

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of January 22, 2008

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Coffey at 5:02 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, William Starr, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman.

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Claman led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – November 13, 2007.

Ms. Ossiander moved, to approve Meeting Minutes of November 13, 2007,
Dr. Selkregg seconded,
and this was approved without objection,
with Mr. Sullivan abstaining, due to an excused absence on that date.

4.B. Regular Meeting – November 27, 2007, Continued to November 29, 2007.

Ms. Ossiander moved, to approve Meeting Minutes of November 27, 2007,
Ms. Johnston seconded, Continued to November 29, 2007,
and this was approved without objection.

5. MAYOR'S REPORT None.

6. ASSEMBLY CHAIR'S REPORT None.

7. COMMITTEE REPORTS

Mr. Claman reported the Public Safety Committee would meet on January 23rd at 12:00 p.m. at the Assembly Conference Room to discuss APD officers' driving their patrol cars to the (*Matanuska-Susitna*) Valley. Ms. Ossiander requested that associated costs be identified. Mr. Traini requested that the union contract be reviewed, to determine allowances.

Mr. Bauer reported the Municipal Audit Committee had met the preceding week and addressed the Draft Audit Plan, with consensus from the committee and the Administration. Items were added that would be helpful for future audits. Municipal Internal Auditor Peter Raiskums would present the final draft to the Assembly on January 29th. Ms. Ossiander reported the consultant had recommended both an operations audit and a cash audit of Solid Waste Services. Mr. Raiskums had indicated there may be a problem with the operations audit and she requested that the Audit Committee review the matter. Mr. Bauer concurred.

Ms. Ossiander reported the Title 21 Committee had completed their review of Chapter 6 and was beginning Chapter 3. An economic impact analysis study would soon be released and the consultant had submitted a preliminary draft report that would be reviewed by the Assembly. A worksession would be scheduled to discuss the significant impacts.

Mr. Starr reported the Finance Committee would meet in February, to review the Administration's new charitable giving policy, the upcoming vacancy factor and turnover policy and the preliminary summary of the quarterly reports. Chief Fiscal Officer Sharon Weddleton responded the summary would be ready for their review by the third week in February.

Mr. Sullivan stated the Elections Committee meeting that was scheduled the preceding Friday had been cancelled and would be rescheduled to consider the Clean Elections resolution.

8. ADDENDUM TO AGENDA

Chair Coffey called for a motion and read the Addendum items. He called for additional items and AR 2008-14 and AR 2008-15 were added and assigned Agenda Numbers 9.A.2 and 9.B.6, respectively. There were no additional items and Chair Coffey called for a vote to incorporate the Addendum items into the Consent Agenda.

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

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

Chair Coffey called the Question on the Consent Agenda.

Mr. Tesche moved, to approve the Consent Agenda,
Mr. Traini 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 2008-8, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Barbara Niziol** for her 27 years of service with the Municipality of Anchorage.

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

9.A.2. Resolution No. AR 2008-14, a resolution of the Anchorage Assembly designating January 24, 2008 as **Thank You Mentor Day**; Vice Chair Debbie Ossiander and Assembly Members Bauer, Birch, Claman, Coffey, Johnston, Selkregg, Starr, Sullivan, Tesche, Traini and Mayor Begich. (**Laid on the Table**)

Ms. Ossiander moved, to introduce AR 2008-14,
Mr. Starr seconded,
Mr. Sullivan was the concurring third.

Ms. Ossiander 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 2008-7, a resolution of the Anchorage Municipal Assembly adopting an Assembly policy for **contracting with outside consultants**; Assembly Chair Coffey.

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

9.B.2. Resolution No. AR 2008-9, a resolution of the Municipality of Anchorage providing for the appropriation of \$42,525 of Friends of the Library donations to the Miscellaneous Operational Grants Fund (261) to the Office of Economic and Community Development for the purchase of **library books and materials**.

a. Assembly Memorandum No. AM 36-2008.

9.B.3. Resolution No. AR 2008-10, a resolution of the Anchorage Municipal Assembly authorizing Municipal Light and Power to transfer, not to exceed, \$47,500 to **Alaska Railbelt Energy Authority**, a Joint Action Agency, to pay its share of administrative and overhead costs for Fiscal Year 2008.

a. Assembly Memorandum No. AM 37-2008.

9.B.4. Resolution No. AR 2008-11, a resolution of the Municipality of Anchorage appropriating \$9,018 from a National Park Service Challenge Cost Share Program Grant to the Federal Categorical Grant Fund (241) for Anchorage Parks and Recreation Department, Girdwood Valley Service Area for **Iditarod National Historic Trail Reconstruction**; and contributing \$164 from the Girdwood Service Area Fund (106) to the Categorical Grant Fund (241) to cover associated grant accounting services.

a. Assembly Memorandum No. AM 38-2008.

9.B.5. Resolution No. AR 2008-12, a resolution of the Municipality of Anchorage appropriating \$20,000 as a grant from the National Endowment for the Arts and \$15,000 as a contribution from Areawide General Operating Fund (101), Economic and Community Development Budget, to the State Categorical Grant Fund (231), and \$5,000 as a donation from Friends of the Library to the Miscellaneous Operational Grants Fund (261) for the **Big Read Program**. (**Addendum**)

a. Assembly Memorandum No. AM 55-2008.

Mr. Starr requested this item be pulled for review on the Regular Agenda. (*See item 10.B.5*)

9.B.6. Assembly Resolution No. AR 2008-15, a resolution of the Anchorage Assembly requiring a revised **Russian Jack Springs Park Plan Development Process** based on public input, the current multi-use quality of the park and long term sustainability of its natural setting; Assemblymembers Selkregg and Tesche. (**Laid on the Table**)

Dr. Selkregg moved, to introduce AR 2008-15,
Mr. Tesche seconded.

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

9.C. **BID AWARDS** There were no items.

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 29-2008, **Assembly Meeting Schedule** (April 2008 – September 2008); Assembly Chair Coffey.

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

- 1 9.D.2. Assembly Memorandum No. AM 45-2008, proprietary purchase with **Legislative Consultants in**
2 **Alaska** for professional lobbying services for the Municipality of Anchorage, Municipal Light and
3 Power and Anchorage Water & Wastewater Utility (NTE \$110,000); Mayor's Office.
4 9.D.3. Assembly Memorandum No. AM 46-2008, proprietary purchase with the **Law Offices of Mitch D.**
5 **Gravo** for professional lobbying services for the Municipality of Anchorage, Not to Exceed \$35,000;
6 Mayor's Office.
7 9.D.4. Assembly Memorandum No. AM 47-2008, 2008 grant award to **Anchor-Age Center, Inc.** and contract
8 (\$1,975,300); Health & Human Services.
9

10 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.D.4)
11

- 12 9.D.5. Assembly Memorandum No. AM 48-2008, 2008 grant award to **Chugiak Senior Citizens, Inc.**
13 (\$1,500,000); Health & Human Services.
14

15 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.D.5)
16

- 17 9.D.6. Assembly Memorandum No. AM 49-2008, approval to enter into **grant agreements** with The ARC of
18 Anchorage (\$98,000), NorthEast Community Center (\$181,430) and the Boys and Girls Club of
19 Greater Anchorage–Mountain View Recreation Center (\$350,250); Anchorage Parks & Recreation
20 Department.
21

22 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.6)
23

- 24 9.D.7. Assembly Memorandum No. AM 50-2008, approval of Change Order No. 1 to Alaska Frontier
25 Services. LLC contract (PO No. 270893) increasing the contract by \$80,457.35 for a contract amount
26 Not-To-Exceed (NTE) \$288,827.80 to provide construction services for the **Sitka Street/Parkside**
27 **Drive Maintenance Reconstruction Project**; Maintenance and Operations Department.
28 9.D.8. Assembly Memorandum No. AM 51-2008, Utility Relocation Agreement with Chugach Electric
29 Association, Inc. (CEA), **Raspberry Road Extension**, Minnesota Drive to Arctic Boulevard, Project
30 No. 02-13 (\$200,000); Project Management & Engineering.
31 9.D.9. Assembly Memorandum No. AM 52-2008, proprietary purchase with **Dimond Center, LLC** for security
32 guard services at the South Anchorage People Mover Transit Center for the Municipality of
33 Anchorage, Public Transportation Department (\$33,280); Purchasing.
34

35 Mr. Bauer requested this item be pulled for review on the Regular Agenda. (See item 10.D.9)
36

- 37 9.D.10. Assembly Memorandum No. AM 56-2008, **2008/2009 Liquor License Renewals**: Anchorage Curling
38 Club #3187 – Club; Tempura Kitchen #4692, McGinley's Alaska Pub #4545, Suite 100 #4662, Tips
39 Bar #1142, Darwin's Theory #987, Eddie's Sports Bar #3596 – Beverage Dispensary; Szechuan
40 Restaurant #4368, Sizzlin Café #4573, Yen King #2930, Skin & Benny Pizza #3277, Peking Palace
41 #1691, China town Restaurant #3836, Jamico's Pizzeria #3889 – Restaurant/Eating Place; Mom &
42 Pop's Grocery & Liquor #3219, Party Time Plaza Liquor #2385 – Package Store (Taku/Campbell, Mt.
43 View, Government Hill, Downtown, Eagle River, Midtown, Spenard Community Councils); Clerk's
44 Office. (**Addendum**)
45

46 Mr. Sullivan requested this item be pulled for review on the Regular Agenda. (See item 10.D.10)
47

48 **9.E. INFORMATION AND REPORTS**

- 49 9.E.1. Information Memorandum No. AIM 4-2008, Information concerning a **proposed alternative**
50 **methodology for levying water and sanitary sewer assessments** created by main line extension;
51 Anchorage Water and Wastewater Utility.
52

53 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.E.1)
54

- 55 9.E.2. Information Memorandum No. AIM 5-2008, **AWWU Regulatory Report**.
56 9.E.3. Information Memorandum No. AIM 6-2008, **contracts awarded between \$50,000 and \$500,000**
57 **through formal competitive processes** for the month of December 2007; Purchasing.
58

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

- 60 9.F.1. Ordinance No. AO 2008-11, an ordinance of the Municipality of Anchorage, Alaska,, authorizing and
61 providing for the borrowing from the State of Alaska Drinking Water Fund of an aggregate amount not
62 to exceed \$4,210,000 for the purpose of financing a portion of the costs of various **AWWU 2008**
63 **Capital Improvement Budget (CIB) Water Improvements Projects** and providing for related
64 matters; Anchorage Water and Wastewater Utility. (*Public Hearing 2-26-08*)
65 a. Assembly Memorandum No. AM 39-2008.
66 9.F.2. Ordinance No. AO 2008-12, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
67 providing for the borrowing from the State of Alaska Clean Water Fund of an aggregate amount not to
68 exceed \$956,000 for the purpose of financing a portion of the costs of various **AWWU 2008 Capital**
69 **Improvement Budget (CIB) Sewer Improvement Projects** and providing for related matters;
70 Anchorage Water and Wastewater Utility. (*Public Hearing 2-12-08*)
71 a. Assembly Memorandum No. AM 40-2008.
72 9.F.3. Ordinance No. AO 2008-13, an ordinance authorizing the sale of **Heritage Land Bank Parcel 1-007-**
73 **C**, located on Jasmine Road in Chugiak, by competitive bid to the highest qualifying bidder for at least
74 fair market value plus costs. (*Public Hearing 2-12-08*)
75 a. Assembly Memorandum No. AM 41-2008.
76 9.F.4. Ordinance No. AO 2008-14, an ordinance amending Anchorage Municipal Code Section 19.40.100 to
77 authorize a **new funding program for roads** incorporated into Anchorage Road & Drainage Service
78 Area (ARDSA) from a Limited Road Service Area (LRSA) or Road Service Area (RSA); Project
79 Management & Engineering. (*Public Hearing 2-26-08*)

- 1 a. Assembly Memorandum No. AM 42-2008.
- 2 9.F.5. Ordinance No. AO 2008-15, an ordinance amending Anchorage Municipal Code Sections 21.10.028,
- 3 21.15.015, and 21.15.030 to give **site plan authority** over certain developments to the Urban Design
- 4 Commission (Planning Case 2007-136); Planning Department. (*Public Hearing 2-26-08*)
- 5 a. Assembly Memorandum No. AM 43-2008.
- 6

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

8

- 9 9.F.6. Ordinance No. AO 2008-16, an ordinance amending Anchorage Municipal Code Sections 5.20.020A.,
- 10 5.50.070, 5.60.020A., 5.70.040, and 5.80.060A., to clarify jurisdiction over **owner's associations**,
- 11 provide additional discovery, allow administrative closures based on the allocation of commission
- 12 resources, allow commission cases to be heard with a hearing officer, and change confidentiality
- 13 provisions to allow staff to contact the appropriate authorities; Anchorage Equal Rights Commission.
- 14 (*Public Hearing 2-26-08*)
- 15 a. Assembly Memorandum No. AM 44-2008.
- 16

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

18

- 19 9.F.7. Ordinance No. AO 2008-18, an ordinance of the Anchorage Municipal Assembly amending Anchorage
- 20 Municipal Code Section 12.15.015, **Exemptions to Real Property Taxation**, to include additional
- 21 provisions for waiver of timely filing when final disability determinations are received after the period of
- 22 timely filing; Assemblymember Traini, Tesche and Selkregg. (*Public Hearing 2-12-08*) (**Addendum**)
- 23 a. Assembly Memorandum No. AM 54-2008.
- 24

25 Mr. Tesche and Dr. Selkregg requested to be added as cosponsors to the ordinance.

26

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

28

29 and this motion, as amended, was passed.

30

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

32 NAYES: None.

33

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

35

36 END OF CONSENT AGENDA

37

38 10. REGULAR AGENDA

39 10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

- 40 10.A.1. Resolution No. AR 2008-8, a resolution of the Anchorage Municipal Assembly recognizing and
- 41 honoring **Barbara Niziol** for her 27 years of service with the Municipality of Anchorage.
- 42

43 Mr. Sullivan moved, to approve AR 2008-8,

44 Mr. Bauer seconded,

45 and this was approved without objection, 11-0.

46

47 Mr. Bauer read and Mr. Sullivan presented the resolution to Barbara Niziol, recognizing and honoring her for her 27

48 years of service to the AWWU and the city. Ms. Niziol thanked the Assembly for the recognition and AWWU personnel

49 and coworkers for their support over the years. She stated she was proud that she could serve Anchorage citizens.

50

- 51 10.A.2. Resolution No. AR 2008-14, a resolution of the Anchorage Assembly designating January 24, 2008 as
- 52 **Thank You Mentor Day**; Vice Chair Debbie Ossiander and Assembly Members Bauer, Birch, Claman,
- 53 Coffey, Johnston, Selkregg, Starr, Sullivan, Tesche, Traini and Mayor Begich. (**Laid on the Table**)
- 54

55 Ms. Ossiander moved, to approve AR 2008-14,

56 Mr. Starr seconded,

57 and this was approved, 11-0.

58

59 Ms. Ossiander read and Mr. Starr presented the resolution, designating January 24, 2008 as Thank You Mentor Day,

60 designed to support Americans positively influencing the lives of those around them. Barbara Jewel and Beau Bassett

61 with the Anchorage Mentoring Alliance accepted the resolution on behalf of all Alaskans honoring and remembering

62 their mentors. Mr. Bassett reported many citywide activities were being held throughout the month and he encouraged

63 Assemblymembers and the community to join the celebration scheduled for January 24th from 4:00 to 6:00 p.m. in the

64 Assembly Chambers. To Mr. Bauer, Mr. Bassett responded that Alaska Youth Challenge was involved and would be

65 honoring mentors on January 24th. Mr. Bauer, Ms. Ossiander and Dr. Selkregg thanked them for their efforts.

66

67 10.B. RESOLUTIONS FOR ACTION - OTHER

- 68 10.B.1. Resolution No. AR 2008-7, a resolution of the Anchorage Municipal Assembly adopting an Assembly
- 69 policy for **contracting with outside consultants**; Assembly Chair Coffey.
- 70

71 Mr. Claman moved, to approve AR 2008-7,

72 Mr. Sullivan seconded,

73

74 Mr. Claman stated that there had been concerns raised about how the proposed policy on outside consultants

75 integrated with the purchasing process and he recommended postponing this resolution for a week to allow Deputy

76 Municipal Attorney Rhonda Westover to complete her analysis and review.

77

78 Mr. Claman moved, to *postpone* AR 2008-7 to January 29, 2008,

79 Mr. Tesche seconded,

Chair Coffey stated that he welcomed recommendations.

Ms. Ossiander concurred and urged consideration for having three Assemblymembers review and respond on the matter. She stated that Number 2 on Line 30 needed to be addressed.

Mr. Tesche stated that the \$30,000 approval limit for coverage of interns or financial or legal consultants, which would involve changes to Title 7, also needed to be addressed, which dealt with purchasing and contracts.

To Chair Coffey, Purchasing Officer Bart Mauldin responded that the policy was very specific in terms of approvals and this would require a change to Title 7. Chair Coffey stated the Legal Department was reviewing policy.

Mr. Starr stated there was an immediate need to address this matter, because the Assembly would soon be addressing the Anchorage School District Budget, which included outside contractors. The Budget and Finance Committee supported the strategies. Chair Coffey stated that the process had always been ad hoc and it was better to make it policy. Mr. Starr stated it was important to focus on the importance of adequately reviewing the budgets.

Dr. Selkregg supported establishing clear policy and stated that new changes should be fully vetted before implementation. She would speak to the matter on the 29th.

and this was approved without objection, 11-0.

10.B.5. Resolution No. AR 2008-12, a resolution of the Municipality of Anchorage appropriating \$20,000 as a grant from the National Endowment for the Arts and \$15,000 as a contribution from Areawide General Operating Fund (101), Economic and Community Development Budget, to the State Categorical Grant Fund (231), and \$5,000 as a donation from Friends of the Library to the Miscellaneous Operational Grants Fund (261) for the **Big Read Program. (Addendum)**

a. Assembly Memorandum No. AM 55-2008.

Mr. Starr moved, to approve AR 2008-12,
Mr. Sullivan seconded,

To Mr. Starr, Chief Fiscal Officer Sharon Weddleton responded that this was part of the original budget and the \$15,000 was an in-kind contribution. Library Director Karen Keller responded the \$12,650 for professional contracted services was for a contractor to coordinate the project. Mr. Starr stated this added up to \$40,000 and he wanted to make sure that the grant was being fully used for the intent, supporting the library. Ms. Keller responded that books would be distributed to reading groups and the school district. Mr. Starr supported the intent and urged approval.

and this was approved without objection, 11-0.

10.B.6. Assembly Resolution No. AR 2008-15, a resolution of the Anchorage Assembly requiring a revised **Russian Jack Springs Park Plan Development Process** based on public input, the current multi-use quality of the park and long term sustainability of its natural setting; Assemblymembers Selkregg and Tesche. **(Laid on the Table)**

Ms. Ossiander moved, to approve AR 2008-15,
Mr. Starr seconded,

Ms. Ossiander stated this matter involved a voter-approved ballot proposition and the First Tee Program. Municipal Manager Michael Abbott responded that the Administration would fully comply with the commitments and the public process, continuing to maintain the park as a multi-use facility. The development was consistent with the process that was underway and would not hamper or slow down what the voters had approved.

Ms. Ossiander moved, to refer AR 2008-15 to the Parks and Recreation
Mr. Sullivan seconded, Commission,

Dr. Selkregg stated that the Parks and Recreation Commission had expressed concern that they had not reviewed the plan. Local residents were not aware that the current proposal would involve a park redesign. She urged that the matter be sent back to the Administration, which could work together with the commission. It did not need to be sent to the Parks Commission.

To Mr. Traini, Parks and Recreation Director Jeff Dillon responded that the commission had reviewed the bond and ballot proposition, but had not voted on it. There had been several public reviews over the past two years, including one within the last month. The department could make recommendations which would also involve the public process and could be reviewed by the commission and possibly the Planning and Zoning Commission. He responded the project would not affect the existing dog park.

To Mr. Claman, Mr. Tesche responded that a very public process was needed for any action on this matter. The Administration had offered reassurance that the First Tee Project would not be hampered. He urged support for the resolution that evening.

To Mr. Sullivan, Mr. Dillon responded there was full public process involved, which would continue. Mr. Sullivan stated that the resolution referenced that the ballot measure had not implied a total redesign of the park. Mr. Dillon responded the entire park was not being redesigned, but the existing golf course was being enhanced, which involved clearing for the learning center, driving range and an entry road. There were also acres being developed for safety improvements to the snowboard area. Mr. Dillon responded the multi-use capacity would be enhanced, but the public was most concerned with the decrease of the wilderness experience of that area. The plan for the First Tee called for 40 acres of clearing, which had been narrowed down to 25. Mr. Sullivan stated the resolution indicated there was not sufficient consultation or input from the user groups or the local community. Mr. Dillon responded there was much

contact with user groups, including Nordic Ski Club, but there could always be better contact. Mr. Sullivan stated it appeared there was ongoing public process and there would be no need to refer the matter to the Parks and Recreation Commission. He would move to postpone indefinitely.

Dr. Selkregg stated that she had met and talked with many people from the area, most of whom were users, and most were surprised with what was being proposed. The Parks Department had responded that the project was not many acres of trees. The department had agreed to attend the local council meetings, but thought it was a citywide matter. She stated the park users were not aware of the extent of the design. The bond that the voters approved was not for a major development, but rather for park enhancement. There was consensus among people in that area that the development was to be an upgrade of the driving range, but not for an expanded nine-hole golf course. Russian Jack Springs was to be enjoyed as a natural park in an urban setting. She urged the Assembly to trust there was a need for a public process with the matter. There were clearly other interests that needed to be brought to the table. This park was widely used in the wintertime for skiers and the proposed improvements were to be fenced under this program. This was a big issue to the community. The matter needed to be handed back to the Administration which would proceed with the Parks Department. It did not need to be referred to the Parks Commission.

Mr. Claman called for the Question on the motion to refer.

Mr. Traini moved, to amend AR 2008-15 on Page 1, Lines 34 to 25, by deleting
[WHEREAS, the recently presented Russian Jack Springs
Park redesign was developed without sufficient consultation
or input from the Parks multi-user groups, the Eastside
community or the community at large.];

Ms. Ossiander stated the motion on the floor was referral to the Parks and Recreation Commission, which had priority over additional motions. Chair Coffey concurred.

Mr. Claman called the Question on the motion to refer. Chair Coffey called for objections and there was one objection. He called for a vote on referring the resolution to the Parks and Recreation Commission.

and this was approved, 7-4.

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

10.C. BID AWARDS There were no items.

10.D. NEW BUSINESS

10.D.1. Assembly Memorandum No. AM 29-2008, Assembly Meeting Schedule (April 2008 – September 2008); Assembly Chair Coffey.

Mr. Claman moved, to approve AM 29-2008,
Mr. Traini seconded,

Mr. Claman moved, to postpone AM 29-2008 to January 29, 2008,

To Chair Coffey, Mr. Claman responded that he had advised the Municipal Clerk of three proposed changes to the Assembly Meeting schedule.

To Chair Coffey, Municipal Manager Michael Abbott responded the proposed schedule met all the needs of the Administration, including the dates in April and May, to complete the first quarter budget revisions and meet deadlines.

Chair Coffey stated that May 20th would be a possible substitution for the May 27th date and he requested response from the Administration for possible conflicts with finalizing construction contracts. Mr. Abbott concurred.

Mr. Sullivan pointed out there was a full month gap from August 19th to September 16th.

Chair Coffey requested that all Assembly comments be addressed to Municipal Clerk Barbara Gruenstein.

and this motion was approved without objection, 11-0.

10.D.4. Assembly Memorandum No. AM 47-2008, 2008 grant award to Anchor-Age Center, Inc. and contract (\$1,975,300); Health & Human Services.

Mr. Starr moved, to approve AM 47-2008,
Mr. Bauer seconded,

Mr. Starr stated that he had questions on both 9.D.4 and 9.D.5, concerning the funding level request of four one-year option amendments. HHS Division Manager Ken Takakuwa responded the five-year cycle of the management agreement and the annual or biannual senior centers grant processes would be combined, but the amount was not guaranteed. Mr. Starr stated that he was hesitant to combine the two, when senior needs were liable to increase over the next five years. He proposed deleting language referencing the option funding levels and the extension. Mr. Takakuwa responded a new memorandum with the changes could be presented for further discussion.

Chair Coffey stated that all city agreements with outside contractors had provisions that were subject to funding approval. The Assembly was completing two-year budgeting and he questioned the five-year funding proposal, which would commit future Assemblies. Mr. Takakuwa responded it was helpful for the Senior Center to have the management agreement and the grant process on the same cycle. Chair Coffey stated the process had always involved annual budgeting, which would include continued funding appropriations for the management contract. Mr.

Takakuwa responded H&HS was proposing the same for the Chugiak Senior Center and that their objective was to streamline the process.

To Mr. Starr, Sylvia Short with Anchor-Age Center, responded that the non-profit organization had been funded by the city for 25 years. The center's needs were increasing, but the funding remained the same. She responded the board had approved a five-year renewable contract.

To Chair Coffey, Ms. Short responded that it was important to anticipate that needs would increase and additional funding would be needed. The city funding had remained constant and the center continued operations with additional funding from fundraisers. She wanted to keep options open for possible increased municipal funding.

To Chair Coffey, Purchasing Officer Bart Mauldin responded that the city used multi-year contracts with many of the non-profit agreements, which set management procedures. AM 47-2008 outlined a five-year process, requesting funding for one year. Chair Coffey and Mr. Starr responded the document language read differently. Mr. Mauldin responded that subsequent appropriations were subject to Assembly action.

To Mr. Claman, Mr. Mauldin responded the agreement included the same dollar amount and the Assembly could increase or decrease the amount. Mr. Claman stated the contract may include a statement of intent that, after twenty-five years, the relationship would continue. The management and program were working well and he questioned setting a funding figure for the next five years, when the needs would be increased. Mr. Mauldin responded the Assembly could approve any changes to the appropriation, which would automatically change amounts in the succeeding years, based on that appropriation. The Purchasing Office was repeatedly requested to reduce the amount of paperwork for repetitive contracts and the department had responded with contract funding over a period of time.

Mr. Starr stated it was more likely that funding would increase rather than decrease, which would likely occur at 1st Quarter Budget Review. If an amount was not recommended and not included as a line item in the H&HS budget, it would be difficult to know the funding amount. Mr. Mauldin concurred and responded that Title 7 governed all agreements and the appropriation level would not change without Assembly approval.

Mr. Tesche stated that this organization had successfully managed the Senior Center for many years and it was safe to think it would continue. This method of funding reduced paperwork, the contractor had testified it provided more stable financial and business benefits, there were many controls already in place and there were code provisions that governed changes. For all those reasons, he urged approval.

Mr. Starr stated that he fully supported the organization and the contract, but he wanted to make sure there was opportunity to change the contract without being a burden. If a one-year contract was what the organization preferred, he would support it. He proposed to amend, by deleting Lines 11-14.

Dr. Selkregg called for the Question. Chair Coffey responded that he had already recognized Mr. Starr.

Mr. Starr moved,
Ms. Osslander seconded,
and this was later withdrawn.

to amend AM 47-2008 on Page 1, Lines 11-14, *by deleting to read: [In addition, level funding for four (4) one-year option amendments are also sought at this time. If the option years are exercised, the total grant agreement shall not exceed ONE MILLION NINE HUNDRED SEVENTY-FIVE THOUSAND THREE HUNDRED DOLLARS (\$1,975,300).]*

Mr. Starr stated that the management contract could be handled through a different memorandum or fully negotiated through the Purchasing Department and the funding levels could be appropriated year-to-year through the budget process. He supported further discussion on increasing funding levels.

Dr. Selkregg called for the Question. Chair Coffey responded that the body was addressing an amendment on the floor and he had already recognized Mr. Tesche.

To Mr. Tesche, Ms. Short responded the amount of the city appropriation was consistent. They preferred to include a cost-of-living increase, to ensure they would not close their doors. Senior Center Director Celeste Benson responded the five-year contract provided security, knowing the budget amount and that the contract with Anchor-Age would continue, with the understanding that increases would be considered. Mr. Tesche opposed the amendment.

To Mr. Bauer, Mr. Mauldin responded that multi-year contract agreements were one-year agreements with options to renew. If the Assembly failed to award the amount the contract was terminated. Mr. Bauer stated that extended-year contracts often persuaded organizations from seeking additional funding sources.

Mr. Starr stated that nothing needed to be done by the Assembly at the 1st Quarter Budget Review and if the contractor did not request additional funding, the annual \$395,000 would continue. Mr. Mauldin responded increased funding needs were addressed by the Purchasing Department and the contractor.

Dr. Selkregg opposed the amendment. The intent of the proposal was to ensure stability and the organization would actually begin to function and put its energy into other things, rather than maintaining uncertainty and having to come back and readdress the funding.

To Chair Coffey, Mr. Mauldin responded the previous contracts with Anchor-Age expired in December and this was a new one-year contract, with four one-year (*renewal options*) amendments. Mr. Mauldin responded the contract arrangement was similar to a lease agreement. Chair Coffey stated the only fear involved understanding the needs.

Mr. Traini stated that Ms. Benson would never hesitate to come before the Assembly to address the center's needs and funding.

Municipal Manager Michael Abbott stated that while he supported the memorandum as presented, if the intent was to change the structure of the contract, it may be more appropriate to bring forth a new memorandum.

Mr. Starr stated that the contract would be readdressed when the contract was signed. His intention was to increase the contract funding options for Anchor-Age, which operated very successfully. He withdrew his amendment with the concurrence of Ms. Ossiander.

and the main motion was passed, 11-0.

10.D.5. Assembly Memorandum No. AM 48-2008, 2008 grant award to **Chugiak Senior Citizens, Inc.** (\$1,500,000); Health & Human Services.

(Clerk's Note: Refer to item 10.D.4, concerning Anchor-Age Center, for related discussion and action.)

Mr. Starr moved, to approve AM 48-2008,
Ms. Ossiander seconded,

Mr. Starr thanked the body for the discussion of the funding contracts for Chugiak Senior Center and Anchor-Age. He urged approval.

and this was approved, 11-0.

10.D.6. Assembly Memorandum No. AM 49-2008, approval to enter into **grant agreements** with The ARC of Anchorage (\$98,000), NorthEast Community Center (\$181,430) and the Boys and Girls Club of Greater Anchorage–Mountain View Recreation Center (\$350,250); Anchorage Parks & Recreation Department.

Ms. Ossiander moved, to postpone indefinitely AM 49-2008,
Mr. Bauer seconded,

Chair Coffey declared a conflict of interest because he was a part owner of the mall to which the Boys and Girls Club paid rent. The Assembly had previously ruled that he had a conflict of interest in the matter. Acting Chair Ossiander ruled that Mr. Coffey did have a conflict of interest and ordered that he abstain from participation. There were no objections.

To Acting Chair Ossiander, Community and Economic Development Director Mary Jane Michael responded a new memorandum would be proposed that included provisions for the grant agreement being conditional on an evaluation process of the NorthEast Community Center and the Mountain View Boys and Girls Club.

Mr. Claman stated that it was intended for the contract to be rewritten and presented to the Assembly. Ms. Michael concurred.

Mr. Sullivan supported the Administration.

Municipal Manager Michael Abbott stated the Administration's intent was to bring back the proposal on the 29th, with the ARC as a separate contract. Contracts for NorthEast Community Center and Mountain View Boys and Girls Club would be presented subsequently to the Assembly.

and the motion was passed without objection, 10-0,
with Mr. Coffey abstaining, due to a conflict of interest.

Mr. Coffey assumed as Assembly Chair.

10.D.9. Assembly Memorandum No. AM 52-2008, proprietary purchase with **Dimond Center, LLC** for security guard services at the South Anchorage People Mover Transit Center for the Municipality of Anchorage, Public Transportation Department (\$33,280); Purchasing.

Mr. Bauer moved, to approve AM 52-2008,
Mr. Sullivan seconded,

Mr. Bauer stated that this involved a contract with professional security guard services for the South Anchorage People Mover Transit Center. Transportation Director Jody Karcz responded that security was important to the transportation centers and there was also security at the Downtown Transit Center. It was preferred to maintain a working contract for the services from their landlord at the Dimond Center. Ms. Karcz responded that the contract supplemented the Dimond Center work force and provided one extra security officer to the force. Ms. Karcz responded that there were no increased security or safety issues at the Dimond Center. The department had maintained the contract agreement for many years and this was a renewal.

and this motion was approved without objection, 11-0

10.D.10. Assembly Memorandum No. AM 56-2008, **2008/2009 Liquor License Renewals**: Anchorage Curling Club #3187 – Club; Tempura Kitchen #4692, McGinley's Alaska Pub #4545, [Suite 100 #4662,] Tips Bar #1142, Darwin's Theory #987, Eddie's Sports Bar #3596 – Beverage Dispensary; Szechuan Restaurant #4368, Sizzlin Café #4573, Yen King #2930, Skin & Benny Pizza #3277, Peking Palace #1691, China town Restaurant #3836, Jamico's Pizzeria #3889 – Restaurant/Eating Place; Mom & Pop's Grocery & Liquor #3219, Party Time Plaza Liquor #2385 – Package Store (Taku/Campbell, Mt. View, Government Hill, Downtown, Eagle River, Midtown, Spenard Community Councils); Clerk's Office. **(Addendum)**

Ms. Ossiander moved, to approve AM 56-2008,
Mr. Claman seconded,

Mr. Sullivan declared a conflict of interest in McGinley's Alaska Pub (*because he was a part owner*). Chair Coffey ruled that Mr. Sullivan had a conflict of interest and ordered that he abstain from participation. There were no objections.

Mr. Claman moved, *to divide* the motion to approve AM 56-2008, *by*
Ms. Ossiander seconded, *bifurcating* McGinley's Alaskan Pub,

Chair Coffey called for discussion on the previous motion to approve AM 56-2008.

Mr. Sullivan stated that Suite 100 had had two violations within a year, and he questioned this establishment's not having a restaurant-designation permit. Technically, the establishment should be operated as a bar, allowing no one under the age of 21. He stated that the Assembly should hear from the applicant, regarding their policy on minors and if they had applied for a restaurant-destination permit. He recommended that the Municipal Licensing Clerk address the matter. The last day to protest was February 27th.

Mr. Sullivan moved, *to divide* the motion to approve AM 56-2008, *by bifurcating*
Ms. Ossiander seconded, *and postponing* Suite 100 #4662 to February 12, 2008, and *to*
request to hear from the applicant concerning their policy on
minors and to address a restaurant-destination permit,

Chair Coffey declared a possible conflict of interest in the matter, because the owner of Suite 100 and he were business partners with the Alaska Aces and with two parcels of real property. He requested to recuse himself from participation because of their business and personal relationship. Acting Chair Ossiander ruled that Mr. Coffey had a conflict of interest and ordered that he abstain from participating in the matter involving Suite 100. There were no objections.

and the motion to bifurcate and postpone Suite 100 was approved, 10-0,
with Mr. Coffey abstaining, due to a conflict of interest.

Mr. Traini requested that Municipal Clerk Barbara Gruenstein invite the applicant to come before the Assembly.

Mr. Coffey assumed as Assembly Chair and called for additional discussion on the main motion.

and the main motion, as amended, was approved without objection, 11-0.

Chair Coffey called for a vote on the motion to approve McGinley's.

Ms. Ossiander moved, to approve McGinley's Alaska Pub,
Mr. Claman seconded,
and this was approved, 10-0,
with Mr. Sullivan abstaining, due to a conflict of interest.

10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 4-2008, Information concerning a **proposed alternative methodology for levying water and sanitary sewer assessments** created by main line extension; Anchorage Water and Wastewater Utility.

Ms. Ossiander moved, to accepted AIM 4-2008,
Mr. Sullivan seconded,

Ms. Ossiander stated the Assembly had heard the matter concerning a water main extension in the Peters Creek area. The folks needing the water were not immediately adjacent to the main extension, but were responsible for paying the assessment, which included significant costs. The Assembly had postponed the matter and requested that AWWU review the assessing methodology. The report being considered that evening was the result of AWWU's review and their recommendations. The new methodology would have less impact to large lots and would modify the LUC rate, based on the year of connection. It would also look at averaging costs and differentiating the way the estimated assessments were filed. She urged the Assembly to endorse the new methodology, which would allow AWWU to present it to the Regulatory Commission of Alaska.

Municipal Manager Michael Abbott stated the Administration strongly encouraged approval and offered to provide a worksession, to discuss impacts beyond Peters Creek, particularly to South Anchorage

Dr. Selkregg supported scheduling a worksession.

Chair Coffey requested an AWWU worksession be scheduled at 12:00 p.m. on February 22nd and the Noise Ordinance would be rescheduled. Mr. Sullivan responded that he and Mr. Abbott would discuss if a worksession was necessary on the Noise Ordinance.

Mr. Sullivan stated that the Administration indicated there may be implications of the AWWU changes on rates and assessments beyond the Peters Creek area and he requested 'real-life' examples of those projects and the effects. Mr. Abbott responded that Kurt Vause would provide the information at the presentation.

Ms. Ossiander stated there were provisions that would allow already approved projects to go back three years with options to consider the alternative methodology, which would potentially impact the Chugach line and the high school extension.

Ms. Ossiander moved, to scheduled a worksession for AIM 4-2008 on
Mr. Starr seconded, February 22, 2008 at 12:00 p.m.,
and this was accepted without objection.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.5. Ordinance No. AO 2008-15, an ordinance amending Anchorage Municipal Code Sections 21.10.028, 21.15.015, and 21.15.030 to give **site plan authority** over certain developments to the Urban Design Commission (Planning Case 2007-136); Planning Department. (*Public Hearing [2-26-08] 3-25-08*)
a. Assembly Memorandum No. AM 43-2008.

Ms. Ossiander moved, to introduce AO 2008-15,
Dr. Selkregg seconded,
Mr. Claman was the concurring third.

Ms. Ossiander recommended this matter be referred to the Title 21 Committee.

Ms. Ossiander moved, to refer AO 2008-15 to the Title 21 Committee, with Assembly
Mr. Starr seconded, Public Hearing set for March 25, 2008,

Municipal Manager Michael Abbott requested, because of a scheduling conflict, that this matter be rescheduled for March 25, 2008. Ms. Ossiander accepted as a friendly amendment with the concurrence of the second. Ms. Ossiander stated that she preferred not to delay completing the Chapters that were coming to the Title 21 Committee. Mr. Abbott concurred.

and this motion was passed without objection, 11-0.

10.F.6. Ordinance No. AO 2008-16, an ordinance amending Anchorage Municipal Code Sections 5.20.020A., 5.50.070, 5.60.020A., 5.70.040, and 5.80.060A., to clarify jurisdiction over **owner's associations**, provide additional discovery, allow administrative closures based on the allocation of commission resources, allow commission cases to be heard with a hearing officer, and change confidentiality provisions to allow staff to contact the appropriate authorities; Anchorage Equal Rights Commission. (*Public Hearing [2-26-08] 3-18-08*)
a. Assembly Memorandum No. AM 44-2008.

Ms. Ossiander moved, to introduce AO 2008-16, with Public Hearing set
Mr. Starr seconded, for March 18, 2008,
Mr. Claman was the concurring third.

Ms. Ossiander moved, to Change the Order of the Day to take up 14.F, AO 2008-4,
Mr. Sullivan seconded,
and this was approved with one objection.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Assembly Memorandum No. AM 22-2008, recommendation for grant award to **Federation of Community Councils** from the Municipality of Anchorage; Department of Neighborhoods (\$108,000), Purchasing. (*Postponed from 1-8-08*)

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

Ms. Ossiander moved, to approve AM 22-2008,
Mr. Bauer seconded,

Mr. Bauer stated that this involved the Federation of Community Councils, a non-profit organization which had no other sources of revenue, other than the Municipality. It was hopeful that the FCC would seek additional funding sources. This involved the FCC and not the individual community councils.

Mr. Traini declared a possible conflict of interest because his wife was a member of the FCC Board of Directors. Chair Coffey ruled that Mr. Traini had no conflict of interest and ordered him to participate. There were no objections.

Chair Coffey stated that he had not supported FCC funding in the past, but three qualified people were addressing a new process for the FCC to act as a means of disseminating information throughout the community and to the community councils. He would trust the work of those three individuals and would support this appropriation, but he would continue to watch the FCC closely.

Dr. Selkregg stated that she supported the appropriation and that she had confidence in the improvements of the new system, which would allow the FCC to keep up with the financial obligations.

Mr. Tesche concurred. The function of the FCC was primarily reproducing, printing and distributing documents and information, including agendas, minutes, meeting notices and similar business. Privatization should be considered for future funding sources.

Mr. Traini stated that the FCC contract could be checked during the 2nd Quarter Budget Revisions to make certain the organization was living up to all contract expectations and that the money was being distributed appropriately.

Chair Coffey requested this matter be addressed during 2nd Quarter Budget Revisions and that the Department of Neighborhoods report back to the Assembly during the summer with a performance update.

Municipal Manager Michael Abbott responded there were two Assembly representatives to the FCC. Chair Coffey concurred and stated that he and Mr. Sullivan were members.

Dr. Selkregg stated that her community council had reported that the FCC has improved and was performing well as a federation. The FCC was important and the community councils relied on its support.

To Mr. Bauer, Department of Neighborhoods Director, Tyler Robinson, responded the worksession had addressed the changes since the department took over (*administration of*) the grant in 2006, which included lining up payment and reporting schedules and board leadership change. An independent accountant was now completing their accounting and everything was accurate. Mr. Robinson responded that he would report back to the Assembly after the 2nd Quarter Budget Report, in July.

Dr. Selkregg stated there were new financial protocols in place for the FCC to meet the obligations with the city in order to get the money. Mr. Robinson concurred and stated the issue also involved how the FCC was managing grant money from the state and other sources. The FCC was making progress, making sure the protocols were in place.

Mr. Bauer stated that the money from the state was a 'pass-through' grant and was not meant for FCC operations. Mr. Robinson concurred.

Chair Coffey questioned if it would be appropriate for the city to make sure the FCC was fulfilling their obligations when they receive a grant, whether from the state or other entity. Mr. Robinson responded the department administered the grant with no 'pass through' charge. The department would monitor, but would not want to manage. He responded that the FCC was a private, 501(c)(3) non-profit organization and being a grant administrator was an appropriate function. The accounting report showed all funds were accounted for and had been passed through appropriately.

Mr. Traini requested that Municipal Internal Auditor Peter Raiskums review the matter at the 2nd Quarter Budget Revisions.

Chair Coffey requested that Mr. Bauer have the matter addressed by the Audit Committee. Mr. Bauer concurred. Chair Coffey stated the FCC was a charitable, non-profit organization and was not required to be licensed by the State of Alaska.

and this motion was passed, 11-0.

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

NAYES: None.

12. APPEARANCE REQUESTS None.

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2007-148, an ordinance providing for the submission of a ballot proposition to the qualified voters of the Municipality at the Regular Election on April 1, 2008 the question of issuance of not to exceed \$2,000,000 of General Obligation Bonds of the Municipality, contingent upon receipt of up to \$2,000,000 of matching grants from the State of Alaska, to pay the costs of **capital improvements for swimming pools** within the Anchorage Parks and Recreation Service Area and an increase in the municipal tax cap limitation to pay related operations and maintenance costs; Assemblymembers Tesche and Traini.

1. Assembly Memorandum No. AM 34-2008. (*Continued from 1-8-08*)

Chair Coffey read the ordinance title and opened Continued Public Hearing.

MARY JO PRUSZENSKI testified in support of the bonds for capital improvement for pools. She also supported contributing to a maintenance fund for the facilities. Mr. Traini stated the Service Pool had \$1,040,000 in repairs which needed to be done to have the pool returned to active status. Chair Coffey stated that the bond proposition included annual costs for rehabilitation and repair and an increase for operation and maintenance costs. The city would make sure the money was properly appropriated and spent. Mr. Claman stated that there was high interest on the matter of pools, but there were very few people present to testify on the bond. The supporters needed to understand that it was critically important for the pool bond to be passed by the voters. If it did not pass, the future of pools was very dim. Ms. Pruszenski responded there were many things in the bond that would make the bond not succeed. Voters would support a more direct way to fix the problem and maintain the pools properly. If the Service Pool was not maintained it would have to be torn down. There was a risk putting it to the voters and she would help educate voters and would advocate for the bond. To Dr. Selkregg, Ms. Pruszenski responded that all the pools were important and it would take a citywide campaign to keep them.

GAIL HEINZ, former Chair of the Aquatic Advisory Committee, testified in support of the pools bond and she promised her support to educate the public and make voters aware. Pools were more important than just for swim meets or keeping in shape. Learning to swim saved lives. Her daughter had survived being tossed from a raft in the Nenana River by using her swimming skills and instincts. Losing city pools would be a disservice to the community. Mr. Sullivan stated there was much talk about different organizations managing the pools, rather than the city. Ms. Heinz responded that after addressing the issue, the original Aquatic Advisory Committee had finally concluded that pool management should be outsourced by a private entity, but there were still questions of insurance and utilities and other things. Many users supported that idea.

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

Mr. Traini moved, to approve AO 2007-148,
Dr. Selkregg seconded,

1 Mr. Traini supported sending this to the voters. Costs for repairs of schools' pools included \$910,000 for Bartlett,
2 \$1,225,000 for Dimond, \$195,000 for East, \$1,040,000 for Service and \$30,000 for West. The State Legislature and
3 Governor Palin needed to be urged to participate in the funding, because Anchorage pools were used regionally, by
4 people from all over the state. Mr. Traini stated this bond package was the only one coming forward from the Parks
5 and Recreation Department. Director Jeff Dillon concurred. Mr. Traini urged approval.

6
7 To Mr. Claman, Municipal Manager Michael Abbott responded that the bond was proposed to be paid back by the
8 Parks and Recreation Service Area, and there would be no other bonds proposed for the service area in this election.

9
10 Dr. Selkregg stated that she supported the bond (*ballot proposition*). Citizens had come forward to identify a need to
11 move this forward. She complemented the swimming community for their efforts and she thanked Mr. Traini for
12 bringing this forward, which was a core need for the children and the community.

13
14 Mr. Tesche stated that he was encouraged. The School Superintendent had indicated a new swimming course was
15 forthcoming and the Assembly supported putting the ballot proposition before the people. The pools were in a high
16 state of disrepair, which reflected on past years of neglect by the Assembly and the Administration. He was working
17 with the Administration to create a permanent fund that would provide for basic maintenance and repairs needed to
18 keep the facilities in top condition and so the city would not need to borrow money.

19
20 To Mr. Sullivan, Mr. Dillon responded the Aquatics Advisory Committee was reviewing all options for management,
21 pool use, increasing participation and comparing Anchorage with other cities across the nation. The committee would
22 submit recommendations to the Parks and Recreation Commission. Mr. Abbott responded the Administration would
23 welcome the recommendations, including use of private management. Mr. Sullivan stated that people were concerned
24 with the property tax burden, but thirty years ago the community made a commitment to build the facilities and now
25 there was a solid obligation to maintain the public infrastructure, otherwise the pools would need to be sold.
26 Maintaining the public infrastructure helped maintain the quality of life in the city. He would support bringing the bond
27 to the voters. He stated that state participation was key to success, and the user groups and the Assembly needed to
28 continually address that matter while the state surplus was available.

29
30 To Dr. Selkregg, Mr. Dillon responded the Parks and Recreation Department was reviewing all options for facility
31 maintenance and operations of parks facilities.

32
33 Mr. Claman stated that he supported the bond. It would take a real community effort in order for it to succeed, and the
34 approved bond would increase the chance for support from the legislature and Governor Palin.

35
36 To Mr. Bauer supported the bond. He stated that for two years \$500,000 for pools had been removed from the capital
37 budget lists. Mr. Dillon responded that money for pools had not been included in the initial capital budget, but had
38 been added through the budgeting process. There was the desire to fund pools, but currently the only mechanism was
39 a park bond and a request to the state.

40
41 To Mr. Sullivan, Mr. Dillon responded the capital money could be leveraged to secure additional funding sources or
42 matching funds for both state and park bonds. The Parks Department had already partnered with the aquatics
43 community to raise money for challenge grants from the Rasmuson Foundation and additional funds were needed to
44 match additional challenge grants from the Foundation.

45
46 To Chair Coffey, Mr. Abbott responded the Administration was recommending including additional money for additional
47 pool maintenance and operations. There would be additional costs for inspections and periodic maintenance to make
48 sure the improvements last. If the bond passed, the Administration would request setting aside \$100,000 per year for
49 a capital reserve fund for major maintenance during the 20-year life of the improvements. Figures listed in the
50 document added up to be \$363,000. Mr. Abbott responded those funds were for all five pools. Mr. Abbott responded
51 the Administration and the Aquatics Commission supported user-generated revenues, both for operations and for
52 capital improvements. Chair Coffey stated that with those comments, he would support the proposal.

53
54 Mr. Claman stated in addition to approving the \$2 million bond, there would be an increase in the tax cap to cover
55 maintenance and operation costs. Chair Coffey responded that that was his understanding and he requested that
56 language be addressed. Mr. Abbott stated the proposed language had been reviewed and it addressed the issue.
57 Chair Coffey stated that clarity was needed with the language because the \$100,000 was not explained and a
58 subsequent Assembly may not understand it was included with what the voters approved. There would be a total of
59 \$223,000 collected every year for the next five years, but if costs and inflation continued at the rate it was going, it
60 would not be enough. Mr. Abbott stated the tax cap was adjusted every year for the increased cost of living. Mr.
61 Claman stated that once this was approved by the voters and the tax cap was increased, the city was not bound to use
62 the money for the pools.

63
64 To Mr. Traini, Mr. Abbott responded that Bond Counsel had reviewed the language.

65
66 Mr. Tesche stated that the language could be improved to be easily understood. There would be a fair amount of
67 publicity on the ballot proposition so the voters would be informed and understand there would be money set aside
68 every year to maintain the pools.

69
70 Mr. Sullivan stated the bond did not include language that listed the specific costs to homeowners associated with
71 each \$100,000 of assessed property value, which he proposed to include. The casual reader may not understand the
72 current language. Mr. Sullivan proposed to add one sentence on Line 31 to say that it would result in \$1.43 increase
73 per \$100,000 value of home on an annual basis.

74
75 Mr. Claman and Dr. Selkregg concurred and stated that specific language should be added.

76
77 Mr. Birch stated that consideration also was needed for including the costs of setting up the bond, which would be paid
78 for by the state grant. He also questioned how the Administration was proposing to handle the additional operation
79 and maintenance costs per year associated with the capital improvement. The voters were being asked to approve an

increase to the tax cap. Chair Coffey concurred and stated it involved additional money from taxpayers to pay for operations and maintenance, besides the funds to be set aside for future needs. Mr. Birch stated that It would be confusing to the voters.

To Chair Coffey, Mr. Abbott responded the language included explaining setting up the fund into which the money would be appropriated. He responded that more detailed language could be added and the Administration could provide an amendment to the Assembly within an hour. Mr. Sullivan concurred.

Mr. Tesche moved, *to postpone* AO 2007-148 until 10:00 p.m., time-certain,
Ms. Ossiander seconded,
and this was approved without objection.

(Clerk's Note: Following the completion of the 14.H., Mr. Bauer moved, seconded by Ms. Ossiander, to Change the Order of the Day to take up 13.A, and there were no objections. The Administration proposed their prepared amendments to AO 2007-148.)

Chair Coffey called for a motion to amend, as prepared by the Administration.

Ms. Ossiander moved, *to amend* AO 2007-148, Section 3, Page 5, beginning on Line 26 *by adding* to read: (i) an annual increase in taxes of approximately \$160,485 to retire the proposed bonds, and (ii) an annual increase in the municipal tax cap (Chapter 14.03(b)(2)) of approximately \$223,000 to pay for annual operation and maintenance costs "including \$.37 as a reserve for required repairs" related to the proposed capital improvements.

Ms. Ossiander stated that she preferred to wait until next week to make the corrections.

Chair Coffey and Dr. Selkregg had concerns with the language. Chair Coffey stated that he would support delaying the ordinance for a week to prepare alternate proposals.

Ms. Ossiander moved, *to postpone* AO 2007-148 to January 29, 2008,
Dr. Selkregg seconded,
and this was approved without objection.

(Clerk's Note: The Agenda was complete and Ms. Ossiander moved to adjourn. See Agenda item 20 for details.)

14. NEW PUBLIC HEARINGS

14.A. Ordinance No. AO 2007-153, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 1, 2008, a ballot proposition amending the Home Rule Charter Article IV, **The Assembly**, Section 4.02, Term, Membership and Qualification, to establish a three-year term if single member districts are established; and providing for shorter terms during implementation; Assemblymember Sullivan.

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

Mr. Sullivan moved, *to approve* AO 2007-153,
Mr. Bauer seconded,

Mr. Sullivan stated that the attached memorandum explained the intent, which authorized a ballot proposition amending the Charter to allow the Assembly to retain three-year terms if the Assembly chose to exercise their authority under the Charter to transition to single-member districts. This certainly would not create single-member districts, but was addressing three-year terms.

Ms. Ossiander stated that most people would interpret this as the Assembly supporting single-member districts. Single-member districts would not be in the best interest of the community and she would not support the matter. Mr. Sullivan responded that the intent was to address three-year terms only. Ms. Ossiander stated the voters would not view it as such.

Mr. Claman stated that he had communicated with members of the Charter Commission who indicated they did not see any problem with supporting the three-year term and did not see the matter as a commitment for single-member districts. Mr. Claman stated it was prudent to take this step. There may come a time when Anchorage was ordered by a court to go to single-member districts to have reasonable representation. He supported the proposal.

Mr. Tesche stated an administrative amendment was needed in the language on Lines 28 to 32. The title on Line 23 to 26 described transition to single-member election districts, which implied there was already a decision made, which was misleading. He stated there should be a level playing field and a policy decision by the community, if single-member districts should be used. It was misleading to the voters.

Mr. Sullivan stated that the language could be improved, but there was no intent to lead or conceal. He would come up with a better title and improve the language on Line 29 and bring this back to the Assembly at the next meeting. Mr. Bauer concurred.

Mr. Sullivan moved, *to postpone* AO 2007-153 to January 29, 2008,
Mr. Claman seconded,
and this was passed without objection, 11-0.

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

- 14.B. Ordinance No. AO 2007-174, an ordinance repealing and reenacting **Anchorage Municipal Code Title 23** to adopt 2006 and other recent editions, and enacting local amendments of the following codes: administrative; building; mechanical; plumbing; electrical; fire; fire protection service outside service areas; energy conservation; existing buildings; Anchorage dangerous buildings; safety code for elevators and escalators; safety standard for platform lifts and stairway chairlifts; residential; school relocatables; mobile aircraft shelters; grading, excavation and fill; and fuel gas; Development Services.
1. Assembly Memorandum No. AM 776-2007.

Chair Coffey read the ordinance title and opened Public Hearing. Ms. Ossiander stated it was her intention to continue Public Hearing on the matter to January 29th following a worksession on the 25th. People would have the opportunity to speak to the item one time. There was no one to testify and he called for a motion.

Ms. Ossiander moved, *to continue* AO 2007-174 Public Hearing to January 29, 2008,
Mr. Bauer seconded, with a worksession scheduled on January 25, 2008,
and this was passed without objection, 11-0.

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

- 14.C. Ordinance No. AO 2008-6, an ordinance amending Anchorage Municipal Code Chapter 21.09 and Section 21.15.134 pertaining to single family, two-family and townhouse residential uses, and to allow commercial tracts in the **Girdwood Resort Zoning Districts** (Planning Case 2007-183);
Assemblymembers Johnston and Birch.
1. Assembly Memorandum No. AM 35-2008.

Chair Coffey read the ordinance title and opened Public Hearing.

TIM POTTER with DOWL Engineers testified in support of the ordinance. It was a minor housekeeping issue that addressed two zonings areas in Girdwood. This had received approval from the Girdwood Board of Supervisors, the Girdwood Land Use Committee and the Planning and Zoning Commission. The P&Z had approved the modifications to the resort districts and would help clean up the master plan, already approved by the P&Z. He supported the minor amendment proposed by Ms. Johnston which clarified the issue of the maximum square footage.

There was no additional public testimony and Chair Coffey closed Public Hearing and called for a motion.

Ms. Johnston moved, to approve AO 2008-6,
Mr. Birch seconded,

Ms. Johnston moved, to amend AO 2008-6, 21.09.050.C.2, Section 2, on Page 2,
Mr. Birch seconded, Line 4, *by adding* to read:
and this was approved, 11-0. iv. *Maximum Square Footage*
The minimum square footage for an accessory dwelling unit is 300 square feet the maximum square footage for an accessory dwelling unit is 600 square feet, on a lot up to 15,000 square feet and 750 square feet, on a lot over 15,000 square feet"; provided, however that in the GRST-1 and GRST-2 districts, the maximum square footage for an accessory dwelling unit is 750 square feet on a single-family residential lot." The accessory dwelling unit shall not, however, exceed fifty percent (50%) of the gross floor area of the primary swelling unit.;

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

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

- 14.D. Ordinance No. AO 2008-1, an ordinance **correcting a clerical error in AO 2007-130** regarding misplacement of real property into the Heritage Land Bank Inventory, retroactive to October 9, 2007, the date of Assembly approval; Heritage Land Bank.
1. Assembly Memorandum No. AM 5-2008.

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

Ms. Ossiander moved, to approve AO 2008-1,
Ms. Johnston seconded,
and this was passed, 11-0.

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

- 14.E. Ordinance No. AO 2008-3, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of **General Obligation Refunding Bonds** of the Municipality to provide funds required to refund certain outstanding general obligation bonds of the Municipality; providing for

the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the authorized municipal representative to determine the manner of sale of said bonds; and related matters; Finance.

1. Assembly Memorandum No. AM 19-2008.

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

Ms. Ossiander moved, to approve AO 2008-3,
Ms. Johnston seconded,
and this was passed without objection, 11-0.

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

NAYES: None.

14.F. Ordinance No. AO 2008-4, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$100,000,000 in aggregate principal amount of **Tax Anticipation Notes** of the Municipality; fixing certain details of said notes; providing for the form and manner of sale of said notes; pledging the receipts from ad valorem property taxes to be collected during Year 2008 and the full faith and credit of the Municipality to the payment thereof; delegating certain matters to the Chief Fiscal Officer in connection with the sale of the notes; and appropriating \$2,889,586 of interest earnings to pay interest expense and issuing costs for the notes; Finance.

1. Assembly Memorandum No. AM 20-2008.

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

Mr. Sullivan moved, to approve AO 2008-4,
Dr. Selkregg seconded,
and this was passed without objection, 11-0.

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

NAYES: None.

Mr. Tesche moved, to Change the Order of the Day to take up 14.G,
Mr. Starr seconded,
and this was approved without objection.

14.G. Ordinance No. AO 2008-9, an ordinance of the Anchorage Municipal Assembly amending Chapter 7.25 of the Anchorage Municipal Code (**Disposition of Disposable Property**) authorizing the orderly disposition of surplus fire apparatus and emergency medical vehicles to registered fire departments within the State of Alaska; Assemblymember Tesche.

1. Assembly Memorandum No. AM 33-2008.

Chair Coffey read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public Hearing. Ms. Ossiander objected to closing Public Hearing.

Ms. Ossiander moved, to Continue Public Hearing on AO 2008-9 to January 29,
Mr. Bauer seconded,

Ms. Ossiander stated that she had been unable to contact the Chugiak Fire Department and wanted to give them the opportunity to respond to the matter of special limitations.

Mr. Tesche stated that the Chugiak Volunteer Fire Department would want to be available as a recipient for disposal of equipment. The ordinance would set up a procedure whereby property which was deemed surplus to the Municipality in general could be surplused throughout the state. The Fire Chief indicated the department had sufficient authority to dispose of property without the need for the ordinance. He supported opening and closing Public Hearing and deferring action on the matter for one week, pending receipt of a memorandum from the Department.

Ms. Ossiander stated that an old piece of equipment from the Chugiak Volunteer Fire Department had been donated to a volunteer fire department in New Orleans following the hurricane tragedy. The ordinance would preclude that from happening again, and she wanted the opportunity for the Volunteer Fire Department to weigh in.

Mr. Tesche stated that the ordinance would not prohibit that process and it would depend on the regulations adopted by the Fire Chief, pursuant to the ordinance. He would not object to continuing Public Hearing, to allow the Chugiak Volunteers to testify.

and this was passed without objection, 11-0.

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

NAYES: None.

14.H. Ordinance No. AO 2008-5, an ordinance of the Municipality of Anchorage, Alaska, authorizing a revolving \$50,000,000 **Master Tax-Exempt Lease/Purchase Agreement** for the financing of various capital expenditures by the Municipality; Finance.

1. Assembly Memorandum No. AM 21-2008.

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.

Ms. Ossiander moved, to approve AO 2008-5,
Mr. Claman seconded,

Chair Coffey stated that Chief Fiscal Officer Sharon Weddleton had provided information that the city would not be charged for this service.

and this was passed without objection, 11-0.

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

Chair Coffey thanked Ms. Weddleton and her staff for the extra effort to keep him informed.

Chair Coffey stated the Agenda was complete except for finalizing the pool bond issue, item 13.A.

Mr. Bauer moved, to Change the Order of the Day to take up AO 2007-148,
Ms. Ossiander seconded,
and this was approved without objection, 11-0.

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS None.

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 approved without objection.

The Regular Assembly Meeting was adjourned at 9:35 p.m.

See Archived Document for Signatures

ATTEST:

DAN COFFEY, Assembly Chair

See Archived Document for Signatures

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: February 12, 2008.
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)