened on 12-19-06; Continued from 12-19-06)

Chair Sullivan read the ordinance title, stated there was a Substitute-1 (S-1) version and he opened Public Hearing.

JOYCE MUNSON testified the S-1 version still did not resolve the problem with the railroad car. The bar continued to use surrounding parking lots for customers, which had been denied by the Planning and Zoning Commission (P&Z). Planning Director Tom Nelson responded the S-1 version allowed limited parking for Al's Alaska Inn and the bar would likely have to move the railroad car because it did not meet current parking standards.

MIKE HOUSTON supported the ordinance, which allowed shared parking with set hours. He was still concerned with parking being allowed next to residential areas.

SAMUEL O'CONNOR, a member of the West Side Community Patrol, supported the ordinance. He supported Al's Alaska Inn operations, with security patrolling parking lots, escorting customers across the street and deterring reckless and disruptive patrons. To Mr. Traini, Mr. O'Connor responded that the bar owner was unaware that he was monitoring when he had visited the bar in August and December.

MATT SCHWARTZ opposed the ordinance if it allowed the bar to use parking as far away as 800 feet, because it would cause a safety issue. Neighboring residents currently had to pay for towing an illegally parked car from in front of their houses, which was not right.

ALLEN CHOY, owner of Al's Alaskan Inn, testified that in his 20 years of business, he had never had an incident at his location and had the cleanest record in town. With increased limited parking in the city, the parking ordinance would help resolve the issue and he was in support.

MARY HERTZ opposed the ordinance and questioned how parking areas were determined and if there were grandfather rights. Chair Sullivan responded those questions would be answered in Assembly debate.

TERRY AGLIETTI, counsel to Mr. Choy, supported the ordinance, which was a good tool for utilizing parking options. Mr. Aglietti supported the 800-foot allowance. He questioned the specific allowances of shared-parking agreements.

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

Mr. Coffey moved, to approve AO 2006-87(S-1),
Mr. Traini seconded,

Mr. Coffey stated the original version lacked the constraints and permissions, now included in the S-1-version. P&Z had addressed and resolved all the associated questions and had allowed use of available space for parking, which would make more land available and have substantial financial gains to the private sector. The Assembly could revisit this in the future if changes were needed. In the instance of a small street or no street, a parking agreement could be used. If a residentially zoned area abutted a commercial area, parking would not be allowed after 10:00 p.m.

Ms. Ossiander stated that the Title 21 Committee had addressed this issue, which differed from the Anchorage 2020 Comprehensive Plan. Mr. Nelson responded that pedestrian connections were included in the standards. Current shared use agreements would be grandfathered-in and would be legal. He responded that parking spaces were calculated with allowances of one parking space per three people, based on fixed seating. With non-fixed seating, parking was based upon the occupancy of the establishment structure, determined by building code.

Ms. Jennings stated that Table A showed a 0% parking credit for bars during 1:00 a.m. and 7:00 a.m., but bars stayed open until 2:00 a.m. on weekdays and 3:00 a.m. on weekends. Mr. Nelson concurred. Ms. Jennings questioned if illegally parked vehicles had been addressed. Mr. Nelson responded that complaints were investigated and notice was given to the bar. Actions could be taken against the nightclub if there were continued violations. Ms. Jennings questioned who was responsible for the towing charges. Chair Sullivan responded that there were some instances of postings, with street signs installed by the Traffic Department. Mr. Nelson responded the issue may be addressed in parts of Code, and not in Title 21.

Mr. Coffey moved,
Mr. Traini seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 6, Lines 8-9, *by changing* to read: The agreement shall guarantee the use of the shared parking facilities for the life of the uses, or a time certain period not to be less than ten years~~-, and shall provide for the maintenance of jointly used parking facilities]~~ "and the owner of land used for jointly used parking facilities shall be responsible for the maintenance of said facilities."

Mr. Coffey stated this amendment would make the owner responsible. An agreement with a joint user was allowed.

Mr. Coffey moved,
Ms. Ossiander seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 6, Lines 14-17, *by deleting* to read: ~~[A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of subsections 21.45.080.B. through 21.45.080.W., inclusive and 21.45.080.AA.];~~

Mr. Coffey stated that shared parking agreements had requirements imposed on the person seeking to use another's property for parking. If the person using the parking to meet their parking requirements failed to abide by the agreement, then the person who had given the agreement should be allowed to cancel, revoke or terminate the agreement. It would be a strong incentive for the person who needed the parking to abide by the agreement. This may lead to the need for enforcement. Mr. Nelson concurred.

Mr. Coffey moved,
Ms. Jennings seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 6, Line 19, *by changing* to read: At the end of the life of the agreement, property owners who are parties to the agreement must comply with ~~[other]~~ "all" provisions of this code governing the required number of off-street parking spaces.;

Ms. Jennings stated that if a shared parking agreement was revoked, a dissolution of the agreement should be recorded. Mr. Nelson concurred. Mr. Coffey created the amendment language.

Mr. Coffey moved,
Ms. Jennings seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 6, Line 20, *by adding* to read: "If an agreement is terminated for any reason prior to the expiration of its terms, notice of such termination shall be recorded and a copy provided to the Planning Department."

To Ms. Jennings, Mr. Nelson responded that Table A could be expanded from 1:00 a.m. to 3:00 a.m. to cover the bar and nightclub hours, with a recommended 90% shared parking credit for those hours.

Ms. Jennings moved,
Mr. Coffey seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 5, Table A, Shared Parking Time Periods *by adding a new column* to read: "1:00 a.m. to 3:00 a.m." with a "90%" parking credit *(for Bars and Nightclubs)* for those hours, with the balance of uses in the chart to reflect the same as for the 1:00 a.m. to 7:00 a.m. column. And, *by adding a new column* to reflect shared parking credit for 3:00 a.m. to 7:00 a.m.;

Ms. Jennings moved,
Chair Sullivan seconded,
and this was approved without objection.

to amend AO 2006-87(S-1) on Page 6, Table A, under use of *Office and Financial*, in the column of 1:00 a.m. to 7:00 a.m. *by changing* the percentage of use from ~~[0%]~~ to "5%";

Ms. Jennings thanked those who had worked on the improvements in the ordinance to create a good joint parking agreement and address many concerns of the neighbors, who lived next to these different uses.

Chair Sullivan thanked the sponsors and the Planning Department for their hard work on this ordinance, which had been needed. The S-1-version drastically improved the ordinance, addressing many community concerns and would effect many shared parking agreements scattered through town.

Chair Sullivan put the Question to the main motion.

and the main motion, as amended, was passed, 11-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

14. NEW PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND END NO LATER THAN 11:00 P.M.)

14.A. Ordinance No. AO 2006-176, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Drinking Water Fund of an aggregate amount not to exceed \$17,310,000 for the purpose of financing a portion of the costs of various **AWWU 2007 Capital Improvement Plan (CIP) Water Improvements Projects** in the Municipality, and providing for related matters; Anchorage Water & Wastewater Utility.

1. Assembly Memorandum No. AM 859-2006.

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

Ms. Jennings moved, to approve AO 2006-176,
Mr. Coffey seconded,
and this was passed, 9-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Coffey, Traini and Jennings.

NAYES: None.

(Clerk's Note: Mr. Birch and Mr. Stout were temporarily out of Chambers at the time of the vote.)

14.B. Ordinance No. AO 2006-177, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Clean Water Fund of an aggregate amount not to exceed \$8,591,500 for the purpose of financing a portion of the costs of various **AWWU 2007 Capital Improvement Plan (CIP) Sewer Improvements Projects** in the Municipality, and providing for related matters; Anchorage Water & Wastewater Utility.

1. Assembly Memorandum No. AM 860-2006.

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

Mr. Tesche moved, to approve AO 2006-177,
Mr. Coffey seconded,
and this was passed, 10-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

NAYES: None.

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

14.C. Ordinance No. AO 2006-178, an ordinance authorizing withdrawal of **Heritage Land Bank (HLB) Parcel No. 4-043** (former Hollywood Vista Apartments Site) from the Heritage Land Bank Inventory, less one portion reserved for the Parks Department and one portion reserved for the Government Hill Snow Dump Site, and transfer to the Anchorage Community Development Authority; Heritage Land Bank.

1. Assembly Memorandum No. AM 861-2006.

Chair Sullivan read the ordinance title and opened Public Hearing.

PETE KINEEN stated that reference of the land being 'an organic monofill' was not accurate. It was a former garbage dump. He feared this matter would reopen a long, dark and troubled triangle between the Heritage Land Bank (HLB), the power plant, the dam and the Hollywood Vista Apartments. To Mr. Coffey, he responded that asbestos had been removed, but metal, insulation, plastics, piping, windows, carpeting and doors were buried on the property and had not been taken to the landfill, as was indicated at the worksession. The State of Alaska had eventually forced the contractor to haul the remaining materials to the landfill. To Mr. Birch, Mr. Kineen responded that a potential buyer should be fully aware of the buried materials and the new owner should be reimbursed for costs associated with the condition. Ms. Jennings stated the memorandum referenced hazardous and organic materials. To Mr. Birch, Mr. Kineen responded that he had been a potential bidder on the job to demolish the Hollywood Vista Apartments, which had been close to \$2 million dollars.

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

Mr. Coffey moved, to approve AO 2006-178,
Ms. Jennings seconded,

Mr. Coffey, referencing Appendix B, stated the cost of demolition had been \$1,774,000, for which state and federal funding sources had been used. It appeared that the HLB was out-of-pocket approximately \$800,000. The gravel matter was unresolved.

To Ms. Jennings, HLB Executive Director Robin Ward responded the eastern portion of the property had hydrocarbon contamination at a depth of 40 feet and would not be developable, but the unique site could be use by the Parks and Recreation Department for growing trees because of the warm temperatures at that location.

To Chair Sullivan, Ms. Ward responded the sale of this property was a public process and of the 20 responses to the bid, 2 formal proposals were received. Economic and Community Development Director Mary Jane Michael responded that criteria for selecting a bid included the proposed development layout on the property, the number of houses, design standards and how it connected to the community, sidewalks and roadways, the financing plan and the contribution to the community. Mayor Begich responded that criteria also included price and paying for needed infrastructure. Ms. Ward responded the HLB had ordered two updated appraisals.

To Ms. Ossiander, Mayor Begich responded that current gravel prices, which included excavation and transportation, were about \$11.50 per cubic yard. The estimated 100,000 to 160,000 cubic yards would net proceeds of \$200,000 to \$250,000. Some of the gravel would be used for improvements to the Port of Anchorage. Excavation would require trucking and traffic control and may amount to \$150,000 to \$200,000. The city was not interested in getting into the gravel business, but was interested in selling a resource. Ms. Ossiander proposed to amend, with language prepared by Assembly Counsel, upon the recommendation of the HLB Board. This would add safeguards to protect the HLB funds for future needs and to protect the city, if the developer did not achieve what was planned for the property.

Ms. Ossiander moved,
Mr. Coffey seconded,

to amend AO NO. 2006-178 on Page 1, *by adding* to read:
"Section 3. Upon completion of the development project and receipt of the proceeds, the Anchorage Community Development Authority shall reimburse the Heritage Land Bank for site-related expenditures totaling \$808,000.

Section 4. In the event the parcels are not developed within five years after the parcels are transferred to the Anchorage Community Development Authority, the parcels shall revert back to the Heritage Land Bank inventory and management authority."

To Mr. Coffey, Ms. Ward responded that the amendment would protect the total project: if the housing market fell through or if the property was not developed and the HLB Board could not complete the purchase and sale, rather than having the ACDA bank the land. Mayor Begich concurred and supported the amendment.

and this motion was approved unanimously.

To Mr. Coffey, Mayor Begich responded that the Assembly would be updated on the progress. Ms. Ward responded the final process would be presented as a future Assembly Memorandum.

To Ms. Jennings, Ms. Ward responded that it was their intention to remove the organic material. All other environmental cleanup had been completed. It was in the Municipality's best interest to own the property. The disposition of the power plant and the dam had no bearing whatsoever on this matter.

and the main motion, as amended, was passed, 10-0.

AYES: Tesche, Shamberg (*participating telephonically*), Starr, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

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

14.D. Ordinance No. AO 2006-179, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$100,000,000 in aggregate principal amount of **Tax Anticipation Notes** of the Municipality; fixing certain details of said notes; providing for the form and manner of sale of said notes; pledging the receipts from ad valorem property taxes to be collected during year 2007 and the full faith and credit of the Municipality to the payment thereof; delegating certain matters to the Chief Fiscal Officer in connection with the sale of the notes and appropriating \$3,633,483 of interest earnings to pay interest expense and issuing costs for the notes; Finance.

1. Assembly Memorandum No. AM 884-2006.

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

Mr. Coffey moved,
Mr. Tesche seconded,

to approve AO 2006-179,

and this was passed, 10-0.

AYES: Tesche, Shamberg (*participating telephonically*), Starr, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

NAYES: None.

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

14.E. Ordinance No. AO 2006-175, an ordinance of the Anchorage Municipal Assembly repealing and reenacting Anchorage Municipal Code Section 4.60.030 to create an **Historic Preservation Commission** promoting a broader community purpose for historic preservation, and amending Section 6.100.020, financing historic preservation projects; Assemblymembers Tesche and Shamberg.

1. Assembly Memorandum No. AM 855-2006.

Chair Sullivan read the ordinance title and opened Public Hearing.

DOUG GASEK, with the State Historic Preservation Office (*SHPO*), supported the ordinance. Mr. Birch questioned the historic status of the 4th Avenue Theatre and Mr. Gasek responded that the national standard for being historic was generally fifty years and provided allowances of exceptional significance for a building. He explained that a local community determined the Historic Register. Ms. Jennings thanked him for reviewing the ordinance, making sure it

1 complied with national standards. To Mr. Coffey, Mr. Gasek responded the reference to historic resources described
2 archeological resources at a site. The National Register did not impose restrictions on privately owned property. To
3 Mr. Coffey, Mr. Gasek responded that establishing historic districts were beneficial when addressing preservation
4 efforts. To Chair Sullivan, Mr. Gasek responded that his office examined all proposals to the Historic Register,
5 including roads, in certain instances.

6
7 SAM COMBS, an Historic Preservation Architect, supported the ordinance. Economic incentives were needed to offer
8 current and potential property owners to help preservation efforts of properties and sites. Ms. Ossiander reported that
9 the state had determined the Eklutna River Bridge was historic and had mandated that it be preserved, which was not
10 affordable. To Mr. Bauer, Mr. Combs responded that Nike sites in the Arctic Valley may be considered.

11
12 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

13
14 Mr. Tesche moved, to approve AO 2006-175,
15 Ms. Jennings seconded,

16
17 To Mr. Stout, Mayor Begich responded that a municipal preservation officer would not be a new position, but a
18 designated employee. Businesses within an established historic district would be eligible for more options of low-cost
19 loans, grants, renovations or other benefits.

20
21 Mr. Tesche stated that the Assembly and the commission could consider the sites. The ordinance defined the powers
22 of a Municipal Historic Commission, which would make recommendations to the Planning and Zoning Commission
23 (P&Z), which would be reviewed by the Assembly. He supported the ordinance and urged approval.

24
25 Ms. Ossiander stated that she would support the ordinance now, but may not in the future because the new
26 commission may have an economic impact on the budget, contrary to the attached summary of economic effects.

27
28 Mr. Coffey stated that the ordinance did not mention Assembly approval. He would not support the ordinance with the
29 current language giving authority to the property owner, which could lead to legal consequences.

30
31 Mr. Coffey moved, to amend AO 2006-175 on Page 3, Section E.1 *by adding to*
32 Ms. Jennings seconded, read: [~~Promulgate~~] "Prepare regulations and submit to the
33 Assembly, Mayor and Planning & Zoning Commission for
34 approval," establishing standards, definitions and procedures
35 for identification of, designation of and review of actions
36 pertaining to historic resources.;

37
38 Mr. Tesche cited reference of 'regulations' on Line 35, which required Assembly approval, under Municipal Code
39 3.40.040. Chair Sullivan responded that the additional language would offer clarity. Mayor Begich concurred.

40
41 and the motion was approved without objection.

42
43 Mr. Coffey moved, to amend AO 2006-175 on Page 4, Line 16 to 20, *by deleting*
44 Mr. Birch seconded, to read: Review applications for designation of Historic
45 and this was later withdrawn. Properties, Historic Resources [~~or Historic Districts~~], including
46 nominations to the State National Registers of Historic
47 Places, and under applicable federal and state laws,
48 nominate such properties, resources or districts for the local
49 Historic Register.;

50
51 Mayor Begich stated that Government Hill was currently applying to the State of Alaska to become an historic district.
52 Cutting out the MOA would eliminate the local government from reviewing or making recommendations. With the
53 absence of a local commission, the State of Alaska would make decisions without input from local government. Mr.
54 Coffey withdrew his motion to amend, with the concurrence of Mr. Birch, the second.

55
56 To Mr. Birch, Economic and Community Development Director Mary Jane Michael responded that areas of
57 Government Hill included houses over 50-years old and would be reviewed by the federal government when
58 considering development.

59
60 To Mr. Starr, Ms. Michael responded that a nomination was made to the commission, which would make a
61 recommendation to the SHPO, which made a final recommendation. Mr. Coffey proposed to add the Assembly.

62
63 Mr. Coffey moved, to amend A0 2006-175 on Page 5, on Line 1, *by adding to*
64 Mr. Tesche seconded, read: 7. Recommend "to the Mayor and the Assembly"
65 and this was approved without objection. resources and potential incentives to assist historic property
66 owners in the preservation, restoration, rehabilitation and
67 repair of historic property.;

68
69 Mr. Coffey moved, to amend A0 2006-175 on Page 5, on Line 11, *by adding to*
70 Mr. Tesche seconded, read: 9. Recommend "to the Assembly and the Planning
71 and this was approved without objection. and Zoning Commission" maintenance programs for
72 municipally-owned Historic Properties, Historic Resources or
73 properties within Historic Districts.

74
75 Mr. Coffey stated a letter from the Chair of the Alaska Historic Preservation Board urged that the Assembly not
76 consider the ordinance, because of outstanding issues. Mayor Begich responded that a newly-formed MOA
77 Commission would be a public entity, which was needed in the process and the Administration urged support.

78
79 Chair Sullivan questioned the language concerning the former Board of Anchorage and Historic Properties, Inc.

Mayor Begich moved,
Mr. Coffey seconded,
and this was approved without objection.

to amend AO 2006-175 in the attached AM 855-2006, on
Page 1, Lines 25-26, *by deleting* to read: The ordinance
creates an eleven-member Historic Preservation Commission
[~~from the former Board of Anchorage and Historic Properties,~~
~~Inc.~~], appointed by the Mayor subject to confirmation by the
Assembly,

To Chair Sullivan and Mr. Coffey, Mayor Begich and Ms. Michael explained the current historical properties, including
the two Brown Point Cottages and the Oscar Anderson House which were now managed by a municipal employee,
whose salary was paid with museum revenues. The properties had been renovated and were now rented and creating
revenue streams.

and the main motion, as amended, was passed, 11-0.

AYES: Tesche, Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout,
Traini and Jennings.

NAYES: None.

- 14.F. Resolution No. AR 2007-1, a resolution of the Anchorage Municipal Assembly approving a conditional
use for an alcoholic beverages conditional use in the B-3 District for a restaurant/eating place use per
AMC 21.40.180 D.8, for Kansha, Inc., dba **Kansha Japanese Restaurant**, located within Dimond
Industrial Center #1, Block 4, Lot 24; generally located between East Dimond Boulevard and Arctic
Slope Avenue, east of King Street (Taku/Campbell Community Council) (Case 2006-164); Planning
Department.
1. Assembly Memorandum No. AM 1-2007.

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

Mr. Coffey moved, to approve AR 2007-1,
Ms. Jennings seconded,
and this motion was passed, 10-0.

AYES: Shamberg (*participating telephonically*), Bauer, Starr, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and
Jennings.

NAYES: None.

(Clerk's Note: Mr. Tesche was temporarily out of Chambers at the time of the vote. Following final Assembly action
on this item, Ms. Shamberg was excused for the remainder of the meeting.)

- 14.G. Ordinance No. AO 2006-172, an ordinance amending Anchorage Municipal Code Title 21 to adopt new
Chapters 21.01, 21.02, 21.08, and 21.13; Planning Department.
1. Assembly Memorandum No. AM 853-2006.

Chair Sullivan stated that he would continue Public Hearing on this matter. Mr. Coffey responded that he would like to
continue Public Hearing and schedule committee meetings, with final Public Hearing sometime in February. Chair
Sullivan read the ordinance title and opened Public Hearing.

KIM WETZEL, Anchorage Citizens Coalition Secretary, testified the Title 21 Rewrite left out important language found
in the Comprehensive Plan. She supported the Planning and Zoning Commission (P&Z) recommendations of
restoring original language. Ms. Ossiander responded the Anchorage Comprehensive Plan was specific for the
Anchorage Bowl and there would be different plans for Chugiak-Eagle River and for Girdwood. Ms. Jennings
requested that Ms. Wetzel submit her concerns in written form to the Municipal Clerk.

JOHN WEDDLETON, Anchorage Citizens Coalition President, supported P&Z's recommendations. The
Comprehensive Plan needed to be the guiding document, with the details provided in Title 21. Both plans should be in
sync, with no conflicts. The Comprehensive Plan would govern when there were conflicts or questions with provisions.
Ms. Ossiander repeated for the record that land use regulations in areas of Chugiak-Eagle River and Girdwood would
not be governed by the Comprehensive Plan and provisions for those areas would be detailed in Title 21.

SUZANNE DIPIETRO, member of the Anchorage Citizens Coalition, testified that the State of Alaska had legally
determined that Title 21 contained the policies that implemented the governing Comprehensive Plan. She proposed
additional language to clarify, "When the provisions of this title are more restrictive or less restrictive than any provision
found in the Comprehensive Plan, the provisions that are more restrictive and apply higher standards of the
Comprehensive Plan shall apply."

RON ANDERSON stated that many of the things that pertained to quality of life had been removed and he urged
consideration of reinstating language, as recommended by the P&Z.

VIVIAN MENDENHALL stated that language concerning wildlife had been omitted in Title 21. She supported P&Z
recommendations and stated that the 2020 Plan needed to be the standard. To Ms. Jennings, she responded there
were changes needed to protect fish and wildlife and habitat, to more closely follow the 2020 Plan.

CATHY GLEASON, Turnagain Community Council Vice President, stated that Bob Durst a former community activist,
who had recently died, had been closely following the Comprehensive Plan and Title 21. She urged the Assembly to
implement the P&Z recommendations of better design, better landscaping and better aesthetics.

DIANNA REDWOOD urged consideration of language that would reduce automobile use and retain native vegetation
around new development. She supported connected and safe trails in the Title 21 Rewrite.

EVAN ROWLAND, homebuilder, testified there were very few building rules in the Municipality. Local builders were proposing Code changes, to establish performance standards. He distributed a list of recommendations.

SUE WOLFE testified that improvements were needed for subdivision standards in Chapter 8. Her recommendations included requiring that plans be reviewed by a registered engineer, with time deadlines, landscaping with erosion control and placement of storm drains only where justified. She gave her recommendations to the Municipal Clerk.

KENNETH LANG, licensed land surveyor, opposed the ordinance, as it was. Improvements were needed in Chapter 8, dealing with extremely windy areas, flag lots and placement of storm drains.

MIKE MITCHELL, Anchorage Trails and Greenway Coalition President, supported the dedication of pedestrian walkways and trail provisions. He opposed the requirements of a lengthy municipal planning process. To Mr. Coffey, Mr. Mitchell responded that walkways were included in a more urban context for safety reasons and trails would provide access to open spaces and park lands. Mr. Mitchell responded that a property owner located next to a trailhead should not have to provide parking and amenities, which could be provided on the road or at other trailheads.

DIANNE HOLMES supported the P&Z recommendations. More restrictions were needed in Chapter 8, concerning subdivisions on slopes and poor on-site drainage. She supported trails and walkways and she supported clearly marked dedications of public or vehicular easements to park or public lands. She supported the goals and policies of the 2020 Plan. She recommended improved language and gave copies of her testimony to the Municipal Clerk.

- 14.H. Resolution No. AR 2006-321, a resolution of the Municipality of Anchorage appropriating additional **room tax revenue** of \$332,500 to the Convention Center Operating Reserve Fund (202) and \$67,500 to the Office of Economic and Community Development Areawide General Fund (101) to provide for payments under the professional services contract with the Anchorage Convention & Visitors Bureau (ACVB) and the Use Agreement with CIVICVentures; Office of Management & Budget.

1. Assembly Memorandum No. AM 932-2006.

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

Ms. Jennings moved, to approve AR 2006-321,
Mr. Coffey seconded,
and this was passed, 10-0.

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

NAYES: None.

(Clerk's Note: Ms. Shamberg was excused for the remainder of the meeting.)

- 14.I. Resolution No. AR 2006-322, a resolution of the Municipality of Anchorage appropriating \$2,492,175 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the Project Management & Engineering Department within the Areawide General CIP Fund 401, for the **Chester Creek Aquatic Ecosystem Restoration, Westchester Lagoon to Cook Inlet**; Project Management & Engineering.

1. Assembly Memorandum No. AM 933-2006.

Chair Sullivan read the resolution title and opened Public Hearing.

CATHY GLEASON, Vice President of the Turnagain Community Council, stated the council had recommended that a working group be formed, to better study the Westchester Lagoon restoration and the fish passage project.

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

Ms. Jennings moved, to approve AR 2006-322,
Mr. Coffey seconded,

To Chair Sullivan, Municipal Engineer Howard Holton responded that he would find out why the working group had not started. Municipal Creeks Development Manager David Wigglesworth supported formation of a community working group.

and this was passed, 10-0.

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

NAYES: None.

(Clerk's Note: Ms. Shamberg was excused for the remainder of the meeting.)

- 14.J. Resolution No. AR 2006-323, a resolution of the Municipality of Anchorage appropriating \$1,596,367 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the Project Management & Engineering Department within the Areawide General CIP Fund 401, for the **Chester Creek Aquatic Ecosystem Restoration, Westchester Lagoon to Cook Inlet**; Project Management & Engineering.

1. Assembly Memorandum No. AM 911-2006.

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

Mr. Coffey moved, to approve AR 2006-323,
Mr. Bauer seconded,
and this motion was passed, 10-0.

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

NAYES: None.

(Clerk's Note: Ms. Shamberg was excused for the remainder of the meeting.)

15. SPECIAL ORDERS

Chair Sullivan explained the process of filling the Chugiak-Eagle River Assembly Seat, vacated by Assemblymember Anna Fairclough on January 5th, as she joined the Alaska Legislature as Eagle River's newly-elected State Representative. Chair Sullivan requested that Assemblymembers give their completed ballots to the Municipal Clerk.

Ms. Ossiander stated that it was important to continue strong and effective representation for Chugiak-Eagle River. She had solicited knowledgeable residents in the community and the numbers of candidates applying for the position had exceeded her expectations.

Mr. Coffey stated that if high levels of qualified applicants were always achieved, the city would be well served. It was encouraging to see so many willing to serve. His considerations when selecting a new representative involved their knowledge of the community, prior public service, involvement with community or charitable events and their achievements. His criteria also involved selecting someone who maintained a political philosophy which was similar to that of Ms. Fairclough's, who had been elected by the community to serve the community.

Mr. Tesche stated that he was impressed to find the high qualifications of the applicants who were willing to serve.

Municipal Clerk Barbara Gruenstein announced the first poll results, which included one vote for William Barron, one vote for Janet Brand, two votes for William Earnhart, two votes for Art Isham and four votes for William Starr. Chair Sullivan called for a second ballot. Ms. Gruenstein read the final ballot tally, which included one vote for Ms. Brand, two votes for Mr. Earnhart and seven votes for Mr. Starr.

Chair Sullivan announced that Mr. Starr had been selected. Mr. Starr was given the oath of office by Ms. Gruenstein, and was congratulated and welcomed by Assemblymembers.

(Clerk's Note: Chair Sullivan returned the body to complete the Regular Agenda and Mr. Starr participated with the remainder of the Assembly Meeting.)

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Mr. Stout introduced Miss Black Alaska Shay Ward, who responded that she was proud to be representing Alaska and would use her title to better the community. To Chair Sullivan, Ms. Ward responded that she would be competing in the Ms. Black America Pageant in Washington D.C. in May and the final competition would be held in Gambia, West Africa in June. Mr. Stout thanked her and stated that he was delighted to have such a bright and charming young lady from his district representing Alaska.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Sullivan adjourned the meeting at 11:00 p.m.

Refer to Document Archives for Signatures

DAN SULLIVAN, Assembly Chair

ATTEST:

Refer to Document Archives for Signatures

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: January 30, 2007.
MC/BG

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