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

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

Minutes for Regular Meeting of July 17, 2007

15 **1. CALL TO ORDER**

16  
17 The Assembly Meeting was convened by Chair Coffey at 5:00 p.m. in Assembly Chambers, Room 108 of the Loussac  
18 Library, 3600 Denali Street in Anchorage, Alaska.

19  
20 **2. ROLL CALL** A Quorum was achieved with Assemblymembers present.

21  
22 PRESENT: Allan Tesche, Dick Traini, William Starr, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris  
23 Birch, Sheila Selkregg and Matt Claman.

24 ABSENT: Paul Bauer and Dan Sullivan, each as an excused absence.

25  
26 **3. PLEDGE OF ALLEGIANCE** Assemblymember Starr led the pledge.

27  
28 **4. MINUTES OF PREVIOUS MEETINGS**

29 4.A. Regular Meeting – June 12, 2007.

30  
31 Ms. Ossiander moved, to approve the Minutes of the Regular  
32 Mr. Starr seconded, Meeting of June 12, 2007,  
33 and this passed without objection.

34  
35 **5. MAYOR'S REPORT**

36  
37 Mayor Begich reported that plans 1, 2 and 3, under the Police and Fire Retirement System were funded at 118%,  
38 114% and 109%, respectively. To Mr. Traini, Mayor Begich responded the Public Employees Retirement System  
39 (*PERS*) used by more recent Police and Fire hires was not fully-funded and the State Legislature was continuing to  
40 work towards a long-term solution to that funding debt. Mayor Begich reported on the study of comparing rates of  
41 Municipal Light and Power (*ML&P*) with other utility companies in the south-central area, with *ML&P* generally the  
42 lowest cost provider to local users. Mayor Begich gave construction updates for the Dena'ina Convention Center and  
43 the Atwood Parking Garage.

44  
45 Mayor Begich introduced newly-appointed Director of the Cooperative Services Authority, Patti Judd.

46  
47 **6. ASSEMBLY CHAIR'S REPORT**

48  
49 Chair Coffey reported that the Information Technology (*IT*) Department's request for proposal (*RFP*) for new hardware  
50 and software for Assembly Chambers would be available for review the following week. He urged members to  
51 comment on the upgrades. Mr. Traini responded that need for system upgrades had been continually addressed for  
52 the past decade. Chair Coffey reported there were Board of Equalization (*BOE*) members present to answer  
53 questions on the two *BOE* issues on the Agenda.

54  
55 **7. COMMITTEE REPORTS**

56  
57 Mr. Birch announced there was a meeting scheduled at 10:00 a.m. in the Mayor's Conference Room the following day  
58 to discuss *ML&P* and Chugach Electric. Mayor Begich urged Assemblymembers to keep informed on the matter.

59  
60 Mr. Claman stated the Ten-Year Plan on Homelessness, Agenda item 9.E.1, had been reviewed by the Public Safety  
61 Committee in June. The committee would meet the following day at noon, to discuss issues about chronic inebriants.

62  
63 Mr. Starr reported that an ad hoc committee was addressing the Eagle River Center and he would report on the  
64 pending agreement by July 24<sup>th</sup>. Mayor Begich responded the Administration was continuing to work on the matter  
65 and would report to the Assembly if the agreement was a financially viable deal.

66  
67 Ms. Ossiander reported there would be no Title 21 Committee meetings until August, when the consultant with the  
68 contract for studying the new Title 21 language was completed. The next committee meeting would be on August 9<sup>th</sup>.  
69 Mr. Birch stated that bed and breakfast (*B&B*) operators had contacted him with concerns that the new language would  
70 not allow *B&Bs* to hold weddings or meetings. Ms. Ossiander stated the committee had heard similar concerns from  
71 *B&B* and Hostel owners and the matter would be addressed in the future.

72  
73 **8. ADDENDUM TO AGENDA**

74  
75 Chair Coffey called for a motion. Vice Chair Ossiander assumed the Assembly Chair to allow Mr. Coffey to introduce  
76 AO 2007-106, to which Vice Chair Ossiander assigned Agenda number 9.F.8. Chair Coffey resumed the chair and,  
77 with no additional items, called for a vote to incorporate the Addendum items into the Consent Agenda.

1 Ms. Ossiander moved, to approve the inclusion of the Addendum items  
2 Mr. Claman seconded, into the Consent Agenda,  
3 and this was passed unanimously.  
4

5 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.  
6 NAYES: None.  
7 ABSENT: Sullivan and Bauer, each excused.  
8

9 Chair Coffey called the Question on the Consent Agenda.

10  
11 Mr. Tesche moved, to approve the Consent Agenda,  
12 Mr. Traini seconded,  
13

14 Chair Coffey called for Assemblymembers to request items be pulled and moved to the Regular Agenda for  
15 discussion.  
16

17 **9. CONSENT AGENDA**

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

19 9.A.1. Resolution No. AR 2007-173, a resolution of the Anchorage Municipal Assembly in recognition of the  
20 Municipality of Anchorage's selection as one of the "**100 Best Communities for Young People**;"  
21 Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Starr,  
22 Selkregg, Sullivan, Tesche and Traini. (**Addendum**)  
23

24 Mr. Starr requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)  
25

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

27 9.B.1. Resolution No. AR 2007-165, a resolution to establish the delinquent dates for the first and second half of  
28 yearly **Business Personal and Personal Property Tax Payments** for Tax Year 2007; Finance.

29 a. Assembly Memorandum No. AM 428-2007.

30 9.B.2. Resolution No. AR 2007-166, a resolution of the Municipality of Anchorage accepting and  
31 appropriating \$41,640 as a federal pass-through grant from the Alaska Department of Fish and Game  
32 Southeast Sustainable Salmon Fund to the Areawide General CIP Fund (Fund 401); Office of  
33 Economic and community Development, for the **Campbell Creek Fish and Streambank**  
34 **Rehabilitation Project**; Office of Economic & Community Development.

35 a. Assembly Memorandum No. AM 429-2007.

36 9.B.3. Resolution No. AR 2007-167, a resolution of the Municipality of Anchorage appropriating \$30,000 from  
37 the **Section 6/Campbell Airstrip Road LRSA** Fund Balance (Fund 112) to the Section 6/Campbell  
38 Airstrip Road LRSA BP2007 Operating Budget (Fund 112) for year round road maintenance services;  
39 Maintenance & Operations Department.

40 a. Assembly Memorandum No. AM 430-2007.

41 9.B.4. Resolution No. AR 2007-168, a resolution of the Municipality of Anchorage appropriating \$15,000 from  
42 the **Skyranch Estates Limited Road Service Area** (LRSA) Fund Balance (Fund 114) to the Skyranch  
43 Estates LRSA BY2007 Operating Budget (Fund 114) for year round road maintenance services;  
44 Maintenance & Operations Department.

45 a. Assembly Memorandum No. AM 431-2007.

46 9.B.5. Resolution No. AR 2007-169, a resolution of the Municipality of Anchorage appropriating \$15,000 from  
47 the **Upper Grover LRSA** Fund Balance (Fund 115) to the Upper Grover LRSA BP2007 Operating  
48 Budget (Fund 115) for summer work program; Maintenance & Operations Department.

49 a. Assembly Memorandum No. AM 432-2007.

50 9.B.6. Resolution No. AR 2007-170, a resolution appropriating \$87,496 from a State of Alaska Department of  
51 Transportation and Public Facilities (ADOT&PF) Transfer of Responsibilities Agreement (TORA) with  
52 the Municipality of Anchorage, and a match contribution of \$9,030 from the 2007 Public Transportation  
53 Department Operating Budget in the Areawide General Fund (101), to the State Categorical Grants  
54 Fund (231) under the Municipal Traffic Department for the development of the **Travel Options**  
55 **Program**; Traffic Department.

56 a. Assembly Memorandum No. AM 433-2007.  
57

58 **9.C. BID AWARDS** There were none.  
59

60 **9.D. NEW BUSINESS**

61 9.D.1. Assembly Memorandum No. AM 422-2007, **Sequoia Estates Limited Road Service Area Board of**  
62 **Supervisors** appointment (James Croak); Mayor's Office.

63 9.D.2. Assembly Memorandum No. AM 445-2007, appointments to the **Board of Equalization** (Wilfred K.  
64 Abbott, Kevin J. Anderson, Esq., Robert A. Biringer, Marianne K. Burke); Municipal Clerk.  
65

66 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.D.2*)  
67

68 9.D.3. Assembly Memorandum No. AM 423-2007, proprietary purchase of software licenses and annual  
69 maintenance support from **Bio-key International** for the Municipality of Anchorage; Anchorage Police  
70 Department (APD) (\$125,251); Purchasing.

71 9.D.4. Assembly Memorandum No. AM 424-2007, proprietary purchase of computer software maintenance  
72 support from **TriTech Software Systems** for the Municipality of Anchorage, Anchorage Fire  
73 Department (AFD) (\$42,992); Purchasing.

74 9.D.5. Assembly Memorandum No. AM 425-2007, proprietary purchase of a Microsoft Premier Support  
75 Services Agreement from **Microsoft Corporation** for the Municipality of Anchorage, Information  
76 Systems Department (ITD) (\$57,160); Purchasing.

77 9.D.6. Assembly Memorandum No. AM 426-2007, approval of Amendment No. 3 to GLS, LLC (26M&O268)  
78 to increase the contract by \$100,000 for period ending August 31, 2007 for a total contract period  
79 amount NTE \$275,000 for year round road maintenance services within the **South Goldenview Rural**  
80 **Road Service Area** (RRSA) on an "as required" basis; Maintenance & Operations Department.

- 1 9.D.7. Assembly Memorandum No. AM 427-2007, Change Order No. 3 to Vendor Contract No. 25MLP092  
2 with **Alaska Instrument Company, Inc.** to provide technical services, calibration, repairs, and  
3 replacement parts for the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (\$50,000);  
4 Purchasing.  
5 9.D.8. Assembly Memorandum No. AM 436-2007, proprietary purchase from **Far North Supply and**  
6 **Donaldson Filters** for the Municipality of Anchorage, Municipal Light & Power (\$44,680); Purchasing.  
7 9.D.9. Assembly Memorandum No. AM 437-2007, Amendment No. 2 to professional services contract with  
8 DOWL Engineers for the **Fireweed Lane-LaTouche Street Upgrade, Seward Highway to Northern**  
9 **Lights Boulevard**, Project No. 04-14 (\$118,000); Project Management & Engineering.  
10 9.D.10. Assembly Memorandum No. AM 438-2007, Amendment No. 3 to professional engineering services  
11 contract with HDR Alaska, Inc. for the **Fish Creek Corridor Improvements, Phase IVc**, Project No.  
12 00-16c (\$75,665); Project Management & Engineering.  
13 9.D.11. Assembly Memorandum No. AM 439-2007, Amendment No. 1 to Utility Relocation Agreement with  
14 **Alaska Communications Systems (ACS)** for 84th Avenue and Spruce Street Improvements, Project  
15 Nos. 02-02 and 02-08 (\$95,000); Project Management & Engineering.  
16 9.D.12. Assembly Memorandum No. AM 440-2007, Amendment No. 1 to Utility Relocation Agreement with  
17 **Chugach Electric Association, Inc. (CEA)** for 84th Avenue and Spruce Street Improvements,  
18 Project Nos. 02-02 and 02-08 (\$25,000); Project Management & Engineering.  
19

20  
21 Mr. Claman requested this item be pulled for review on the Regular Agenda. (See item 10.D.12)

- 22  
23 9.D.13. Assembly Memorandum No. AM 446-2007, appointment of **Executive Director: Cooperative**  
24 **Services Authority** (Patti Judd); Employee Relations Department. (**Addendum**)

25  
26 **9.E. INFORMATION AND REPORTS**

- 27 9.E.1. Information Memorandum No. AIM 70-2007, an update to the Assembly on the Municipality of  
28 Anchorage **Ten-Year Plan on Homelessness**; Department of Neighborhoods.  
29

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

- 31  
32 9.E.2. Information Memorandum No. AIM 71-2007, Notice of Award to Professional Computing for  
33 **Panasonic Toughbook laptop computers** for the Municipality of Anchorage, Anchorage Fire  
34 Department (\$65,590.95); Purchasing.  
35 9.E.3. Information Memorandum No. AIM 72-2007, Board of Equalization Member Marianne Burke-**Ethics**  
36 **Board Advisory Opinion**; Municipal Clerk.  
37

38 (Clerk's Note: AIM 72-2007 was approved on the Consent Agenda. Ms. Ossiander later requested to address the  
39 already-approved informational memorandum with 9.D.2 on the Regular Agenda.)  
40

41 Ms. Ossiander moved, to address AIM 72-2007 with AM 445-2007, item 9.D.2,  
42 Mr. Claman seconded,  
43 and this was approved without objection.  
44

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

- 46 9.F.1. Ordinance No. AO 2007-98, an ordinance authorizing the long term lease between the Municipality of  
47 Anchorage as lessor and **Stoddard Aero Services Incorporated** as lessee of Lot 16 and Lot 17,  
48 Block 2 Merrill field Replat which will be replatted into one large lot located between Runway 07/25  
49 and Glenn Highway; Merrill Field Airport. (*Public Hearing 8-14-07*)  
50 a. Assembly Memorandum No. AM 441-2007.  
51 9.F.2. Ordinance No. AO 2007-99, an ordinance authorizing Amendment #2 to the **Port of Anchorage**  
52 **Terminal Tariff No. 6** to increase the security surcharge tariff retroactive to August 1, 2007; Port of  
53 Anchorage. (*Public Hearing 8-14-07*)  
54 a. Assembly Memorandum No. AM 442-2007.  
55 9.F.3. Ordinance No. AO 2007-100, an ordinance of the Anchorage Municipal Assembly amending  
56 Anchorage Municipal Code Section 17.10.010, **Animals in Public Places**, and Section 17.10.015,  
57 **Animals Creating Disturbance or Nuisance**, to repeal the exception for control by command and to  
58 prohibit dogs in municipal ballfields, playing fields, and outdoor courts enclosed or otherwise  
59 designated for sports; and amending 17.70.020, Civil Penalties for Animal Care and Control Violations,  
60 to establish an enhanced fine for violation of the prohibition; Assembly Chair Coffey. (*Public Hearing 8-*  
61 *14-07*)  
62

63 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.F.3)

- 64  
65 9.F.4. Ordinance No. AO 2007-101, an ordinance of the Anchorage Municipal Assembly amending  
66 Anchorage Municipal Code Section 21.45.140, **Setbacks from Projected Rights-of-Way**, to permit  
67 canopies, awnings, incidental architectural features, and public art within the right-of-way setback;  
68 Assembly Chair Coffey. (*Public Hearing 8-14-07*)  
69 a. Assembly Memorandum No. AM 443-2007.  
70

71 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (See item 10.F.4)

- 72  
73 9.F.5. Ordinance No. AO 2007-102, an ordinance of the Anchorage Municipal Assembly amending  
74 Anchorage Municipal Code Chapter 25.30, **Disposal of Municipal Land**, to require prior public notice  
75 in the disposal of park land; Assembly Chair Coffey. (*Public Hearing 8-14-07*)  
76 a. Assembly Memorandum No. AM 444-2007.  
77 9.F.6. Resolution No. AR 2007-171, a resolution of the Anchorage Municipal Assembly appropriating a  
78 \$198,650 contribution approved in the 2007 General Operating Budget from the Office of Economic  
79 and Community Development's Eagle River-Chugiak Parks And Recreation Service Area Fund (162),  
80 to the **Eagle River-Chugiak Parks And Recreation Service Area Capital Improvement Project**

**Fund** (462) for capital maintenance and improvements; Office of Economic & Community Development. (*Public Hearing 8-14-07*) a. Assembly Memorandum No. AM 434-2007.

9.F.7. 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. (*Public Hearing 8-14-07*)

a. Assembly Memorandum No. AM 435-2007.

9.F.8 Ordinance No. AO 2007-106, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Sections 17.10.010, **animals in public places** to prohibit dogs in municipal enclosed ballfields; and amending 17.70.020, civil penalties for animal care and control violations, to establish an enhanced fine for violators of the prohibition; Assembly Chair Coffey. (**Laid on the Table**) (*Public Hearing 9-25-07*)

Mr. Coffey moved, to introduce AO 2007-106 and to refer to the Parks and Recreation Commission and the Animal Control Advisory Board, with Public Hearing set for September 25, 2007,  
Dr. Selkregg seconded,  
Mr. Starr was the concurring third.

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

and the motion, as amended, was passed unanimously.

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

NAYES: None.

ABSENT: Sullivan and Bauer, each 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.1. Resolution No. AR 2007-173, a resolution of the Anchorage Municipal Assembly in recognition of the Municipality of Anchorage's selection as one of the "**100 Best Communities for Young People**;" Mayor Begich; Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Starr, Selkregg, Sullivan, Tesche and Traini. (**Addendum**)

Mr. Traini moved, to approve AR 2007-173,  
Mr. Starr seconded,  
and this was passed without objection,  
with Mr. Sullivan and Mr. Bauer, each excused.

Mr. Traini read and Mr. Starr presented the resolution, recognizing Anchorage for being selected as one of the 100 Best Communities for Young People in the nation. Anchorage's Promise (*Associated with America's Promise*) Executive Director Debbie Bogart accepted the resolution and introduced Board President Dick Wells and members Kasey Murphy, Diana Rios, Jared Murphy and Patricia Posey. Ms. Bogart reported that Anchorage had been recognized for promoting the well-being of young people by providing quality programs, services and opportunities to succeed. Anchorage's many resources and services for young people were often lost when the city was assessed. It was important to remain focused on all aspects of the community's youth. Ms. Bogart stated their organization would be displaying signs and banners in areas of the city, announcing the achievement.

Mr. Traini supported a strong commitment to youth and he requested a banner be displayed in Assembly Chambers.

Mr. Birch stated that youth violence and gang violence were a big community concern. Ms. Bogart responded that one criteria of the application was to identify and address the community priorities. She responded that America's Promise included services to youth from birth to 24 (*years of age*).

Dr. Selkregg supported celebrating children and making a commitment to them, sharing the values and goals to make a better community.

Chair Coffey requested that Ms. Bogart leave a banner to be displayed in Chambers.

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

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

#### 10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 445-2007, appointments to the **Board of Equalization** (Wilfred K. Abbott, Kevin J. Anderson, Esq., Robert A. Biringner, Marianne K. Burke), Municipal Clerk.

9.E.3. Information Memorandum No. AIM 72-2007, Board of Equalization Member Marianne Burke-Ethics Board Advisory Opinion; Municipal Clerk. (*Clerk's Note: See 9.E.3 for related details.*)

Ms. Ossiander moved, to approve AM 445-2007 and for purposes of discussion,  
Mr. Traini seconded, to also address AIM 72-2007 (*item 9.E.3*),

Ms. Ossiander thanked Board of Equalization (*BOE*) Chair Marianne Burke for her hard work. She reported the Ethics Board's Advisory Opinion was for Ms. Burke to continue her involvement (*with the BOE*). Ms. Ossiander urged support.

Mr. Claman thanked Ms. Burke for her request of an Ethics Board's Advisory Opinion, which reassured the public, the Administration and the Assembly that the process involved open government.

1 Chair Coffey stated that the BOE worked as the Assembly and from March to July the BOE had a very heavy  
2 workload.

3  
4 Mr. Traini stated that he appreciated Ms. Burke's dedication and thanked all BOE members for all their hard work.

5  
6 Dr. Selkregg stated that she had submitted an appeal in 2007 and had been impressed when she had gone before the  
7 BOE. A very well-prepared and thorough staff had convinced her that her property assessment had been correct.

8  
9 Chair Coffey complimented the hard-working board and staff on their success of resolving cases, during a time when  
10 assessments were continuing to increase with the market.

11  
12 and this was passed without objection,  
13 with Mr. Sullivan and Mr. Bauer, each excused.

14  
15 10.D.12. Assembly Memorandum No. AM 440-2007, Amendment No. 1 to Utility Relocation Agreement with  
16 **Chugach Electric Association, Inc. (CEA)** for 84th Avenue and Spruce Street Improvements,  
17 Project Nos. 02-02 and 02-08 (\$25,000); Project Management & Engineering.

18  
19 Mr. Claman moved, to approve AM 440-2007,  
20 Ms. Ossiander seconded,

21  
22 To Mr. Claman, Municipal Engineer Howard Holtan responded the Assembly had passed an ordinance requiring  
23 utilities to create reserves and underground a percentage of their utilities every year. The city urged undergrounding  
24 whenever possible and practical and met annually with the utilities to coordinate their undergrounding efforts with  
25 municipal road projects. Mr. Holtan responded that the utilities at 84<sup>th</sup> and Spruce Street would be undergrounded as  
26 part of the local (road) construction.

27  
28 and this passed without objection,  
29 with Mr. Sullivan and Mr. Bauer, each excused.

30  
31 **10.E. INFORMATION AND REPORTS**

32 10.E.1. Information Memorandum No. AIM 70-2007, an update to the Assembly on the Municipality of  
33 Anchorage **Ten-Year Plan on Homelessness**; Department of Neighborhoods.

34  
35 Ms. Ossiander moved, to postpone AIM 70-2007 to ~~[August 14,]~~ September 11,  
36 Mr. Starr seconded, 2007, with a worksession scheduled on ~~[August 10<sup>th</sup>]~~  
37 September 7<sup>th</sup>,

38  
39 Ms. Ossiander stated Ten-Year Plan on Homelessness was a significant update and had been addressed by the  
40 Public Safety Committee. The Title 21 Committee would also review the report and had requested updated  
41 information, particularly information on mobile home parks. The Title 21 Committee and the Department of  
42 Neighborhoods staff would discuss the matter at a worksession on August 10<sup>th</sup>.

43  
44 Dr. Selkregg requested that cooperative ownership also be addressed and requested consideration of changing the  
45 worksession date to September 7<sup>th</sup>. Department of Neighborhoods Director Tyler Robinson concurred. Ms. Ossiander  
46 accepted this as a friendly amendment.

47  
48 and this was amended and approved without objection,  
49 with Mr. Sullivan and Mr. Bauer, each excused.

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

52 10.F.3. Ordinance No. AO 2007-100, an ordinance of the Anchorage Municipal Assembly amending  
53 Anchorage Municipal Code Section 17.10.010, **Animals in Public Places**, and Section 17.10.015,  
54 Animals Creating Disturbance or Nuisance, to repeal the exception for control by command and to  
55 prohibit dogs in municipal ballfields, playing fields, and outdoor courts enclosed or otherwise  
56 designated for sports; and amending 17.70.020, Civil Penalties for Animal Care and Control Violations,  
57 to establish an enhanced fine for violation of the prohibition; Assembly Chair Coffey. (*Public Hearing*  
58 *8-14-07*)

59  
60 Ms. Ossiander moved, to introduce AO 2007-100 and to change the Public Hearing  
61 Dr. Selkregg seconded, date to September 25, 2007 and to refer to the Parks and  
62 Recreation Advisory Commission and to the Animal Control  
63 Advisory Board,

64  
65 To Mr. Tesche, Chair Coffey responded that AO 2007-100 had been introduced and he had requested  
66 recommendations from the Animal Control Advisory Board and the Parks and Recreation Commission.

67  
68 To Mr. Traini, Mr. Claman responded that AO 2007-100 and AO 2007-106 would be addressed together at the  
69 committees and when they came back before the Assembly. Municipal Clerk Barbara Gruenstein and Chair Coffey  
70 concurred.

71  
72 Dr. Selkregg stated that she had taken calls on this matter and most of the concerns were complex, but resolvable.

73  
74 and this was passed without objection,  
75 with Mr. Sullivan and Mr. Bauer, each excused.

76  
77 10.F.4. Ordinance No. AO 2007-101, an ordinance of the Anchorage Municipal Assembly amending  
78 Anchorage Municipal Code Section 21.45.140, **Setbacks from Projected Rights-of-Way**, to permit  
79 canopies, awnings, incidental architectural features, and public art within the right-of-way setback;  
80 Assembly Chair Coffey. (*Public Hearing [8-14-07] 9-11-07*)

1 a. Assembly Memorandum No. AM 443-2007.

2  
3 Dr. Selkregg moved, *to introduce* AO 2007-101 with Public Hearing set for  
4 Ms. Ossiander seconded, August 14, 2007,  
5 Mr. Starr was the concurring third,  
6 and this was later amended.  
7

8 Dr. Selkregg stated that 'incidental architectural features' was a very broad and undefined term and she requested that  
9 it be clarified to lessen future conflicts. Chair Coffey concurred and responded that matters of rights-of-way involved  
10 issues of building heights, awnings, canopies and the like. Defining the term would help resolve the matter. Dr.  
11 Selkregg stated that a definition would offer clarity and she recommended sending the matter to the Title 21  
12 Committee or the Planning and Zoning (P&Z) Commission (*for recommendation*). To Chair Coffey, Deputy Municipal  
13 Manager Michael Abbott responded the ordinance was not currently scheduled to be reviewed by the P&Z.  
14

15 Mr. Claman moved, *to change* AO 2007-101 Public Hearing to September 11,  
16 Ms. Ossiander seconded, 2007 and *to refer* to the Title 21 Committee for  
17 and approved without objection, recommendation,  
18 with Mr. Sullivan and Mr. Bauer, each excused.  
19

20 To Chair Coffey, Assembly Counsel Julia Tucker responded that 'architectural feature' was a defined term in Title 21.  
21

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

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

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

25 **14. NEW PUBLIC HEARINGS**

26 14.A. Assembly Memorandum No. AM 406-2007, re-appointment to the **Executive Staff** (Timothy G.  
27 Middleton, Administrative Hearing Officer); Legal Department.  
28

29 Mr. Traini moved, *to approve* AM 406-2007,  
30 Dr. Selkregg seconded,  
31 and this was passed, 9-0.  
32

33 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

34 NAYES: None.

35 ABSENT: Sullivan and Bauer, each excused.  
36

37 14.B. Resolution No. AR 2007-153, a resolution of the Municipality of Anchorage accepting and  
38 appropriating **2007 State of Alaska Legislative grants** (\$89,614,800) per Senate Bill 53; Office of  
39 Management & Budget.

40 1. Assembly Memorandum No. AM 397-2007.

41 2. Resolution No. AR 2007-153(S), a resolution of the Municipality of Anchorage accepting and  
42 appropriating 2007 State of Alaska Legislative grants (\$54,635,800) per Senate Bill 53; Office  
43 of Management & Budget. (**Addendum**)

44 3. Assembly Memorandum No. AM 397-2007(A). (**Addendum**)  
45  
46  
47  
48

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

52 Dr. Selkregg moved, *to approve* AR 2007-153(S),  
53 Mr. Traini seconded,  
54

55 Mr. Traini stated that he had considered amending the document to add the things that Governor Palin had vetoed.  
56

57 and this was passed, 9-0.  
58

59 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

60 NAYES: None.

61 ABSENT: Sullivan and Bauer, each excused.  
62

63 14.C. Resolution No. AR 2007-158, a resolution of the Anchorage Municipal Assembly approving a  
64 conditional use for an alcoholic beverages conditional use in the B-3 (General Business) District for a  
65 restaurant/eating place use per AMC 21.40.180 D.8, for Patricia A. Johann, dba **Johann's**  
66 **Restaurant**, located at 11901 Old Glenn Highway within Robert Pippel Subdivision #2, Block 11, Lot  
67 7B3; generally located on the northeast corner of the Old Glenn Highway and Hanson Drive (Eagle  
68 River Community Council) (Case 2007-092); Planning Department.

69 1. Assembly Memorandum No. AM 415-2007.  
70

71 Chair Coffey read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
72 called the Question.  
73

74 Mr. Starr moved, *to approve* AR 2007-158,  
75 Dr. Selkregg seconded,  
76

77 Ms. Ossiander urged Assemblymembers to visit Johann's, which was an excellent restaurant. She urged support.  
78

79 Mr. Starr stated that Johann's had good food and he wished them well. He urged approval.  
80

1 and this passed without objection, 9-0.

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

6  
7 14.D. Ordinance No. AO 2007-88, an ordinance of the Anchorage Municipal Assembly amending the zoning  
8 map, and providing for the rezoning from R-2A SL (Two-Family Residential) District with Special  
9 Limitations, to PLI (Public Lands and Institutions), for a portion of **Government Lot 6, Tract A**,  
10 containing 9 +/- acres, located within the SE ¼ NE ¼ of Section 36, lying north of Fire Creek, T15N,  
11 R2W, S.M. (Proposed Alaska State Land Survey #2006-3, Tract A, Per S-11420-1); generally located  
12 east of the Old Glenn Highway, and on the north side of Fish Hatchery Road in Eagle River (Chugiak  
13 Community Council) (Planning and Zoning Case 2007-049); Planning Department.  
14 1. Assembly Memorandum No. AM 389-2007.

15  
16 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
17 called the Question.

18  
19 Dr. Selkregg moved, to approve AO 2007-88,  
20 Mr. Traini seconded,  
21 and this passed without objection, 9-0.

22  
23 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.  
24 NAYES: None.  
25 ABSENT: Sullivan and Bauer, each excused.

26  
27 14.E. Ordinance No. AO 2007-97, an ordinance of the Anchorage Municipal Assembly amending the **Utility**  
28 **Corridor Plan** to add a new water transmission line corridor (Planning and Zoning Commission Case  
29 No. 2007-068).  
30 1. Assembly Memorandum No. AM 420-2007.

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

34  
35 Mr. Traini moved, to approve AO 2007-97,  
36 Ms. Ossiander seconded,

37  
38 Dr. Selkregg stated this was a good plan that was now even better. The new (*utility corridor*) alignment had less  
39 impact, in a sensitive area where residents were concerned with the loss of green space.

40  
41 Mr. Traini stated this route was a big improvement for his and Chair Coffey's district. The original plan had the utility  
42 corridor going down Lake Otis (*Parkway*), which would have torn up and disrupted the area.

43  
44 and this passed without objection, 9-0.

45  
46 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.  
47 NAYES: None.  
48 ABSENT: Sullivan and Bauer, each excused.

49  
50 14.F. Ordinance No. AO 2007-92, an ordinance amending Anchorage Ordinance 97-101 (As Amended)  
51 regarding **Hollywood Vista** to delete a Special Limitation requirement for buffer landscaping along the  
52 south facing bluff of Tracts 1 & 2, U.S. Survey 3026, Section 8, T13N, R3W, Seward Meridian;  
53 Assemblymember Tesche.  
54 1. Assembly Memorandum No. AM 404-2007.

55  
56 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
57 called the Question.

58  
59 Mr. Tesche moved, to approve AO 2007-92,  
60 Mr. Traini seconded,

61  
62 To Mr. Tesche, Economic and Community Development Deputy Director Schawna Thoma responded the ordinance  
63 was in response to the community's request to prevent trees from being planted on the south-facing bluff. The  
64 neighbors, the community council and an advisory group in the neighborhood were in agreement. The Planning and  
65 Zoning Commission had approved the revised plan, which did not require the landscaping. It was not necessary to  
66 have it reviewed by the commission again.

67  
68 Mr. Tesche moved, to amend AO 2007-92 *by moving* Lines 19 to 21 on Page 1,  
69 Mr. Traini seconded, *to create* a new section on Page 1, Lines 35-37, to read:  
70 "**Section 2.** [WHEREAS-] "In light of the above noted  
71 circumstances, this ordinance does not require formal review  
72 or recommendation of the Planning and Zoning Commission  
73 as otherwise required by chapter 21.20. " [;- now therefore;];  
74 and by re-labeling [Section-2] "**Section 3;**"

75  
76 To Dr. Selkregg, Mr. Tesche responded the planned buffering would have blocked residents' views.

77  
78 and this was approved without objection.  
79

1 Mr. Birch stated there were requirements to leave buffer landscaping around large land developments and he  
2 questioned if the same requirements pertained to private landowners. Planning Director Tom Nelson responded that  
3 there would be no buffer landscaping required for this particular circumstance, even though it was a private property,  
4 because they wanted to take advantage of the scenic asset of the south-facing bluff.

5  
6 To Dr. Selkregg, Mr. Nelson responded the hill was owned by the (*Alaska*) Railroad and the buffer would have had to  
7 be at the top of the hill.

8  
9 To Mr. Birch, Anchorage Community Development Authority (*ACDA*) Executive Director Carma Reed responded the  
10 property benefited from not having trees blocking the view. There was not a dollar figure attached to the trees, but the  
11 property appraisals would take the views into account.

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

14  
15 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

16 NAYES: None.

17 ABSENT: Sullivan and Bauer, each excused.

18  
19 14.G. Ordinance No. AO 2007-91, an ordinance authorizing withdrawal of a portion of **Parcel 1-075** from  
20 Heritage Land Bank Inventory to the Real Estate Services Division for disposal to the State of Alaska  
21 for road right-of-way; Heritage Land Bank.

22 1. Assembly Memorandum No. AM 403-2007.

23  
24 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
25 called the Question.

26  
27 Ms. Ossiander moved, to approve AO 2007-91,  
28 Mr. Traini seconded,  
29 and this passed without objection, 9-0.

30  
31 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

32 NAYES: None.

33 ABSENT: Sullivan and Bauer, each excused.

34  
35 14.H. Ordinance No. AO 2007-93, an ordinance amending Anchorage Municipal Code Chapter 1.15, Code  
36 of Ethics and Chapter 27.20, **Supervisory Boards**, to authorize elected service area board members  
37 to hold other compensated employment with the Municipality or the Anchorage School District, subject  
38 to the Code of Ethics; Assemblymembers Birch and Johnston.

39 1. Ordinance No. AO 2007-93(S), an ordinance amending Anchorage Municipal Code Chapter  
40 1.15, Code of Ethics and Chapter 27.20, Supervisory Boards, to authorize elected service  
41 area board members to hold other compensated employment with the Municipality or the  
42 Anchorage School District, subject to the Code of Ethics; Assemblymembers Birch and  
43 Johnston. (**Laid on the Table**)

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

47  
48 Mr. Birch moved, to approve AO 2007-93(S),  
49 Ms. Johnston seconded,

50  
51 Mr. Traini disclosed a possible conflict of interest because his wife worked for the Anchorage School District. Chair  
52 Coffey ruled that Mr. Traini had no conflict of interest and ordered him to participate.

53  
54 Mr. Birch supported the ordinance, which would enable a constituent from his and Ms. Johnston's district, who was a  
55 school teacher, to participate in the road supervisory board in their community. All capable and qualified people  
56 should be able to participate with their local government. He urged approval.

57  
58 and this passed without objection, 9-0.

59  
60 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

61 NAYES: None.

62 ABSENT: Sullivan and Bauer, each excused.

63  
64 14.I. Ordinance No. AO 2007-94, an ordinance of the Anchorage Municipal Assembly adopting a new  
65 chapter in Title 29, Schools to require all public, private and religious schools to file **emergency**  
66 **contact information** with the Anchorage Police Department; Assemblymember Claman.

67 1. Assembly Memorandum No. AM 414-2007.

68 2. Ordinance No. AO 2007-94(S), an ordinance of the Anchorage Municipal Assembly adopting a  
69 new chapter in Title 29, Schools to require all public, private and religious schools to file  
70 emergency contact information with the Anchorage Police Department; Assemblymember  
71 Claman

72 3. Assembly Memorandum No. AM 414-2007(A).

73  
74 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
75 called the Question.

76  
77 Mr. Claman moved, to approve AO 2007-94(S),  
78 Mr. Traini seconded,

79

1 Mr. Claman stated that the Anchorage Police Department (APD) considered this a safety concern and had requested  
2 emergency contact information from all public, private and religious schools. He urged approval.

3  
4 and this was approved, 8-0.

5  
6 AYES: Tesche, Traini, Starr, Coffey, Johnston, Birch, Selkregg and Claman.

7 NAYES: None.

8 ABSENT: Sullivan and Bauer, each excused.

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

10  
11 14.J. Resolution No. AR 2007-154, a resolution of the Municipality of Anchorage, Alaska, accepting and  
12 appropriating a State of Alaska Drinking Water Fund loan offer in the amount of \$5,300,000 for  
13 financing a portion of the costs of the **SCADA Water, Phase III Project**; Anchorage Water &  
14 Wastewater Utility.

15 1. Assembly Memorandum No. AM 398-2007.

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

19 Dr. Selkregg moved, to approve AR 2007-154,

20 Mr. Traini seconded,

21 and this passed without objection, 8-0.

22  
23 AYES: Tesche, Traini, Starr, Coffey, Johnston, Birch, Selkregg and Claman.

24 NAYES: None.

25 ABSENT: Sullivan and Bauer, each excused.

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

27  
28  
29 14.K. Resolution No. AR 2007-155, a resolution of the Municipality of Anchorage appropriating an amount  
30 not to exceed \$407,510 from the Chugiak Fire Service Area Fund Balance (104), through the  
31 Anchorage Fire Department Chugiak Fire 2007 Operating Budget, as a contribution to the Chugiak  
32 Fire Service Area Capital Improvement Fund (404), Anchorage Fire Department, to purchase a new  
33 **emergency response fire apparatus** for the Chugiak Volunteer Fire Department; Anchorage Fire  
34 Department.

35 1. Assembly Memorandum No. AM 399-2007.

36  
37 Chair Coffey read the resolution title and opened Public Hearing.

38  
39 BILL McCLAIN, member of the Chugiak Volunteer Fire Department Board of Supervisors, stated this would purchase a  
40 2,500-gallon tanker that would be stationed at Station 35 in Chugiak. To Mr. Starr, Mr. McClain responded the  
41 department had enough cash in their 104 reserve account to pay for the equipment. He responded the department  
42 had 23 pieces of emergency equipment and serviced all of Chugiak and had a mutual aid agreement for their tankers  
43 to service Eagle River upon request. Chugiak Volunteer Fire Department Chief BRUCE BARTLEY responded this  
44 addition would give the department an 11,000-gallon capacity on wheels. Mr. Starr and Mr. Birch thanked them for  
45 their service.

46  
47 With no additional public testimony, Chair Coffey closed Public Hearing and called the Question.

48  
49 Mr. Birch moved, to approve AR 2007-155,

50 Mr. Claman seconded,

51 and this was passed, 9-0.

52  
53 AYES: Tesche, Traini, Starr, Coffey, Ossiander Johnston, Birch, Selkregg and Claman.

54 NAYES: None.

55 ABSENT: Sullivan and Bauer, each excused.

56  
57 14.L. Resolution No. AR 2007-156, a resolution of the Municipality of Anchorage appropriating an amount  
58 not to exceed \$1,500,000 as a contribution from the Port of Anchorage Capital Improvement Fund  
59 (571) to the Anchorage Community Development Authority Fund (598) and revising the Anchorage  
60 Community Development Authority 2007 Capital Improvement Budget for gravel removed from the  
61 **Tak'atnu Development site** and related costs; Anchorage Community Development Authority.

62 1. Assembly Memorandum No. AM 400-2007.

63  
64 Chair Coffey read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
65 called the Question.

66  
67 Ms. Ossiander moved, to approve AR 2007-156,

68 Mr. Traini seconded,

69  
70 To Dr. Selkregg, Anchorage Community Development Authority (ACDA) Executive Director Carma Reed responded  
71 that gravel on the development site needed to be removed to accommodate terracing requirements. The ACDA Board  
72 had considered all options and had determined the best option was to sell the gravel to the Port of Anchorage.

73  
74 To Mr. Birch, Ms. Reed responded the Port would pay for the 112,000 cubic yards of gravel. The city would pay for the  
75 costs of extracting and transporting the gravel to the Port's stockpile. The ACDA would make no money on the  
76 exchange. It was a win-win situation for all entities. Mr. Birch stated that the gravel was owned by the city and was  
77 sold to the Port, which was owned by the city, and he questioned why the city would not net out some of the \$1.5  
78 million. Mayor Begich responded the Port would benefit from lower cost gravel.

1 Mr. Claman understood the development project had gravel that needed to be removed to make the building project  
2 viable. Selling the gravel on the open market would possibly make income, but would cause a delay in the  
3 development. The Port would get the gravel at a lower cost. Mayor Begich responded that having the development  
4 completed would benefit the city with an increased tax base. Ms. Reed responded that delaying the development  
5 project would potentially jeopardize its success. She responded that there were unknown contaminants in the gravel  
6 from the old Hollywood Vista development and there was a potential risk, selling it on the open market.

7  
8 To Ms. Ossiander, Port of Anchorage Finance and Administration Director Edward Leon responded the Port would  
9 benefit by receiving lower cost gravel and by not having to pay transportation costs of gravel purchased from a more  
10 distant location.

11  
12 To Mr. Claman, Mr. Leon responded that other gravel sources included Elmendorf, Chugiak and sites further out, with  
13 increased transportation costs.

14  
15 and this was passed, 9-0.

16  
17 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

18 NAYES: None.

19 ABSENT: Sullivan and Bauer, each excused.

20  
21 14.M. Resolution No. AR 2007-157, a resolution of the Municipality of Anchorage accepting a Federal Transit  
22 Administration Section 5307 Urban Area Capital Assistance grant and appropriating \$600,000 for the  
23 design and construction of **transit bus stop improvements** to the Public Transportation Capital Fund  
24 (485); Public Transportation Department.

25 1. Assembly Memorandum No. AM 401-2007.

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

29  
30 Ms. Ossiander moved, to approve AR 2007-157,  
31 Mr. Traini seconded,  
32 and this passed without objection, 9-0.

33  
34 AYES: Tesche, Traini, Starr, Coffey, Ossiander, Johnston, Birch, Selkregg and Claman.

35 NAYES: None.

36 ABSENT: Sullivan and Bauer, each excused.

37  
38 **15. SPECIAL ORDERS** There were none.

39  
40 **16. UNFINISHED AGENDA** There was none.

41  
42 **17. AUDIENCE PARTICIPATION** There were none.

43  
44 **18. ASSEMBLY COMMENTS**

45  
46 Dr. Selkregg stated that she appreciated the Administration's keeping the Assembly informed on current issues.

47  
48 **19. EXECUTIVE SESSIONS** There were none.

49  
50 **20. ADJOURNMENT**

51  
52 Chair Coffey called for a motion to adjourn the meeting.

53  
54 Mr. Traini moved, to adjourn the Regular Assembly Meeting,  
55 Ms. Ossiander seconded,  
56 and this was passed without objection.

57  
58 The Regular Assembly Meeting was adjourned at 7:15 p.m.

59  
60  
61  
62  
63 *See Archived Document for Signatures*

64  
65 \_\_\_\_\_  
66 DAN COFFEY, Assembly Chair

67 ATTEST:

68  
69  
70  
71 *See Archived Document for Signatures*

72  
73 \_\_\_\_\_  
74 BARBARA GRUENSTEIN, Municipal Clerk

75 Date Minutes Approved: August 28, 2007.

76 MC/BG

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