

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of August 14, 2007

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Coffey at 5:05 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, Dick Traini, Dan Sullivan, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman (*arriving at 5:15 p.m.*).

ABSENT: William Starr, as an excused absence.

3. PLEDGE OF ALLEGIANCE Assemblymember Sullivan led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – June 26, 2007.

Ms. Ossiander moved, to approve the Regular Meeting Minutes of
Mr. Sullivan seconded, June 26, 2007,

Ms. Ossiander moved, to amend the Minutes June 26, 2007 on Page 9, Line
Mr. Sullivan seconded, 34, *by changing* to read: ...this was a matter of interest
and this was approved without objection. to ~~[Chugach]~~ "Matanuska" Electric consumers.;

Chair Coffey moved, to amend the Minutes of June 26, 2007 on Page 15, Lines 52
Ms. Ossiander seconded, and 53, *by adding* to read: Chair Coffey stated [~~the 4th and~~
this was approved without objection. ~~Avenue (Theatre) was not included with the 2004~~
~~foreclosures, but would be listed on the delinquent taxes list~~
~~for 2005.] "these were 2004 foreclosures and that was the~~
~~reason the 4th Avenue Theatre was not on this list, and~~
~~assuming they don't pay, they will be on the 2005, which was~~
~~when they default.,"~~

and the main motion, as amended, was passed without objection,
with Mr. Starr as an excused absence.

5. MAYOR'S REPORT

On behalf of Mayor Begich, Deputy Municipal Manager Michael Abbott announced the opening of the Abbott Loop Community Park picnic facility, which had been funded by municipal bond proceeds and a grant from Wells Fargo. He reported that the State of Alaska had announced tentative wage and compensation settlements agreements with state employee labor unions for 10% (*an increase*) over a three-year period. The Municipality of Anchorage was actively negotiating with one employee labor union and would begin negotiations with other unions in the fall. Mr. Abbott reported that Land Use Enforcement was making significant progress on resolving and clearing cases, having reduced the number of service requests and open cases from 1289 to 589 since March 1st.

To Mr. Traini, Mr. Abbott responded the Administration had not heard that the 4th Avenue Theatre was being sold.

Mr. Abbott introduced and welcomed Ms. Pamela Chenier, recently appointed to the Anchorage Cooperative Services Authority Board of Directors. Chair Coffey thanked Ms. Chenier for her service.

6. ASSEMBLY CHAIR'S REPORT

Chair Coffey reported that a worksession would be scheduled with the newly-formed Property Tax Relief Task Force once they completed their review. There would be a worksession once the Public Facilities Advisory Commission had heard an architectural and engineering report involving energy and environmental design standards. Port of Anchorage Director Governor Bill Sheffield had invited the Assembly to tour the Port. Mr. Tesche responded there was significant expansion being made to the Port and he urged members to join the tour. Mr. Traini responded that up to 90% of all commerce to Alaska used the Port and proper development was important. Chair Coffey concurred.

Mr. Birch stated that he had had questions from a constituent on Port operations and costs. Mr. Abbott responded that Governor Sheffield had received Mr. Birch's report and had indicated that he would respond.

Chair Coffey stated that he would introduce a resolution on August 28th proposing to change the Assembly Meeting on November 20th to the 13th, to accommodate the Municipal Budget and allow time off for the Thanksgiving Holiday.

Chair Coffey distributed the request for proposal involving technical improvements to Assembly Chambers and urged that questions be directed to Information Technology Director Fred Carpenter and Purchasing Officer Bart Mauldin.

7. COMMITTEE REPORTS

Mr. Traini stated that that the Assembly had discontinued their policy of meeting regularly with the Matanuska-Susitna Borough to discuss important common interests. He had received requests for a Joint Meeting and requested that Chair Coffey schedule a meeting.

Mr. Tesche reported that the Alaska Cruise Association, Princess Tours and Holland Tours, had invited the Assembly to tour a cruise ship docked at Whittier. The cruise ship industry was involved with over a billion dollars of business in Alaska each year, with significant impact to the local economy and employment. It was incumbent upon the Assembly to become familiar with cruise ships, to help make recommendations on state policy concerning the industry. Chair Coffey urged Assemblymembers to join the tour.

Ms. Ossiander reported the Title 21 Committee would continue to meet Thursday mornings from 9 a.m. to 11 a.m. at the Planning Department Conference Room. She would request that the Downtown Comprehensive Plan be referred to the Title 21 Committee for review. The committee would then review Chapter 4, concerning zoning districts. Chapter 12, concerning non-conformity, was set for Public Hearing before the Planning and Zoning Commission on September 17th and would be introduced by the Assembly on August 28th. Chapters 4, 5 and 6 were posted on the municipal website and open for public comment.

Ms. Ossiander reported that the Legislative School Funding Task Force had discussed items that may have significant impact to property taxes. She distributed relevant information and urged that the Legislative Committee and the Education Committee jointly review the information so the Assembly could respond.

Mr. Claman reported the Public Safety Committee was scheduled to meet at noon on Wednesday, August 22nd, to discuss the proposed Police Department Arctic Training Center.

Chair Coffey reported that under state law the Assembly had the opportunity annually to review (*liquor*) establishment licenses that were renewed on a bi-annual basis. There was a deadline of October 1st for Assembly response.

Mr. Sullivan announced that a meeting of the Elections Committee would be held on August 22nd, from 2:00 p.m. to 3:00 p.m., following the Public Safety Meeting, in the Assembly Conference Room.

Mr. Traini reported that he and Mr. Sullivan had attended an Alaska Municipal League Meeting on August 9th - 11th, in Healy, Alaska. There was discussion of a future energy crisis in Alaska and upcoming AML legislative issues. He distributed copies of a recent report on PERS and TRS.

Chair Coffey stated that he and Mr. Traini had received many complaints over the weekend about an establishment which had had a permit to outdoor party and had annoyed many local residents with loud noise. A permit for an outdoor event was not a permit to violate the noise ordinance. City Manager Denis LeBlanc responded that in the future Patrol Officers would respond to the loud noise complaints.

8. ADDENDUM TO AGENDA

Chair Coffey called for a motion and read the Addendum items. He called for additional items and AR 2007-188 was added and assigned Agenda Number 9.B.6. He called for a vote to incorporate the Addendum item.

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

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Starr, excused.

Chair Coffey called for a motion on the Consent Agenda.

Mr. Sullivan moved,	to approve the Consent Agenda,
Dr. Selkregg seconded,	

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2007-140, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Beverly K. Wooley** for her nearly 20 years of service to the Municipality of Anchorage;

Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini.

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

- 9.A.2. Resolution No. AR 2007-182, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich honoring **John “Jack” Miller** as an outstanding citizen of the Municipality of Anchorage; Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini.

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

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2007-183, a resolution of the Municipality of Anchorage appropriating \$63,887 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating one \$1,180 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department, for **Impaired Driving Enforcement**; Anchorage Police Department.

a. Assembly Memorandum No. AM 481-2007.

- 9.B.2. Resolution No. AR 2007-184, a resolution of the Municipality of Anchorage appropriating \$37,728 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$696 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department, for **Seat Belt Violation Enforcement**.

a. Assembly Memorandum No. AM 482-2007.

Mr. Sullivan requested this item be pulled for review on the Regular Agenda. (See item 10.B.2)

- 9.B.3. Resolution No. AR 2007-185, a resolution of the Municipality of Anchorage appropriating the sum of \$14,088 from the State of Alaska, Department of Transportation & Public Facilities and \$5,229 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the state Categorical Grants Fund (231) Anchorage Police Department, for the **Drug Recognition Expert Training Conference Program**; Anchorage Police Department.

a. Assembly Memorandum No. AM 483-2007.

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

- 9.B.4. Resolution No. AR 2007-186, a resolution of the Municipality of Anchorage appropriating \$7,500 from the Department of Health and Human Services Animal Control Donation Account, Miscellaneous Operational Grants (261), for a grant to the Alaska Society for the Prevention of Cruelty to Animals for the provision of **low-cost feline spay/neuter services**; Health and Human Services.

a. Assembly Memorandum No. AM 484-2007.

Mr. Claman requested this item be pulled for review on the Regular Agenda. (See item 10.B.4)

- 9.B.5. Resolution No. AR 2007-187, a resolution of the Municipality of Anchorage appropriating \$230 as a grant from the State of Alaska, Department of Commerce, Community and Economic Development, to the State Categorical Grant Fund (231), for the reimbursement of travel costs associated with the implementation of **Anchorage Coastal Management Program**; Planning Department.

a. Assembly Memorandum No. AM 485-2007.

- 9.B.6. Assembly Resolution AR 2007-188, a resolution of the Municipality Of Anchorage appropriating fifteen thousand dollars (\$15,000) from the **Upper Grover LRSA** Fund Balance (Fund 115) to the Upper Grover LRSA BP2007 Operating Budget (Fund 115) for Summer Work Program; Maintenance and Operations. (**Laid on the Table**) (Public Hearing 8-28-07)

a. Assembly Memorandum No. AM 497-2007.

Ms. Ossiander moved, to introduce AR 2007-188, with Public Hearing set for
Mr. Sullivan seconded, August 28, 2007,
Mr. Traini was the concurring third.

9.C. BID AWARDS There were none.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 486-2007, **On-Site Wastewater System Technical Review Board** appointment (Timothy Pampusch); Mayor's Office.

- 9.D.2. Assembly Memorandum No. AM 487-2007, **Youth Advisory Commission** appointments (Gregory Bombeck, Jon Derman Harris, Christopher Mumford, Frank Schlehofer, Raquel Schroeder); Mayor's Office.

- 9.D.3. Assembly Memorandum No. AM 468-2007, **Sweet Basil Café #3897** – Transfer of Location of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit; Clerk's Office.

- 9.D.4. Assembly Memorandum No. AM 469-2007, **New China Restaurant #1347** – Transfer of Ownership and Location of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit; Clerk's Office.

- 9.D.5. Assembly Memorandum No. AM 470-2007, **Bradley House #814** – Restaurant Designation Permit for a Beverage Dispensary Liquor License; Clerk's Office.

- 9.D.6. Assembly Memorandum No. AM 471-2007, **Johann's #4717** – New Restaurant/Eating Place Liquor License and Restaurant Designation Permit; Clerk's Office.

- 1 9.D.7. Assembly Memorandum No. AM 472-2007, Alaska Wild Berry Products #4722 – News Recreation
2 Site Liquor License (Taku/Campbell Community Council); Clerk's Office.
3 9.D.8. Assembly Memorandum No. AM 488-2007, proprietary purchase of **Stalker DSR 2X Radar Systems**
4 from Advanced Concepts, Inc. for the Municipality of Anchorage; Anchorage Police Department
5 (\$51,170); Purchasing.
6 9.D.9. Assembly Memorandum No. AM 489-2007, cooperative purchase contract with DR DAS for the **Cook**
7 **Inlet Regional Integrated Air Monitoring System** for the Municipality of Anchorage, Health and
8 Human Services (DHHS) (\$62,342); Purchasing.
9 9.D.10. Assembly Memorandum No. AM 490-2007, Fifth Amendment to **Horizon Lines of Alaska's**
10 **Preferential Usage Agreement** to incorporate preferential use of the Mitsubishi crane per the original
11 Crane Agreement; Port of Anchorage.

12
13 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.10)

- 14
15 9.D.11. Assembly Memorandum No. AM 491-2007, recommendation of award to the **Wilder Construction**
16 **Company** for Strawberry Road Improvements, Jewel Lake to Northwood Drive, Project Management
17 and Engineering Department (RFP 27-P022) (\$7,400,671.42); Purchasing.

18
19 Mr. Claman requested this item be pulled for review on the Regular Agenda. (See item 10.D.11)

- 20
21 9.D.12. Assembly Memorandum No. AM 492-2007, Amendment No. 1 to professional services contract with
22 **CRW Engineering Group** for Kincaid Park Access Road – NSC Bunker to Kincaid Park Entrance,
23 Project No. 05-17 (\$110,000); Project Management & Engineering.
24 9.D.13. Assembly Memorandum No. AM 493-2007, Change Order No. 7 to contract with **Palmerco**
25 **Construction, Inc.**, Creekside Town Center Road Improvements, Phase I, 16th Avenue and Muldoon
26 Road Intersection, Project No. 02-12 (\$61,900.31); Project Management & Engineering.
27 9.D.14. Assembly Memorandum No. AM 494-2007, a non-profit grant award of \$107,293 to the **Alaska Injury**
28 **Prevention Center** for the development and implementation of an Anchorage Bike and Pedestrian
29 Safety Campaign for the Municipality of Anchorage; Traffic Department.

30
31 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.14)

- 32
33 9.D.15. Assembly Memorandum No. AM 495-2007, **Anchorage Cooperative Services Authority Board of**
34 **Directors** appointment (Pamela Chenier); Mayor's Office. (**Addendum**)

35
36 **9.E. INFORMATION AND REPORTS**

- 37 9.E.1. Information Memorandum No. AIM 76-2007, Notice of Award to Construction Unlimited, Inc. for
38 **Girdwood Transportation Center Improvements** for the Municipality of Anchorage, Project
39 Management & Engineering (ITB 27-C032) (\$1,094,509); Purchasing.
40 9.E.2. Information Memorandum No. AIM 77-2007, **ML&P's 2007 Dividend and Gross Receipts Payment**
41 **to General Government**.

42
43 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (See item 10.E.2)

- 44
45 9.E.3. Information Memorandum No. AIM 78-2007, **Pre-Funding Investment Program Annual Report –**
46 **2006**; Municipal Treasurer.

47
48 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 49 9.F.1. Ordinance No. AO 2007-23, an ordinance of the Anchorage Municipal Assembly amending Anchorage
50 Municipal Code Chapter 21.87, **Subdivision Agreements**, to specify use of stop work orders in the
51 enforcement of subdivision agreements, add provisions to the subdivision agreements, and provide for
52 enforcement jurisdiction by the Building Board; amending Chapter 23.10, Anchorage Administrative
53 Code, to add specificity to stop work orders and to authorize the Building Board to hear appeals under
54 subdivision Agreements and Stop Work Orders, with judicial appeal to the superior court; and setting a
55 time certain for the production of regulations establishing the timetable and schedule for review and
56 approval of engineering design plans for work under subdivision agreements (Planning & Zoning
57 Commission Case 2007-043); Assemblymembers Sullivan, Coffey and Bauer. (*Public Hearing 10-9-07*)
58 a. Assembly Memorandum No. AM 74-2007.
59 9.F.2. Ordinance No. AO 2007-25(S), an ordinance of the Anchorage Municipal Assembly amending
60 Anchorage Municipal Code Section 21.15.150, **Improvements Associated with Building and Land**
61 **Use Permits**, and providing for determination by the Municipal Engineer (Planning & Zoning
62 Commission Case 2007-042); Assemblymembers Sullivan, Bauer and Coffey. (*Public Hearing 10-9-07*)
63 9.F.3. Ordinance No. AO 2007-110, an ordinance amending Anchorage Municipal Code Sections 1.15.025
64 and 28.30.050 for consistency with state law and to exclude **service area boards** from the prohibition
65 against elected officials holding other municipal employment; Assemblymembers Johnston and Birch.
66 (*Public Hearing 8-28-07*)
67 9.F.4. Ordinance No. AO 2007-111, an ordinance amending the zoning map and providing for the rezoning
68 of approximately ten (10) acres: A) from GOS (Girdwood Open Space District) and GR-2 (Single
69 Family and Duplex District) to GOS (Girdwood Open Space District); and B) from GOS (Girdwood
70 Open Space District) and GCR-1 (Commercial Recreation – Golf/Nordic Ski) to GR-2 (Single Family
71 And Duplex District); and C) from GOS (Girdwood Open Space District) to GR-4 (Multi Family District);
72 all as shown on Exhibit 'A,' for **Alpine View Estates Subdivision, Phase 2, Tract B** and a portion of
73 Supplemental Cadastral Survey, Tract 17C, generally located south of Alyeska Highway and east of
74 Glacier Creek (Girdwood Board of Supervisors) (Planning and Zoning Commission Case 2007-082);
75 Planning Department. (*Public Hearing 9-11-07*)
76 a. Assembly Memorandum No. AM 473-2007.
77 9.F.5. Ordinance No. AO 2007-112, an ordinance amending the *Girdwood Area Plan* designating an area of
78 Open Space (GOS) and Commercial Recreation as Residential; an area of Single-Family Residential

(GR-2) and Open Space (GOS) to entirely open space; and an area of Open Space (GOS) to Multi-Family Residential (GR-4), in **Alpine View Estates Phase 2, Tract B**, and in a portion of Tract 17C, T10N, Section 17, S.M., AK. (Planning and Zoning Commission Case 2007-086); Planning Department. (*Public Hearing 9-11-07*)

a. Assembly Memorandum No. AM 474-2007.

9.F.6. Ordinance No. AO 2007-113, an ordinance adopting the **Anchorage Downtown Comprehensive Plan** as an element of the *Comprehensive Plan*, amending Anchorage Municipal Code Sections 21.05.030, and amending AO 2006-172, Attachment A, at Anchorage Municipal Code Section 21.01.080 (Planning and Zoning Commission Case 2007-076); Planning Department. (*Public Hearing 9-11-07*)

a. Assembly Memorandum No. AM 475-2007.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.F.6*)

9.F.7. Resolution No. AR 2007-177, a resolution approving the acceptance and appropriation of three State of Alaska Municipal Matching Grants in the aggregate amount of \$5,800,000 from the **Department of Environmental Conservation Matching Grant Program** to be applied towards the Anchorage Loop Water Transmission Main Phase IV (\$3,000,000), Pump Station 10 (\$1,500,000) and Knik View Water (\$1,300,000) Projects (SB53); Anchorage Water & Wastewater Utility. (*Public Hearing 8-28-07*)

a. Assembly Memorandum No. AM 476-2007.

9.F.8. Resolution No. AR 2007-178, a resolution of the Anchorage Municipal Assembly appropriating \$8,400,000 from Municipal Light and Power's Retained Earnings (net assets) to Municipal Light and Power (Fund 531) and revising the **2007 Municipal Light & Power Capital Improvement Budget**; Municipal Light & Power. (*Public Hearing 8-28-07*)

a. Assembly Memorandum No. AM 477-2007.

9.F.9. Resolution No. AR 2007-179, a resolution of the Municipality of Anchorage appropriating \$232,330 from the State of Alaska, Division of Homeland Security and Emergency Management, under the **Metropolitan Medical Response System (MMRS) Grant Program**, and a contribution of \$4,300 from the Areawide General Fund (101), Anchorage Fire Department 2007 Operating Budget, to the State Categorical Grants Fund (231), Anchorage Fire Department, to support the deployment of an electronic patient care reporting and tracking system, and related enhancements to existing bio-surveillance, incident response, and emergency information management and notification capabilities; Anchorage Fire Department. (*Public Hearing 8-28-07*)

a. Assembly Memorandum No. AM 478-2007.

9.F.10. Resolution No. AR 2007-180, a resolution of the Municipality of Anchorage appropriating \$919,425 from the State of Alaska, Department of Health and Social Services; and appropriating \$270,000 from the 2007 General Government Operating Budget, Department of Health and Human Services Areawide General Fund (101) to the State Categorical Grants Fund (231), Department of Health and Human Services to fund the **Human Services Matching Grant Program** via contractual services agreement with United Way of Anchorage; Health & Human Services. (*Public Hearing 8-28-07*)

a. Assembly Memorandum No. AM 479-2007.

9.F.11. Resolution No. AR 2007-181, a resolution of the Municipality of Anchorage authorizing the acceptance of a **Federal Highway Administration Congestion Mitigation and Air Quality (CMAQ) grant amendment** through State of Alaska, the Department of Transportation and Public Facilities, and appropriating \$3,352,992 to the Public Transportation Capital Improvement Fund (485) for the purchase of ten (10) fixed route 40' buses and five (5) vanpool vehicles; Public Transportation Department. (*Public Hearing 10-9-07*)

a. Assembly Memorandum No. AM 480-2007.

9.F.12. Ordinance No. AO 2007-114, an ordinance approving the purchase of real property described as **Lot 1, Kincaid West Subdivision** through an appropriation from the Heritage Land Bank Fund Balance (221) to the Heritage Land Bank Capital Fund (421) for an amount not to exceed \$400,000 including closing costs; Heritage Land Bank. (*Public Hearing 8-28-07*) (**Addendum**)

a. Assembly Memorandum No. AM 496-2007.

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

and the motion, as amended, was passed.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Starr, excused.

The amended Consent Agenda was approved and Chair Coffey led the body into discussion of the pulled items.

END OF CONSENT AGENDA

10. REGULAR AGENDA

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.A.1. Resolution No. AR 2007-140, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Beverly K. Wooley** for her nearly 20 years of service to the Municipality of Anchorage; Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini.

Mr. Claman moved, to approve AR 2007-140,

Ms. Ossiander seconded,
and this was approved without objection,
with Mr. Starr as an excused absence.

Mr. Traini read and Mr. Claman presented the resolution to Beverly K. Wooley, honoring her for her nearly 20 years of service to the city. Ms. Wooley had received many honors and had worked in many capacities in the field of health and human services, including most recently as Municipal DHHS Department Director. She would continue her health advocacy as the new Director of the Division of Public Health with the Alaska Department of Health and Social Services. Ms. Wooley thanked the Assembly for the recognition and responded that it had been an honor to serve and attributed the department's running well to the hard working staff. She stated the department would be left in good hands with newly appointed Director Diane Engle. Mr. Traini and Chair Coffey thanked her for her service.

10.A.2. Resolution No. AR 2007-182, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich honoring **John "Jack" Miller** as an outstanding citizen of the Municipality of Anchorage; Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini.

Mr. Sullivan moved, to approve AR 2007-182,
Ms. Ossiander seconded,
and this was approved without objection,
with Mr. Starr as an excused absence.

Mr. Sullivan read the resolution, honoring and remembering Mr. John "Jack" Miller as an outstanding citizen, for his contributions and for making the city a better place to live. Jack was known for his historical knowledge about Anchorage, his charity work, his compassion and his 1920s-era manual typewriter, which he used to type all his letters. Mr. Sullivan, Ms. Ossiander, Chair Coffey and Mr. Traini expressed their appreciation for Jack. Mr. Tesche recommended that Mr. Miller's typewriter be donated to the Alaska History Gallery of the Anchorage Museum of History and Art.

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.2. Resolution No. AR 2007-184, a resolution of the Municipality of Anchorage appropriating \$37,728 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$696 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department, for **Seat Belt Violation Enforcement**.
a. Assembly Memorandum No. AM 482-2007.

Mr. Sullivan moved, to approve AR 2007-184,
Ms. Ossiander seconded,

To Mr. Sullivan, Deputy Police Chief Ross Plummer responded that the appropriation would be used for overtime for all traffic enforcement. Not wearing a seat belt was considered a primary violation, but officers would also stop vehicles for other violations. Mr. Sullivan supported the effort.

Dr. Selkregg stated that the Police Department was understaffed and she questioned the cost of overtime, which was an expensive way to fund department operations. Chair Coffey responded that the issue was important and could be addressed when reviewing the budget. Municipal Manager Denis LeBlanc responded that Mayor Begich had made tremendous progress with the effort, hiring over 40 officers in the past two years.

and this was approved, 9-1.

AYES: Tesche, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: Traini.
ABSENT: Starr, excused.

10.B.3. Resolution No. AR 2007-185, a resolution of the Municipality of Anchorage appropriating the sum of \$14,088 from the State of Alaska, Department of Transportation & Public Facilities and \$5,229 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the state Categorical Grants Fund (231) Anchorage Police Department, for the **Drug Recognition Expert Training Conference Program**; Anchorage Police Department.
a. Assembly Memorandum No. AM 483-2007.

Mr. Claman moved, to approve AR 2007-185,
Mr. Sullivan seconded,

To Mr. Claman, Deputy Police Chief Ross Plummer responded he would report back with an explanation of why the resolution was presented to the Assembly after the program was completed. Municipal Manager Denis LeBlanc responded that this happened frequently because it took time to process grant funds.

and this was approved without objection,
with Mr. Starr as an excused absence.

10.B.4. Resolution No. AR 2007-186, a resolution of the Municipality of Anchorage appropriating \$7,500 from the Department of Health and Human Services Animal Control Donation Account, Miscellaneous Operational Grants (261), for a grant to the Alaska Society for the Prevention of Cruelty to Animals for the provision of **low-cost feline spay/neuter services**; Health and Human Services.
a. Assembly Memorandum No. AM 484-2007.

Mr. Claman moved, to approve AR 2007-186,
Ms. Ossiander seconded,

1 Mr. Claman reported that funds for this grant were from private funds and not coming from municipal revenues.
2 Deputy Municipal Manager Michael Abbott concurred. Mr. Traini responded the funds were from private donations
3 made to the city for this cause. Mr. Abbott responded this appropriation was supported by a recommendation from the
4 Animal Control Advisory Board.

5
6 and this was approved without objection,
7 with Mr. Starr as an excused absence.

8
9 **10.C. BID AWARDS** There were none.

10
11 **10.D. NEW BUSINESS**

12 10.D.10. Assembly Memorandum No. AM 490-2007, Fifth Amendment to **Horizon Lines of Alaska's**
13 **Preferential Usage Agreement** to incorporate preferential use of the Mitsubishi crane per the original
14 Crane Agreement; Port of Anchorage.

15
16 Ms. Ossiander moved, to approve AM 490-2007,
17 Mr. Traini seconded,

18
19 Ms. Ossiander declared a possible conflict of interest because her husband was a longshoreman, who performed
20 services for Horizon Lines of Alaska to load and unload cargo, and contributed to a significant portion of her family
21 income. Approval of this memorandum would not affect her family.

22
23 To Mr. Claman, Port Director of Finance and Administration Edward Leon responded that the crane operator was
24 under contract with Horizon, through the Operating Engineers, and did not involve longshoremen. Deputy Municipal
25 Manager Michael Abbott responded that the Administration did not see any conflict of interest.

26
27 Chair Coffey ruled that Ms. Ossiander did not have a conflict of interest and ordered that she participate. There were
28 no objections.

29
30 and this was approved without objection,
31 with Mr. Starr as an excused absence.

32
33 10.D.11. Assembly Memorandum No. AM 491-2007, recommendation of award to the **Wilder Construction**
34 **Company** for Strawberry Road Improvements, Jewel Lake to Northwood Drive, Project Management
35 and Engineering Department (RFP 27-P022) (\$7,400,671.42); Purchasing.

36
37 Mr. Claman moved, to approve AM 491-2007,
38 Mr. Sullivan seconded,

39
40 To Mr. Claman, Municipal Engineer Howard Holtan responded the Strawberry Road Project had been divided into
41 sections to lessen the impact to local residents and completing each section separately had caused delays. The
42 contractor received a \$1000 per day (*fine*) in liquidated damages for failing to perform in accordance to the contract
43 schedule. Deputy Purchasing Officer Fred Kaltenbach responded this contract was awarded, following specific criteria
44 and using the 'best value' contracting process. Mr. Claman stated that a \$1000 penalty was not significant to a
45 contractor with a \$7 million contract and he recommended consideration of increasing the amount. Mr. Holtan
46 responded that the amount collected was only to cover municipal costs incurred. Use of 'best value' contractors
47 involved selection criteria based on past performance and completion of projects on time.

48
49 To Mr. Birch, Mr. Holtan responded the cost differential between the two proposals was \$400,000.00, with the selected
50 bid at the higher amount. Mr. Birch stated that a contractor would bid and bond their work performance and he was
51 not convinced that a \$400,000.00 difference was sufficient to ensure a better completed project. The RFP process
52 would be evaluated by the Assembly.

53
54 Dr. Selkegg stated that, with the high costs of building and maintaining roads, it was important to get the highest
55 quality possible, to be able to last.

56
57 Chair Coffey questioned why all bids were kept confidential until the Purchasing Office made the final selection. Mr.
58 Kaltenbach responded the RFP process involved bids being kept confidential until the contract was approved. The
59 technical scoring or costs were kept confidential until the Assembly had approved the final contract.

60
61 Mr. Claman stated that details of an active RFP process could be discussed at an Executive Session. Mr. Abbott
62 responded this process was similar to the process of the Assembly reviewing RFPs for professional services.

63
64 Ms. Ossiander stated the Assembly had discussed the new RFP process with concerns about road projects having
65 continued delays and increased costs. The Assembly had researched bid processes across the nation and had
66 supported a process that would add quality assurances that a basic low-bid ignored. There were legal implications for
67 disclosing information prior to the award, but it may be more appropriate for the Assembly to be able to review more of
68 the criteria when selecting a bid, which would help provide reassurance that the process was effective.

69
70 Mr. Sullivan stated the Assembly could be provided the criteria for contractor qualifications. Constituents of Sand Lake
71 watched the process very closely. He was optimistic the new methodology would result in a good project.

72
73 Dr. Selkegg recommended consideration of comparing projects using this approach with the cost overruns of higher
74 priced contracts.

75
76 and this was approved without objection,
77 with Mr. Starr as an excused absence.

78

10.D.14. Assembly Memorandum No. AM 494-2007, a non-profit grant award of \$107,293 to the **Alaska Injury Prevention Center** for the development and implementation of an Anchorage Bike and Pedestrian Safety Campaign for the Municipality of Anchorage; Traffic Department.

Ms. Ossiander moved, to approve AM 494-2007,
Mr. Sullivan seconded,

Ms. Ossiander stated that safety concerns on bike trails involved roots growing through concrete, breaks in pavement and a lack of snow plowing on pedestrian pathways in the winter. She would support better maintenance on trails and pathways, rather than spending money on television advertisement.

Mr. Claman stated that fixing trails was important, but there were many pedestrians and bicyclists who used trails to travel within the community and could not get there on bike trails alone. The safety campaign addressed those people and was designed to raise awareness.

Mr. Birch stated that this was a TORA (*transfer of responsibility agreement*), which represented a contract between the State of Alaska, DOT (*Department of Transportation*) and the city. The parameters of the appropriation use were a condition of the contract. Deputy Municipal Manager Michael Abbott concurred.

and this was approved, 7-3.

AYES: Tesche, Traini, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: Sullivan, Coffey and Ossiander.
ABSENT: Starr, excused.

10.E. INFORMATION AND REPORTS

10.E.2. Information Memorandum No. AIM 77-2007, **ML&P's 2007 Dividend and Gross Receipts Payment** to General Government.

Mr. Tesche moved, to accept AIM 77-2007,
Mr. Traini seconded,

Municipal Light and Power General Manager Jim Posey presented honorarium checks to the city for ML&P's 2007 dividend in the amount of \$5,969,152.00, and gross receipts payment in the amount of \$1,437,033.00, totaling \$7,406,185.00. The payment was executing the business plan between the utility and the city. To Chair Coffey, Mr. Posey responded the annual MUSA (*municipal utility service assessment*) dividend would be a separate payment.

and this was approved without objection,
with Mr. Starr as an excused absence.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.6. Ordinance No. AO 2007-113, an ordinance adopting the **Anchorage Downtown Comprehensive Plan** as an element of the *Comprehensive Plan*, amending Anchorage Municipal Code Sections 21.05.030, and amending AO 2006-172, Attachment A, at Anchorage Municipal Code Section 21.01.080 (Planning and Zoning Commission Case 2007-076); Planning Department. (*Public Hearing 9-11-07*)
a. Assembly Memorandum No. AM 475-2007.

Ms. Ossiander moved, to introduce AO 2007-113 and to refer to the
Mr. Tesche seconded, Title 21 Committee, with Public Hearing set for
Mr. Traini was the concurring third. September 11, 2007,

Ms. Ossiander urged support for having this matter reviewed by the Title 21 Committee.

To Mr. Tesche, Planning Director Tom Nelson responded that the department welcomed Assembly review of the Downtown Comprehensive Plan and would address all Assembly questions or concerns to be able to expedite the process of getting the chapters finalized in the fall. Mr. Tesche stated that he wanted to assure his constituents that the Downtown Plan was on track and would be approved soon. Mr. Nelson concurred.

Ms. Ossiander reported that Title 21 Committee Meetings were open to the public, held at the Planning Department Conference Room every Thursday from 9:00 a.m. to 11:00 a.m. She urged all Assemblymembers to attend.

and this was approved without objection,
with Mr. Starr as an excused absence.

11. **OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS** There were none.

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

13. **CONTINUED PUBLIC HEARINGS** There were none.

14. NEW PUBLIC HEARINGS

14.A. Ordinance No. AO 2007-103, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$65,000,000 in aggregate principal amount of **General Obligation Schools Bonds** of the Municipality for the purpose of financing the costs of renewing and replacing Clark Middle School and for educational capital improvements for Districtwide Major Buildings Systems Renewal in the Municipality; delegating certain matters to the chief Fiscal Officer in

connection with the sale of the bonds; pledging the full faith and credit of the municipality to the payment thereof; and authorizing an amendment to ordinance No. AO 2006-97; Finance Department.
1. Assembly Memorandum No. AM 447-2007.

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

Mr. Traini moved, to approve AO 2007-103,
Mr. Sullivan seconded,
and this was approved, 10-0.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: None.
ABSENT: Starr, excused.

14.B. Ordinance No. AO 2007-104, an ordinance of the Municipality of Anchorage, Alaska,, authorizing and providing for the issuance of not to exceed \$55,960,000 in aggregate principal amount of **General Obligation General Purpose Bonds** of the Municipality for the purpose of financing the costs of equipping and constructing park improvements; public safety and transportation improvements; fire related improvements and road and drainage improvements and related capital improvement projects in the Municipality; delegating certain matters to the Chief Fiscal Officer in connection with the sale of the bonds; pledging the full faith and credit of the Municipality to the payment thereof; and authorizing an amendment to Ordinance No. AO 2006-97; Finance Department.
1. Assembly Memorandum No. AM 448-2007.

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

Mr. Traini moved, to approve AO 2007-104,
Mr. Sullivan seconded,
and this was approved, 8-0.

AYES: Traini, Sullivan, Coffey, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: None.
ABSENT: Starr, excused.

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

14.C. Resolution No. AR 2007-175, a resolution of the Municipality of Anchorage appropriating \$750,000 from the **MOA Trust Fund** (730) for expert financial management and support services provided in Calendar Year 2007; Finance Department.
1. Assembly Memorandum No. AM 450-2007.

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

Mr. Traini moved, to approve AR 2007-175,
Mr. Claman seconded,
and this was approved, 10-0.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: None.
ABSENT: Starr, excused.

14.D Resolution No. AR 2007-174, a resolution confirming the assessment roll and levying special assessments for services on property specially benefited in the **Downtown Business Improvement District, Special Assessment District 1SD97**, setting the dates of assessment, and providing for assessment billing, payment due dates, application of payments, delinquency, penalties, interest and costs for delinquency and enforcement and appropriating the sum of \$27,017 in assessment revenues when tendered to Special Assessment Fund 271 for services benefiting the property owners in Special Assessment District 1SD97; Office of Management & Budget.
1. Assembly Memorandum No. AM 449-2007.

Chair Coffey read the resolution title and opened Public Hearing.

WILEY BROOKS stated that he did not oppose the Partnership, but the Assembly needed to fix the unfair boundaries. To Mr. Birch, Mr. Brooks responded that he was at the south boundary and there were no benefits. To be fair, the boundaries should cover all of downtown and extend to Cook Inlet.

JEFFREY BARNES, owner of two properties located at the edge of the District, stated that he was concerned with inequities of the roster and how benefits were applied. He received no benefits and he did not want to be included in the assessed area of the Downtown Partnership, which focused primarily on tourism and the downtown core. Office of Management and Budget Director Janet Mitson responded that all District property owners were assessed. The District was under a 2010 sunset clause, when it would be reevaluated. To Mr. Claman, Mr. Barnes responded that the burden was disproportionably borne by the small property owners. To Dr. Selkregg, Mr. Barnes responded that one of his lots was a vacant lot. The current system was not working.

BRAD CHERRIER testified there was language in the document that indicated the Assembly could make the District smaller without a vote of members. He recommended A Street as a boundary line. The Federal (*government*) paid in

lieu of services and the State paid nothing. To Mr. Sullivan, he responded that in 1997 the boundaries had extended from Gambell to the railroad district. To Mr. Birch, Mr. Cherrier responded the District was originally established to provide public safety.

LISA ROGERS, owner of property at 8th and H Street, stated that she received no benefit for what she was paying. She never saw any safety ambassadors. She shoveled her own sidewalks, picked up trash and saw intoxicated individuals everyday. If the plan was not improved, she hoped it would sunset in 2010. To Mr. Birch, Ms. Rogers responded she paid about \$1,000.00 per year and did not have a choice. She received no communication from the Partnership. To Mr. Traini, Ms. Rogers responded her property was listed on the assessment roll as number 141.

BECKY BECK, Anchorage Downtown Partnership Executive Director, stated the Partnership sent weekly email news to whoever requested to be on the list and maintained a website, which posted all provided services. She reported the election for the board of directors was coming up, for those who wished to be involved. To Dr. Selkregg, Ms. Beck responded the District involved 103 square blocks with 25 miles of sidewalk. The Policy Committee would be addressing other formulas used by other cities that would work. To Mr. Traini, she responded the Partnership did not replace city services and took care of snow removal only at corners and handicap aprons. Property owners were responsible for snow plowing in front of their businesses. To Mr. Bauer, Ms. Beck responded the Partnership welcomed all new businesses. Mr. Bauer stated that in order to begin the process of addressing the concerns he would not support the assessment. Ms. Beck responded that all property owners were mailed explanations of services once a season and an annual report. To Mr. Claman, Ms. Beck responded that every property had a vote. There were currently 22 board members with three-year terms and elections were once a year. Mr. Birch stated there were merits of the program, but questions remained about the boundaries and an annexation process. Ms. Beck responded that annexation would require a vote of all District members. To Dr. Selkregg, she responded the District was established to provide a clean, safe and vital environment. Partnership security and maintenance ambassadors were continually on the streets providing services to assist with inebriants, collecting trash and communication among property owners. Officers responded to calls for shoplifting, public intercourse, urination, defecation or drinking. The majority of services were needed in the District core, a 6 to 7 block radius in Downtown. To Mr. Bauer, Ms. Beck responded that the board took care of all members and all members had the opportunity to respond to surveys. To Mr. Claman, Ms. Beck responded the Assembly would have the opportunity to make changes to the Improvement District, when it sunsets in 2010.

With no additional testimony, Chair Coffey closed Public Hearing.

Mr. Tesche moved, to approve AR 2007-174,
Dr. Selkregg seconded,

Mr. Sullivan stated there were property owners who indicated the Downtown Improvement District had value, but the boundary concerns had been ongoing. He had consistently voted against the subject for many years, dissatisfied with the boundaries and frustrated by knowing the matter could not be addressed until it sunsets. The Assembly had not supported his motion to delete all properties east of A Street. It was not his intention to interfere with the budget or the success of the Partnership, but the Assembly's first obligation was to the taxpayers, who made a very compelling case that there was no value east of A Street. Ms. Mitson responded that each property owner had the opportunity to vote, which was weighted by the assessment. Mr. Sullivan stated that it was a percentage vote and that 50% of the property owners supported one vote for one lot. Ms. Mitson responded the boundaries had remained unchanged since they were established in 1997. Municipal Attorney Jim Reeves responded that he thought the Assembly had authority to delete (*properties*), subject to limitations and subject to the effect on the rest of the District participants. Mr. Sullivan requested a legal opinion on whether the Assembly still had authority to decide. Mr. Reeves responded that he believed the Assembly had authority to delete, if the deletion did not skew the numbers to such an extent that there would no longer be the requisite approval of those remaining in the District.

Mr. Tesche stated that he had heard many of the same complaints about service at the east end, the formation, the funding process and commercial property on the west end. If there was consideration of deleting properties east of A Street or including properties on the west end, he urged that the body review the comprehensive memorandum that he had requested from the Municipal Attorney and the Department of Law. He recommended a worksession to review legal and historical information before changes were considered. The District was currently functioning well.

To Mr. Traini, Ms. Mitson responded that the Downtown Improvement District was originally established in 1997. In April of 1997 the Assembly approved AO 97-51, which deleted the area west of K Street from 9th Avenue to 2nd Avenue. In June of 1997 further Assembly action amended the boundaries from K Street, north of 6th Avenue, to I Street, north of 6th Avenue. Mr. Traini requested copies of those two ordinances from the Municipal Clerk.

Dr. Selkregg stated that there was a lot of political pressure concerning the Hickel properties and properties along L Street. The Assembly needed to be aware that this was a political line, with properties receiving direct benefits from the Improvement District, particularly the hotel. It was fair to take this on and expect people to pay their share for benefits received. A strategy was needed for properties east of C Street and east of Cordova, where it was difficult to sense any benefit of services received. The Partnership was a valuable tool for community development and cities across the country used this process to improve their districts. The Assembly needed to stay committed and address needed changes to make the process work for the future.

Ms. Osslander stated that she had been persuaded to support the last assessment by Mr. Tesche and the Municipal Attorney, with their explanation about the process and complications of de-annexation. The District map was unfair and she sympathized with those who had testified. It was time to change the boundaries and make it fair. The Downtown Partnership had value with public safety and contributed significantly to the Community Service Patrol.

Mr. Birch questioned assessment exemptions. Ms. Mitson responded that general provisions allowed property exempt from property tax to also be exempt from the special assessment, and included properties owned by government agencies, churches, nonprofits or owner-occupied homes. To Mr. Birch, Ms. Mitson responded the Downtown Business Improvement District was the only services special assessment district in the city. The Charter and

Municipal Code allowed leeway for voting and the rules under which assessments were made. When the District was formed it was deemed fair and equitable for all properties within the boundaries.

Mr. Claman stated that this issue was addressed every year and the Assembly never took action to make changes. The Assembly could hold a worksession and review improvements, table or postpone the matter for a month or two. To Chair Coffey, Ms. Mitson responded that a long postponement would create delay to mailing out bills and receiving payments. Mr. Claman stated that there were services already paid for by the assessment, including services to address chronic inebriants downtown. Chair Coffey responded that the Business Improvement District and the Downtown Partnership would continue, but if action was postponed for an extended period of time the Assembly would have to address creating a revenue stream to maintain those services. Ms. Mitson concurred.

To Mr. Sullivan, Ms. Mitson responded the Downtown Partnership was to be paid at least on a quarterly basis.

Mr. Bauer stated that the Assembly was being forced to make a decision at the last minute and he would support a worksession to review the history and all information. Ms. Mitson responded that nonprofit organizations were exempt from assessment. Mr. Bauer stated there was one nonprofit organization that was exempt, that promoted tourism and received revenue from taxpayers' dollars and occupied the Anchorage Convention and Visitor's Bureau. It was troubling that there were some businesses that were receiving benefits, but were not paying a fair share for the Business District. Ms. Mitson responded the assessments were levied, based on ownership, not necessarily on use.

Mr. Traini moved, *to Postpone* AR 2007-174 to August 28, 2007, with a two-hour worksession scheduled on August 24th,
Mr. Tesche seconded,

Dr. Selkregg moved, *to amend the motion, by adding* that a committee be formed to review the matter,
Mr. Tesche seconded,

Dr. Selkregg stated the Assembly should vote on the matter that evening and get it out of the way. This could not be resolved in two weeks. It would take commitment and time for the Assembly to make the needed improvements.

Mr. Tesche requested assurance from the Administration that postponing to August 28th would not create financial consequences to the Downtown Partnership or the Municipality. Ms. Mitson responded that a two-week delay would not make a difference. Mr. Tesche supported postponement and a worksession. He requested that the Department of Law prepare copies of the Assembly Memorandum issued by Municipal Attorney Fred Boness and that Assemblymembers review that information.

Mr. Sullivan opposed the motion to form a committee. He requested information on any financial impacts to the District from reductions to the size of the District boundaries. He supported the motion to postpone until August 28th. Two weeks would allow time to determine the changes that would resolve the concerns while keeping the District intact.

Mr. Claman supported forming a committee, which would be telling the public that the Assembly was serious about reviewing all the specifics of the matter, particularly the financial consequences.

Dr. Selkregg stated the Downtown (*Comprehensive*) Plan had strategies for the future for the east end of Downtown. The Downtown core was the most vibrant place and was getting all the attention, but there needed to be an equitable assessment of properties at the east end instead of excluding those properties. Two weeks was not enough time to make a knowledgeable decision on boundary changes. She opposed the motion to postpone and wanted a committee formed. She wanted the resolution approved that evening.

and the motion to amend by forming a committee failed, 3-7.

AYES: Tesche, Selkregg and Claman.

NAYES: Traini, Sullivan, Coffey, Ossiander, Johnston, Birch and Bauer.

ABSENT: Starr, excused.

Mr. Traini supported postponement. He requested all information on the two Assembly actions taken in 1997. The Assembly needed to review the information and resolve the issue.

Ms. Ossiander supported postponement and urged Assemblymembers to work together on this matter, to understand all the information and history.

Dr. Selkregg stated that the bid involved public process and she was concerned how the public would now be involved. Chair Coffey responded that Ms. Beck would inform the Board of Directors and District members would also be informed. All interested persons were invited to attend the worksession, scheduled for the 24th, from noon to 2:00 p.m. Mr. Sullivan responded that there would not be public testimony at the worksession and urged interested folks to communicate with Assemblymembers individually.

and the motion to postpone was approved, 9-1.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer and Claman.

NAYES: Selkregg.

ABSENT: Starr, excused.

Chair Coffey stated that Municipal Clerk Barbara Gruenstein had emailed the referenced memorandum from former Municipal Attorney Fred Boness to all Assemblymembers. He requested members retain all information on the Downtown Business Improvement District.

14.E. Ordinance No. AO 2007-109, an ordinance amending Title 12 of the Anchorage Municipal Code to add a new section 12.15.025 for **Disaster Tax Relief**, retroactive to January 1, 2007; Mayor Begich; Assemblymember Tesche.

1. Ordinance No. AO 2007-109(S), an ordinance amending Title 12 of the Anchorage Municipal Code to add a new section 12.15.025 for Disaster Tax Relief, retroactive to January 1, 2007; Mayor Begich; Assemblymember Tesche and Ossiander. (**Addendum**)

Chair Coffey read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public Hearing and called the Question.

Mr. Tesche moved, to approve AO 2007-109(S),
Mr. Sullivan seconded,

To Mr. Tesche, Chief Fiscal Officer Jeff Sinz responded that State Law granted flexibility to the Assembly to offer property reassessment and potential tax adjustment as a result of some sort of disaster. The ordinance was a fairly restricted approach to establishing a local program, limited to disasters associated with fires and earthquakes, which appeared to be workable but may require adjustment. It was limited to owner-occupied residential property and required a minimum of 50% loss of property to initiate any form of adjustment. Key elements still needed to be addressed, including the questions concerning mobile homes and the Assembly's role in recommending adjustment to the Assessor's recommendation. Mr. Tesche stated that additional comment and clarification was needed on the inclusion of mobile homes, the Assembly's role as an appeal mechanism and whether this should be extended to earthquake damage. Properties must be damaged to at least 50% of the value before this ordinance takes effect. He urged consideration of postponing for two weeks for additional review.

Mr. Birch stated the S-version included amendments that addressed his concerns about mobile homes.

Mr. Sullivan supported a two-week delay. The ordinance would limit covered natural disasters to earthquakes and fires. It was not uncommon for homes to be damaged by high winds and there were a number of creeks in town that could cause flooding. He may support a more general ordinance that would allow the Assessor to determine a natural disaster that created significant damage to homes.

Ms. Ossiander stated her concerns included having the Assembly make the determination on individual homeowners claiming a disaster. Specific criteria were needed from the Assessor and she preferred the S-version, which addressed mobile homes. She supported a two-week delay and preferred guidelines to be better prepared.

To Mr. Traini, Municipal Attorney Jim Reeves responded the State Assessor had certain authority under State Law, and it was clear that the Assembly had authority to provide by ordinance, a tax adjustment or reassessment. Mr. Traini requested Mr. Reeve's opinion in writing.

Mr. Tesche moved, to Continue AO 2007-109(S) to August 28, 2007,
Ms. Ossiander seconded,

Ms. Ossiander stated that she would work with Mr. Tesche and requested to be added as a cosponsor. Chair Coffey responded that Assemblymembers could join Mr. Tesche and Ms. Ossiander to discuss the matter.

Mr. Claman requested Assemblymembers' opinions of nonresidents applying.

Dr. Selkregg stated that the benefits following the 1964 Earthquake had not necessarily been even and often reflected who had had a better capacity to access the resources. It needed to be an even playing field.

and the motion was approved without objection.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Starr, excused.

14.F. Ordinance No. AO 2007-102, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 25.30, **Disposal of Municipal Land**, to require prior public notice in the disposal of park land; Assembly Chair Coffey.

1. Assembly Memorandum No. AM 444-2007.

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

Dr. Selkregg moved, to approve AO 2007-102,
Mr. Sullivan seconded,

Ms. Ossiander assumed the Assembly Chair, to allow Mr. Coffey to speak to the issue.

Mr. Coffey stated that he had brought this ordinance forward, based on the experience of a land swap with the Jewish Historical Museum, when neighbors had complained they had not received enough notice. He had requested that the Department of Law add a requirement for Public Notice for any disposal of property, which would allow an opportunity for those closely affected to be informed and involved with the process.

Acting Chair Ossiander called for a vote. Mr. Coffey assumed the Chair.

and this motion was passed, 10-0.

1 AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
2 NAYES: None.
3 ABSENT: Starr, excused.

- 4
5 14.G. Ordinance No. AO 2007-95, an ordinance of the Anchorage Municipal Assembly amending Anchorage
6 Municipal Code Chapter 3.97, **Naming of Municipal Buildings, Other Fixed Facilities and Public**
7 **Places**, to implement policy; clarify and amend criteria and procedures in honorary naming;
8 Assemblymember Bauer.

9
10 Chair Coffey read the ordinance title and opened Public Hearing. He stated that Mr. Claman had introduced an
11 ordinance on the same matter and both ordinances would be heard by the Public Facilities Advisory Commission and
12 would come before the Assembly again at the same time. There was no one to testify.

13
14 Mr. Claman moved, *to Continue* AO 2007-95 to August 28, 2007,
15 Mr. Traini seconded,
16 and this was approved without objection.

17
18 AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
19 NAYES: None.
20 ABSENT: Starr, excused.

- 21
22 14.H. Ordinance No. AO 2007-98, an ordinance authorizing the long term lease between the Municipality of
23 Anchorage as lessor and **Stoddard Aero Services Incorporated** as lessee of Lot 16 and Lot 17,
24 Block 2 Merrill Field Replat which will be replatted into one large lot located between Runway 07/25
25 and Glenn Highway; Merrill Field Airport.
26 1. Assembly Memorandum No. AM 441-2007.

27
28 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
29 called the Question.

30
31 Dr. Selkregg moved, *to approve* AO 2007-98,
32 Mr. Sullivan seconded,
33 and this was passed, 10-0.

34
35 AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
36 NAYES: None.
37 ABSENT: Starr, excused.

- 38
39 14.I. Ordinance No. AO 2007-99, an ordinance authorizing Amendment #2 to the **Port of Anchorage**
40 **Terminal Tariff No. 6** to increase the security surcharge tariff retroactive to August 1, 2007; Port of
41 Anchorage.
42 1. Assembly Memorandum No. AM 442-2007.

43
44 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
45 called the Question.

46
47 Ms. Ossiander moved, *to approve* AO 2007-99,
48 Mr. Sullivan seconded,

49
50 Ms. Ossiander stated that Ed Leon (*Port Director of Finance and Administration*) had explained the tonnage involved
51 and the processes of distribution at the Port of Anchorage which justified the increase to security surcharge tariff and
52 was federally mandated.

53
54 and this was passed, 10-0.

55
56 AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
57 NAYES: None.
58 ABSENT: Starr, excused.

- 59
60 14.J. Resolution No. AR 2007-171, a resolution of the Anchorage Municipal Assembly appropriating a
61 \$198,650 contribution approved in the 2007 General Operating Budget from the Office of Economic
62 and Community Development's Eagle River-Chugiak Parks And Recreation Service Area Fund (162),
63 to the **Eagle River-Chugiak Parks And Recreation Service Area Capital Improvement Project**
64 **Fund** (462) for capital maintenance and improvements; Office of Economic & Community
65 Development.
66 1. Assembly Memorandum No. AM 434-2007.

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

70
71 Ms. Ossiander moved, *to approve* AR 2007-171,
72 Dr. Selkregg seconded,

73
74 Ms. Ossiander urged approval.

75
76 and this was passed, 10-0.

77
78 AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

NAYES: None.
ABSENT: Starr, excused.

- 14.K. Resolution No. AR 2007-172, a resolution of the Municipality of Anchorage appropriating \$120,000 from the **Sequoia Estates LRSA** Fund Balance (Fund 147) to the Sequoia Estates LRSA BP2007 Operating Budget (Fund 147) for summer work program; Maintenance & Operations Department.
1. Assembly Memorandum No. AM 435-2007.

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

Mr. Traini moved, to approve AR 2007-172,
Dr. Selkregg seconded,
and this was passed, 10-0.

AYES: Tesche, Traini, Sullivan, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
NAYES: None.
ABSENT: Starr, excused.

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Chair Coffey welcomed visiting Boy Scout Troop 210 sponsored by Saint John's Methodist Church, including Scouts Robert Werner, Cody Houston, Chris Deren, Cody Hobson, Kim Hersch, Keaton Hersch and Assistant Scout Masters Tonya Hobson and Mike Werner. The Scouts were working towards their merit badges in Community Citizenship. Chair Coffey also welcomed visiting Boy Scout Troop 104, sponsored by Saint Elizabeth Ann Seton Church, with Scout James Amundsen and Assistant Scout Master Jim Amundsen.

Ms. Ossiander urged all interested persons to join her and Dr. Selkregg on Thursday morning at the Planning Department Conference Room from 9:00 to 11:00 a.m., to discuss the Downtown Comprehensive Plan.

Mr. Claman thanked the Municipal Clerk and the Assembly for assisting with his successful telephonic participation at the last Assembly Meeting.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Coffey called for a motion to adjourn the meeting.

Mr. Sullivan moved, to adjourn the Regular Assembly Meeting,
Ms. Ossiander seconded,
and this motion was passed without objection.

The Regular Assembly Meeting was adjourned at 8:55 p.m.

See Archived Document for Signatures

DAN COFFEY, Assembly Chair

ATTEST:

See Archived Document for Signatures

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: September 25, 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)