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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 March 25, 2008

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1. CALL TO ORDER

The Assembly Meeting of March 25, 2008 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 (*participating telephonically*), Dick Traini, Dan Sullivan, William Starr, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman (*arriving at 5:06 p.m.*).

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Selkregg led the pledge.

4. MINUTES OF PREVIOUS MEETINGS None.

5. MAYOR'S REPORT None.

6. ASSEMBLY CHAIR'S REPORT

Chair Coffey reported that an analysis of the need for industrial land in Anchorage had been requested from the Anchorage Economic Development Corporation (AEDC). Dr. Selkregg reported that she was drafting an ordinance to develop a needs assessment and strategies for acquiring industrial land. Mr. Traini requested that AEDC break down the analysis into I-1 and I-2 (*zoning*). Mr. Tesche proposed to address industrial zoned land in light of the Economic Development Plan. Ms. Ossiander reported the Title 21 economic impact analysis had indicated significantly reduced potential uses of industrial land. Chair Coffey reported that he and Ms. Ossiander were working with the Homebuilders Association and the Real Estate Task Force to address residential zoned areas, which were not included in the Title 21 economic impact analysis. Chair Coffey reported that he had appointed members to study the efficiencies and costs of the recycling proposals and to discuss rates with the Regulatory Commission of Alaska.

7. COMMITTEE REPORTS

Mr. Claman reported the Public Safety Committee met with the Anchorage Police Department (APD) to discuss the Community Action Police (CAP) Team and continued reduction of crime. APD Sergeant Denny Allen and other officers were involved and the program was effective. Chair Coffey requested the Public Safety Committee address loitering and public inebriants. Mr. Bauer requested the committee research the number of people cited for giving money to people on street corners, which was illegal.

Mr. Birch reported the Legislative Committee would be traveling to Juneau to address legislative issues.

Mr. Sullivan reported the Ethics Committee met that evening to discuss AO 2008-43 and campaign restrictions. The committee had not made a recommendation. He reported an AMATS meeting was scheduled for March 27th.

Mr. Starr reported the Budget and Finance Committee met and would make a recommendation on the 1st Quarter Budget review, scheduled to be heard by the Assembly on April 29th. An ad hoc committee had discussed managed competition, as it applied to city entities. To Dr. Selkregg, Mr. Starr responded the draft was a work in progress and copies were available for review.

Ms. Johnston reported the Assembly and the Anchorage School Board (ASB) held a Joint Meeting on March 21st to review the School District (ASD) Budget. The Assembly would continue looking into managed competition and joint services.

Mr. Sullivan reported the Supreme Court would take up the matter of Mr. Traini's eligibility (*for reelection*) on March 27th.

Ms. Ossiander reported the economic analysis of Title 21 changes had addressed adverse effects to business and industrial zoned areas. The committee would begin review of Chapter 5 on Thursday (*March 27th*) to address allowed uses. To Mr. Starr, she responded that Land Design North had asked the community to identify issues of concern for Eagle River and Chugiak and community councils were involved.

8. ADDENDUM TO AGENDA

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1 Chair Coffey called for a motion and read the Addendum items. He called for additional items and AO 2008-48, AO
2 2008-49, AO 2008-50, AO 2008-51, AO 2008-52 and AO 2008-53 were added and assigned Agenda Numbers 9.F.12,
3 9.F.13, 9.F.14, 9.F.15, 9.F.16 and 9.F.17, respectively. With no additional items, he called for a vote to incorporate the
4 Addendum items into the Consent Agenda.

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6 Ms. Ossiander moved, to approve the inclusion of the Addendum items
7 Dr. Selkregg seconded, into the Consent Agenda,
8 and this motion was passed.

9
10 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
11 NAYS: None.

12 Chair Coffey called the Question on the Consent Agenda.

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15 Ms. Ossiander moved, to approve the Consent Agenda,
16 Dr. Selkregg seconded,

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

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21 **9. CONSENT AGENDA**

22 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** There were no items.

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

25 9.B.1. Resolution No. AR 2008-52, a resolution of the Municipality of Anchorage appropriating \$84,888 from
26 the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$1,571 as a
27 contribution from the 2008 Anchorage Police Operating Budget, Anchorage Metropolitan Police
28 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
29 for **Seat Belt Enforcement**.

30 a. Assembly Memorandum No. AM 184-2008.

31 9.B.2. Resolution No. AR 2008-53, a resolution of the Municipality of Anchorage appropriating \$9,927 as a
32 grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
33 Security and Emergency Management and appropriating \$181 as a contribution from the 2008
34 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
35 State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**
36 **response and prevention equipment**.

37 a. Assembly Memorandum No. AM 185-2008.

38 9.B.3. Resolution No. AR 2008-54, a resolution of the Municipality of Anchorage appropriating \$2,285 as a
39 federal pass-through grant from the Alaska Department of Fish and Game (ADFG) Southeast
40 Sustainable Salmon Fund to the State Categorical Grants Fund (Fund 231), Project Management and
41 Engineering Department, for the **Fish Passage Barriers Analysis Project – Part A**.

42 a. Assembly Memorandum No. AM 186-2008.

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44 **9.C. BID AWARDS**

45 9.C.1. Assembly Memorandum No. AM 196-2008, recommendation of award to **McKenna Brothers Paving,**
46 **Inc.** for providing year round road maintenance services in the Girdwood Valley Service Area for the
47 Municipality of Anchorage, Maintenance & Operations Department (ITB 27B066) (\$495,000),
48 Purchasing.

49 9.C.2. Assembly Memorandum No. AM 197-2008, recommendation of award to CYS Management Services,
50 Inc. for **100th Avenue at Old Seward Highway Signalization** for the Municipality of Anchorage,
51 Project Management & Engineering Department (ITB 28-C003) (\$712,280.78), Purchasing.

52
53 **9.D. NEW BUSINESS**

54 9.D.1. Assembly Memorandum No. AM 198-2008, **Wal-Mart Supercenter #2188 #235** – Transfer of
55 Ownership and Location of a Package Store Liquor License (Eagle River Community Council), Clerk's
56 Office.

57
58 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.D.1)

59
60 9.D.2. Assembly Memorandum No. AM 199-2008, **2008/2009 Liquor License Renewals:** Phyllis's Café
61 #3266, Da Mi #4456, Downtown Deli #327, Alaska Chowder House #3434, Guido's Pizza #2636, Tofu
62 House Restaurant #4190, Ginger #2925, Siam Cuisine #3084, Nino's Italian Eatery #4576, Jens
63 Restaurant, Bodega & Gallery #2783, Tokyo Garden #4063, Hogg Brothers Café & Watering Trough
64 #1872 – Restaurant/Eating Place; El Tango #4451, Polar Bar #901, Red Robin Burger & Spirits
65 Emporium #3 #3685, Tempura Kitchen #4692, Red Robin Burger & Spirits Emporium #2 #3304, Crazy
66 Horse Too #1078, Crazy Horse #720, The O #1625 – Beverage Dispensary; Ramada Ltd. Hotel of
67 Anchorage #3795, Ramada Ltd. Hotel of Anchorage #3796, Camel Rock Lounge #4230, Indian House
68 #5539 – Beverage Dispensary-Tourism; Viking Hall #1579, V.F.W. Post #9978 – Club; La Bodega
69 #996, The O Liquors #1626, Indian House Liquor Store #1992, 2 Go Tesoro #4589, 2 Go Mart #2145
70 – Package Store (Midtown, Downtown, North Star, Spenard, Taku/Campbell, Eagle River, Fairview,
71 Northeast, Turnagain Arm Community Councils), Clerk's Office.

72
73 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.2)

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75 9.D.3. Assembly Memorandum No. AM 200-2008, proprietary purchase of **ballistic armor inserts** from
76 Protective Products International for the Municipality of Anchorage, Anchorage Police Department
77 (APD) (\$51,826.50), Purchasing.

78 9.D.4. Assembly Memorandum No. AM 201-2008, recommendation of a cooperative purchase to Yukon
79 Equipment Inc. for furnishing a **backhoe/loader** to the Municipality of Anchorage, Maintenance &
80 Operations Department (\$62,946), Purchasing.

- 1 9.D.5. Assembly Memorandum No. AM 202-2008, sole source contract with GEXPRO in support of the
2 **power generation plant operations** for the Municipality of Anchorage, Municipal Light & Power
3 (ML&P) (\$100,000), Purchasing.
- 4 9.D.6. Assembly Memorandum No. AM 203-2008, proprietary service contract with Groh Eggers, LLC –
5 **Board of Adjustment Appeals** (NTE \$10,000); Assembly Chair Coffey. (*Addendum*)
- 6 9.D.7. Assembly Memorandum No. AM 204-2008, Amendment No. 1 Reimbursable Services Agreement with
7 the Department of Transportation and Public Facilities (DOT&PF) for **Tudor Road and Lake Otis**
8 **Parkway, Intersection Improvements**, Project No. 04-35 (\$150,762.42); Project Management &
9 Engineering Department. (*Addendum*)
- 10 9.D.8. Assembly Memorandum No. AM 206-2008, proprietary professional services contract with **Utility**
11 **Resources, Inc.** (URI) for the Municipality of Anchorage, Municipal Light & Power (ML&P) (\$50,000);
12 Purchasing. (*Addendum*)
- 13 9.D.9. Assembly Memorandum No. AM 207-2008, Tax-Exempt Master Lease financing of capital
14 improvements for the Information Technology (IT) Department of the Municipality of Anchorage;
15 Finance Department. (*Addendum*)
- 16 9.D.10. Assembly Memorandum No. AM 208-2008, proprietary purchase of **Symantec E-mail Archiving and**
17 **Reporting Software** and implementation services with Structured Solutions, Inc. for the Municipality
18 of Anchorage, Information Technology Department (ITD) (\$285,907.50); Purchasing. (*Addendum*)
19
- 20 **9.E. INFORMATION AND REPORTS**
- 21 9.E.1. Information Memorandum No. AIM 20-2008, Internal Audit Report 2008-2 - **Maximo Work Order**
22 **System, Facility Maintenance, Maintenance and Operations.**
- 23

24 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (*See item 10.E.1*)

- 25
- 26 9.E.2. Information Memorandum No. AIM 22-2008, Report of the Bidding Review Board to hear the appeal of
27 **Western Construction & Equipment, Inc.** regarding denial of their protest on the proposed award of
28 Invitation to Bid (ITB) No. 27B066 for providing year round road maintenance services for the
29 Girdwood Valley Service Area by the Municipality of Anchorage, Maintenance and Operations
30 Department, Purchasing.
- 31 9.E.3. Information Memorandum No. AIM 23-2008, Notice of Pending Contract Amendment, QAP, (PO#
32 270846) - **Raspberry Road Improvements, Minnesota Drive to Arctic Boulevard**, Project No. 02-
33 13, Project Management & Engineering.
- 34 9.E.4. Information Memorandum No. AIM 24-2008, **contracts awarded between \$50,000 and \$500,000**
35 **through formal competitive processes** for the month of February 2008, Purchasing.
- 36 9.E.5. Information Memorandum No. AIM 25-2008, **Sole Source Procurement Report** for the month of
37 February 2008, Purchasing.
- 38
- 39 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**
- 40 9.F.1. Ordinance No. AO 2008-44, an ordinance amending Anchorage Municipal Code Section 4.05.155 to
41 **require an annual update on the composition of Title 4 Board and Commission Members** by
42 gender and ethnic diversity of members, Assemblymember Selkregg, Mayor Begich. P.H. 4-15-08.
43 a. Assembly Memorandum No. AM 193-2008.
- 44 9.F.2. Ordinance No. AO 2008-45, an ordinance authorizing a lease between the Municipality of Anchorage
45 and the Salvation Army, a Non-Profit Corporation, of land and facilities located at Point Woronzof, for
46 operation of the **Clitheroe Center**, Real Estate Services. P.H. 4-15-08.
47 a. Assembly Memorandum No. AM 194-2008.
- 48 9.F.3. Ordinance No. AO 2008-46, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add
49 a new section for **Anchorage Regional Landfill Closure and Post-Closure Care Liability**
50 retroactive to January 1, 2008, Solid Waste Services. P.H. 4-15-08.
51 a. Assembly Memorandum No. AM 195-2008.
- 52 9.F.4. Resolution No. AR 2008-55, a resolution approving and ratifying a one year wage and retirement
53 benefit opener for the **International Brotherhood of Electrical Workers Local 1547**, Employee
54 Relations Department. P.H. 4-15-08.
55 a. Assembly Memorandum No. AM 187-2008.
- 56 9.F.5. Resolution No. AR 2008-56, a resolution approving and ratifying a one year wage and retirement
57 benefit opener for the **International Union of Operating Engineers, Local 302**, Employee Relations
58 Department. P.H. 4-15-08.
59 a. Assembly Memorandum No. AM 188-2008.
- 60 9.F.6. Resolution No. AR 2008-57, a resolution of the Municipality of Anchorage appropriating \$1,300,000 in
61 2007 State of Alaska reappropriated **legislative grants** per Senate Bill 53 to Miscellaneous Capital
62 Project/Pass-Thru Fund (409), Project Management & Engineering, and \$18,989 in short term interest
63 to Areawide General CIP Fund (401), Department of Economic & Community Development, and \$130
64 in short term interest to Anchorage Roads & Drainage Service Area CIP Fund (441), Project
65 Management & Engineering, and \$1,087 in short term interest to Anchorage Parks & Recreation
66 Service Area CIP Fund (461), Project Management & Engineering, Office of Management & Budget.
67 P.H. 4-15-08.
68 a. Assembly Memorandum No. AM 189-2008.
- 69 9.F.7. Resolution No. AR 2008-58, a resolution of the Municipality of Anchorage appropriating \$157,829 from
70 the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$2,922 as a
71 contribution from the 2008 Anchorage Police Operating Budget, Anchorage Metropolitan Police
72 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
73 for **Impaired Driving Enforcement**. P.H. 4-15-08.
74 a. Assembly Memorandum No. AM 190-2008.
- 75 9.F.8. Resolution No. AR 2008-59, a resolution authorizing the Municipality of Anchorage, Public
76 Transportation Department to apply for and accept a Federal Transit Administration Section 5303
77 Metropolitan Planning Program grant, enter into a Transfer of Responsibilities Agreement in the
78 amount of \$270,186 with the Department of Transportation and Public Facilities, State of Alaska, and
79 to appropriate these funds to the State Categorical Grants Fund (231) for financing of the Transit
80 Planning Program along with \$67,547 for required local matching funds from the Public Transportation

- 1 Department's 2007 Operating Budget in the amount of \$57,110 and 2008 Operating Budget in the
2 amount of \$10,437 to the State Categorical Grants Fund (231) for financing of the **Transit Planning**
3 **Program**. P.H. 4-15-08.
4 a. Assembly Memorandum No. AM 191-2008.
5 9.F.9. Resolution No. AR 2008-60, a resolution of the Municipality of Anchorage appropriating \$195,705 as
6 payment in lieu of subdivision agreement obligations for road, pedestrian and intersection
7 improvements from **Tideview Development, Inc.** to the Anchorage Roads and Drainage Service Area
8 Capital Improvement Fund (441), Project Management & Engineering Department, for improvements
9 of Independence Drive and O'Malley Road. P.H. 4-15-08.
10 a. Assembly Memorandum No. AM 192-2008.
11 9.F.10. Resolution No. AR 2008-61, a resolution of the Anchorage Assembly appropriating \$75,000,000 from
12 proceeds of the sale of Subordinate Lien Port Revenue Notes (Commercial Paper) to **Port of**
13 **Anchorage** Capital Improvement Program Fund (571) and revising the approved 2008 Port of
14 Anchorage Capital Improvement Budget for expenditure of local matching funds for the Port
15 Intermodal Expansion Project, Port of Anchorage. P.H. 4-15-08. (Addendum)
16 a. Assembly Memorandum No. AM 205-2008.
17

18 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.F.10)
19

- 20 9.F.11. Ordinance No. AO 2008-47, an ordinance amending Anchorage Municipal Code Section 3.30.127
21 regarding **Service Recognition Pay**, and Sections 3.30.181, 3.30.182, 3.30.184, and 3.30.186
22 regarding productivity and employee incentive programs, Employee Relations Department. P.H. 4-29-
23 08.(Addendum)
24 a. Assembly Memorandum No. AM 209-2008.
25 9.F.12. Ordinance No. AO 2008-48, an ordinance of the Anchorage Municipal Assembly to provisionally adopt
26 a new **Chapter 21.04**, Zoning Districts, amending Anchorage Municipal Code Title 21 subject to
27 concurrent final passage and approval of all provisionally adopted chapters of Title 21. (**Laid on the**
28 **Table**) Public Hearing set for 5-06-08.
29

30 Ms. Ossiander moved, *to incorporate* AO 2008-48 into the Addendum, with
31 and Mr. Sullivan seconded. Public Hearing set for May 6, 2008,
32

- 33 9.F.13. Ordinance No. AO 2008-49, an ordinance of the Anchorage Municipal Assembly to provisionally adopt
34 a new **Chapter 21.05**, Use Regulations, amending Anchorage Municipal Code Title 21 subject to
35 concurrent final passage and approval of all provisionally adopted chapters of Title 21. (**Laid on the**
36 **Table**) Public Hearing set for 6-10-08.
37

38 Ms. Ossiander moved, *to incorporate* AO 2008-49 into the Addendum, with
39 and Mr. Sullivan seconded. Public Hearing set for June 10, 2008,
40

- 41 9.F.14. Ordinance No. AO 2008-50, an ordinance of the Anchorage Municipal Assembly to provisionally adopt
42 a new **Chapter 21.06**, Dimensional Standards and Measurements, amending Anchorage Municipal
43 Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of
44 Title 21. (**Laid on the Table**) Public Hearing set for 6-24-08.
45

46 Ms. Ossiander moved, *to incorporate* AO 2008-50 into the Addendum, with
47 and Mr. Sullivan seconded. Public Hearing set for June 24, 2008,
48

- 49 9.F.15. Ordinance No. AO 2008-51, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add
50 a new section for adding a surcharge to the **landfill tipping fees** to support Community Recycling
51 Initiatives effective xxxxxxx, 2008; Solid Waste Services. (**Laid on the Table**) Public Hearing set for
52 4-29-08.
53

54 Ms. Ossiander moved, *to incorporate* AO 2008-51 into the Addendum, with
55 and Mr. Sullivan seconded. Public Hearing set for April 29, 2008,
56

- 57 9.F.16. Ordinance No. AO 2008-52, an ordinance amending Anchorage Municipal Code Chapter 26.70 to add
58 a new section establishing **variable garbage collection rates** for automated collection routes
59 effective xxxxxxx, 2008; Solid Waste Services. (**Laid on the Table**) Public Hearing set for 4-29-08.
60

61 Ms. Ossiander moved, *to incorporate* AO 2008-52 into the Addendum, with
62 and Mr. Sullivan seconded. Public Hearing set for April 29, 2008,
63

- 64 9.F.17. Ordinance No. AR 2008-53, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add
65 a section allowing the Solid Waste Disposal Utility to operate a **compost facility**, sell finished
66 composted product and establish tipping fees for disposal of organic waste effective xxxxxxx, 2008;
67 Solid Waste Services. (**Laid on the Table**) Public Hearing set for 4-29-08.
68

69 Ms. Ossiander moved, *to incorporate* AO 2008-53 into the Addendum, with Public
70 and Mr. Sullivan seconded. Hearing set for April 29, 2008,
71

72 Chair Coffey called for a vote on the Consent Agenda, as amended.
73

74 and the motion to approve the Consent Agenda, as amended, was passed, 11-0.
75

76 **END OF CONSENT AGENDA**
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78 **10. REGULAR AGENDA**

79 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** No items were pulled for
80 review.

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10.B. RESOLUTIONS FOR ACTION - OTHER No items were pulled for review.

10.C. BID AWARDS No items were pulled for review.

10.D. NEW BUSINESS

10.D.1. Assembly Memorandum No. AM 198-2008, Wal-Mart Supercenter #2188 #235 – Transfer of Ownership and Location of a Package Store Liquor License (Eagle River Community Council), Clerk's Office.

Mr. Starr moved, to approve AM 198-2008,
Mr. Sullivan seconded,

To Mr. Starr, Municipal Licensing Clerk Jacqueline Duke responded that a conditional use (*permit*) had not been applied for. The application would be protested until the conditional use was approved. Mr. Starr proposed to protest the application because of other things.

Mr. Starr moved, to amend AM 198-2008 by *continuing* the protest until the
Mr. Sullivan seconded, distance between the business and a school was clarified and
and this was approved without objection. corrected,

Ms. Ossiander supported the amendment. Chair Coffey responded there would be Public Hearing when the conditional use permit was reviewed by the Assembly.

Mr. Claman stated the business would apply for the conditional use permit, which would be reviewed and approved by the Assembly and then the license could be addressed.

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

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

10.D.2. Assembly Memorandum No. AM 199-2008, 2008/2009 Liquor License Renewals: Phyllis's Café #3266, Da Mi #4456, Downtown Deli #327, Alaska Chowder House #3434, Guido's Pizza #2636, Tofu House Restaurant #4190, Ginger #2925, Siam Cuisine #3084, Nino's Italian Eatery #4576, Jens Restaurant, Bodega & Gallery #2783, Tokyo Garden #4063, Hogg Brothers Café & Watering Trough #1872 – Restaurant/Eating Place; El Tango #4451, Polar Bar #901, Red Robin Burger & Spirits Emporium #3 #3685, Tempura Kitchen #4692, Red Robin Burger & Spirits Emporium #2 #3304, Crazy Horse Too #1078, Crazy Horse #720, The O #1625 – Beverage Dispensary; Ramada Ltd. Hotel of Anchorage #3795, Ramada Ltd. Hotel of Anchorage #3796, Camel Rock Lounge #4230, Indian House #5539 – Beverage Dispensary-Tourism; Viking Hall #1579, V.F.W. Post #9978 – Club; La Bodega #996, The O Liquors #1626, Indian House Liquor Store #1992, 2 Go Tesoro #4589, 2 Go Mart #2145 – Package Store (Midtown, Downtown, North Star, Spenard, Taku/Campbell, Eagle River, Fairview, Northeast, Turnagain Arm Community Councils), Clerk's Office.

Ms. Ossiander moved, to approve AM 199-2008,
Ms. Johnston seconded,

Ms. Ossiander assumed the Assembly Chair. Mr. Coffey disclosed a possible conflict (*of interest*), because his former law firm had represented some establishments listed on AM 199-2008. He had been of counsel since January 1, 2007 and no longer had a financial interest. To Acting Chair Ossiander, he responded that he did not have a personal interest in any of the matters. Acting Chair Ossiander ruled that Mr. Coffey had no conflict of interest. There were no objections. Mr. Coffey resumed as Chair and stated a Kodiak license was mistakenly sent to the Clerk's Office from the Alcohol Beverage Control (ABC) Board and was mistakenly put on the Agenda. He reported there had been no objections to any of these licenses.

Ms. Ossiander stated that she had heard of an underage (*alcohol*) sale in the Ramada and there was no police report. Deputy Police Chief Ross Plummer responded that one incident did not constitute a pattern. Ms. Ossiander stated that the APD would report to the Assembly if establishments had problems. Deputy Chief Plummer concurred.

Mr. Claman stated the packets included ABC violations, including undercover operations, but APD enforcement was not involved with those. Chair Coffey responded that either agency would inform the Assembly on problem licenses.

and the main motion was approved 11-0.

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

10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 20-2008, Internal Audit Report 2008-2 - Maximo Work Order System, Facility Maintenance, Maintenance and Operations.

Dr. Selkregg moved, to accept AIM 20-2008,
Mr. Claman seconded,

Dr. Selkregg stated the audit had reported a variety of problems. Municipal Manager Michael Abbott responded the Administration was addressing the concerns. Maintenance and Operations Director Alan Czajkowski responded that a new system was being installed and each building was being addressed. Compliance with the Comprehensive Plan was also being addressed. Mr. Starr responded that he approved of the adjusted savings on inventory and other efficiencies.

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2 and the main motion was approved 11-0.

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

6
7 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

8 10.F.10. Resolution No. AR 2008-61, a resolution of the Anchorage Assembly appropriating \$75,000,000 from
9 proceeds of the sale of Subordinate Lien Port Revenue Notes (Commercial Paper) to **Port of**
10 **Anchorage** Capital Improvement Program Fund (571) and revising the approved 2008 Port of
11 Anchorage Capital Improvement Budget for expenditure of local matching funds for the Port
12 Intermodal Expansion Project, Port of Anchorage. P.H. 4-15-08. (Addendum)
13 a. Assembly Memorandum No. AM 205-2008.

14
15 Mr. Birch moved, *to introduce AR 2008-61 with Public Hearing set*
16 Mr. Claman seconded, *for April 15, 2008,*
17 Mr. Traini was the concurring third.

18
19 Mr. Birch stated that long term obligations had not been addressed and the Assembly would be requesting a (Port)
20 business plan to ensure that the city could support it. Chair Coffey responded that this involved a revenue bond. Port
21 Deputy Director Stephen Ribuffo responded that the information would be made available.

22
23 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

24 11.A. Resolution No. AR 2008-37, a resolution of the Anchorage Municipal Assembly supporting the policy
25 and practice of "**Zero Waste**" production in all municipal operations, Assemblymember Selkregg,
26 Mayor Begich.
27 1. Assembly Memorandum No. AM 156-2008. (*Postponed from 3-18-08*)

28
29 Chair Coffey reported there was a motion (*to approve*) on floor from March 18th.

30
31 Ms. Johnston had moved, *to approve AR 2008-37,*
32 Ms. Ossiander had seconded,

33
34 To Ms. Ossiander, the Administration responded approval of this resolution would not obligate the city to expend
35 money.

36
37 and this motion was passed, 11-0.

38
39 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
40 NAYS: None.

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42 **12. APPEARANCE REQUESTS** There were no appearance requests.

43
44 **13. CONTINUED PUBLIC HEARINGS**

45 13.A. Ordinance No. AO 2007-106, an ordinance of the Anchorage Municipal Assembly amending
46 Anchorage Municipal Code Sections 17.10.010, **Animals in Public Places**, to prohibit dogs in
47 municipal enclosed ballfields; and amending 17.70.020, Civil Penalties for Animal Care and Control
48 Violations, to establish an enhanced fine for violation of the prohibition, Assembly Chair Coffey.
49 1. Information Memorandum No. AIM 91-2007.
50 2. Ordinance No. AO 2007-106(S), an ordinance of the Anchorage Municipal Assembly
51 amending Anchorage Municipal Code Sections 17.10.010, **Animals in Public Places**, to
52 prohibit dogs in municipal enclosed ballfields; and amending 17.70.020, Civil Penalties for
53 Animal Care and Control Violations, to establish an enhanced fine for violation of the
54 prohibition, Assembly Chair Coffey. (Continued from 9-25-07, 10-23-07 and 11-27-07)

55
56 Ms. Ossiander moved, *to combine Public Hearing on AO 2007-106*
57 Mr. Birch seconded, *and AO 2007-143,*
58 and this motion was passed, 11-0.

59
60 Mr. Birch moved, seconded by Mr. Bauer to Change the Order of Day to take up 13.C. There were no objections.

61
62 (*Clerk's Note: Upon completion of 13.C, Chair Coffey returned the body to take up 13.A and 13.B*)

63
64 Chair Coffey stated this matter had been put off so the community could try to resolve things by working
65 collaboratively, so legislation would not be needed. It was proposed that both ordinances be postponed indefinitely
66 and new ordinances be brought forth in the future, if necessary.

67
68 Mr. Claman stated that baseball parks were ready to be used and volunteers were needed to help clean up.
69 There needed to be a commitment from the community to work together to share the fields without the legislative
70 branch taking action.

71
72 Dr. Selkregg appreciated all the workers volunteering. There was consideration of creating a fee in the future to help
73 clean up the ballfields or using more fences, if needed. There was a variety of things to consider that would make this
74 work over time. It was better for the community to come together and make it work rather than using police time and
75 resources.

76
77 Chair Coffey opened Public Hearing.

78
79 PATTI GINSBURG, Animal Advisory Board Chair and Co-chair of People and Pets in Public Spaces (PPIPS), testified
80 there were positive ways to solve the problem. The PPIPS action plan included a long term strategy for public

1 consciousness and use of volunteer efforts.

2
3 PENNY GOLDEN, with the Alaska Kennel Club (AKC), testified the AKC opposed the ordinance and unanimously
4 supported the PPIPS action plan. The AKC offered to work, following the PPIPS action plan.

5
6 NEIL KOENIGER, member of the Animal Advisory Board and PPIPS Committee, testified in support of postponing the
7 ordinances indefinitely. Many organizations were working on resolving the matter. Ms. Ossiander requested a list of
8 the clubs that were involved, so they could be recognized.

9
10 KATHY STEPHENSON, President of Alyeska Canine Training (ACT), supported the PPIPS resolution (*PPIPS action*
11 *plan*). ACT had over 1000 dogs enrolled in classes and was active in sponsored events and promotion of responsible
12 pet ownership.

13
14 MIKE FETKO, Vice President of Far North Little League, opposed shared use. Far North Little Leaguers raised funds
15 and collected in-kind donations to fix the fields and clean up after dogs. People still let their dogs run loose and did not
16 pick up doggy doo. Dogs needed to use other parks and designated areas. Mr. Traini supported more dog parks. Dr.
17 Selkregg urged for continued communication, to work together and solve the issue.

18
19 There was no additional testimony and Chair Coffey closed Public Hearing and called for a motion.

20
21 Mr. Claman moved, *to postpone indefinitely* AO 2007-106(S),
22 Dr. Selkregg seconded,

23
24 Mr. Sullivan stated this was a matter that needed to be addressed and he thanked Chair Coffey for bringing it forward.
25 He hoped the community effort would work. It was hard to change behavior of irresponsible pet owners. If problems
26 still existed in a year it would be addressed again.

27
28 Chair Coffey stated there were multiple opportunities and he liked people coming together to solve the problem. He
29 would support postponing indefinitely.

30
31 and this motion was passed, 11-0.

32
33 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
34 NAYS: None.

35
36 13.B. Ordinance No. AO 2007-143, an ordinance of the Anchorage Municipal Assembly amending
37 Anchorage Municipal Code Section 14.60.030, **Fine Schedule**; amending Section 25.70.050,
38 **Penalties and Remedies for Violations on Public Lands**; and amending Section 25.70.060, **Activities**
39 **Prohibited in Parks**, to establish fines for litter in public parks and animal feces not immediately
40 collected and properly disposed from sport areas in parks, Assemblymember Claman.

41 1. Ordinance No. AO 2007-143(S), an ordinance of the Anchorage Municipal Assembly
42 amending Anchorage Municipal Code Section 14.60.030, **Fine Schedule**; amending Section
43 25.70.050, **Penalties and Remedies for Violations on Public Lands**; and amending Section
44 25.70.060, **Activities Prohibited in Parks**, to establish fines for litter in public parks and animal
45 feces not immediately collected and properly disposed from sport areas in parks,
46 Assemblymember Claman. (CONTINUED FROM 12-11-07)

47
48 (Clerk's Note: See 13.A. for details of Combined Public Hearing and related discussion and action on 13.A and 13.B.)

49
50 Mr. Claman moved, *to postpone indefinitely* AO 2007-143(S),
51 Dr. Selkregg seconded,

52
53 Mr. Claman stated he would be addressing this again in the future if progress was not made. Increasing fines was not
54 limited to dog waste, but to all litter in parks.

55
56 and this motion was passed, 11-0.

57
58 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.
59 NAYS: None.

60
61 13.C. Ordinance No. AO 2008-14, an ordinance amending Anchorage Municipal Code Section 19.40.100 to
62 authorize a **new funding program for roads** incorporated into Anchorage Road & Drainage Service
63 Area (ARDSA) from a Limited Road Service Area (LRSA) or Road Service Area (RSA), Project
64 Management & Engineering.

65 1. Assembly Memorandum No. AM 42-2008. (CONTINUED FROM 2-26-08)

66
67 (Clerk's Note: A motion was approved to Change the Order of the Day to take up 13.C, prior to opening Combined
68 Public Hearing on 13.A. and 13.B)

69
70 Chair Coffey opened Public Hearing on AO 2008-14.

71
72 CATHERINE WILKS, Chair of Paradise Valley South Limited Road Service Area (LRSA) and Board Member DUSTY
73 KAISA testified in support of the ordinance and urged a YES-vote. To Ms. Johnston, Ms. Wilks responded there was
74 significant support from homeowners and property owners.

75
76 With no additional public testimony, Chair Coffey closed Public Hearing and called for a motion.

77
78 Mr. Birch moved, *to approve* AO 2008-14,
79 Ms. Johnston seconded,

80

1 Mr. Birch stated this item was a great opportunity.

2
3 Dr. Selkregg stated this structure would serve the city well to eventually provide a way for Anchorage to become one
4 whole district with fair costs.

5
6 and this motion was passed, 11-0.

7
8 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

9 NAYS: None.

10
11 13.D. Ordinance No. AO 2008-36, an ordinance of the Anchorage Municipal Assembly to provisionally adopt
12 new **Chapters 21.04, Zoning Districts; 21.05, Use Regulations; and 21.06, Dimensional**
13 **Standards and Measurements**, amending Anchorage Municipal Code Title 21 subject to concurrent
14 final passage and approval of all provisionally adopted chapters of Title 21, Planning Department.

15 1. Assembly Memorandum No. AM 71-2008. (CONTINUED FROM 3-18-08)

16
17 Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
18 called for a motion.

19
20 Ms. Ossiander stated that it was her intent to deal with (*changes to Title 21*) Chapters 4, 5 and 6 separately. Chapter
21 4 was being considered that evening. To Chair Coffey, she responded that she intended to postpone indefinitely AO
22 2008-36.

23
24 Chair Coffey opened Public Hearing. There was no one to testify and he closed Public Hearing and called for a
25 motion.

26
27 Ms. Ossiander moved, *to postpone indefinitely AO 2008-36,*
28 Dr. Selkregg seconded,
29 and this motion was passed, 11-0.

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

32 NAYS: None.

33
34 **14. NEW PUBLIC HEARINGS**

35 14.A. Ordinance No. AO 2008-30, an ordinance determining and approving the total amount of the **annual**
36 appropriating the portion of the Assembly approved budget amount to be made available from local
37 sources.

38 1. Assembly Memorandum No. AM 70-2008.

39
40 To Mr. Starr, Mr. Traini and Mr. Sullivan, Chair Coffey responded that Assemblymembers with spouses working in the
41 Anchorage School District (ASD) had been previously addressed many times by the Assembly and he ruled that each
42 member had no substantial financial or private conflicts of interest and ordered that they participate. There were no
43 objections.

44
45 Chair Coffey read the ordinance title and opened Public Hearing.

46
47 CAROL COMEAU, ASD Superintendent, and TIM STEELE, President of the Anchorage School Board (ASB) urged
48 support of the ASD Budget. To Ms. Johnston, Ms. Comeau responded there would be possible additional state
49 funding and the ASD was hopeful there would be one-time funding for energy costs. She responded that any one-time
50 state funding received would be spent on one-time expenditures. To Mr. Claman, she responded the general fund
51 would still subsidize the funding of intensive needs students. To Mayor Begich, Ms. Comeau responded increased
52 funding would not affect the mill rate. One-time money would be used for things like replacing equipment or building
53 maintenance. To Ms. Ossiander, Ms. Comeau responded that any increase to the budget would have to be approved
54 by the Assembly.

55
56 To Dr. Selkregg, Ms. Comeau responded the average cost per student was \$15,000. Mr. Steele responded other
57 funding included debt services and federal funding for nutrition. To Mr. Starr, Ms. Comeau explained the process of
58 addressing state funding. Mr. Birch stated there was a decline in student population and constituents needed to be
59 assured that everything was being done to keep property taxes down. He supported the ASD efforts. Chair Coffey
60 stated that 1 of 7 kids had special needs. To Mr. Sullivan, Ms. Comeau and Mr. Steele responded about the need for
61 career centers, workforce development sites and the use of smaller schools or multiple school districts. Mr. Sullivan
62 urged that the best school districts in the world be studied and duplicated. Mr. Traini stated that the ASD had done a
63 great job and there had been no public complaints. Dr. Selkregg stated there was growing disparity in wages and she
64 addressed ASD wages and increases, particularly the janitors.

65
66 JIM LEFLEY, President-elect and representing the Anchorage Education Association, testified in support and urged
67 approval for the ASD Budget, as presented.

68
69 MICHAEL GRAHAM, Principal of East High School and Principal of the Anchorage Principals' Association, testified in
70 support of the ASD Budget.

71
72 BONNIE CAPSPAND, mother and active with schools, testified in support of the ASD Budget and capital
73 improvements.

74
75 DUANE MORAN, President of the American Council of Education, urged support for the ASD Budget. Ms. Ossiander
76 urged that the Association be involved with future ASD Budgets. Chair Coffey, Mr. Starr, Dr. Selkregg and Mr. Claman
77 addressed employee benefits, salary increases, retirement programs, costs and benefits.

78
79 There was no additional public testimony and Chair Coffey closed Public Hearing.

80

1 Mr. Traini moved, to approve AO 2008-30,
2 Mr. Claman seconded,

3
4 Mr. Traini supported education and the ASD Budget.

5
6 and this motion was passed, 11-0.

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

9
10

11 14.B. Ordinance No. AO 2008-15, an ordinance amending Anchorage Municipal Code Sections 21.10.028,
12 21.15.015, and 21.15.030 to give **site plan authority** over certain developments to the Urban Design
13 Commission (Planning Case 2007-136), Planning Department.
14 1. Assembly Memorandum No. AM 43-2008.

15

16 Ms. Ossiander stated that Title 21 (*Committee*) had not yet taken this up and she proposed to continue Public Hearing
17 to May 6th.

18

19 Ms. Ossiander moved, to continue AO 2008-15 to May 6, 2008,
20 Dr. Selkregg seconded,
21 and this motion was passed, 11-0.

22

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

25

26 14.C. Ordinance No. AO 2008-39, an ordinance enacting the "**Parks & Trails Legacy Act of 2008**" and
27 amending Anchorage Municipal Code to enact a new Chapter 25.85, Assemblymembers Tesche,
28 Selkregg.

29

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

32

33 Dr. Selkregg moved, to approve AO 2008-39,
34 Mr. Claman seconded,

35

36 Ms. Ossiander opposed the proposed ordinance which would add a bureaucratic layer that was not necessary. There
37 would be no value to areas that had their own park boards and funds for capital projects.

38

39 To Mr. Traini, Parks Director Jeff Dillon responded the department and the Anchorage Park Bowl Commission
40 unanimously supported the ordinance.

41

42 Ms. Johnston supported the Eagle River and Girdwood Parks and Recreation models. She supported the Anchorage
43 Park Foundation receiving the funds, but the foundation was a managed fund and the Community Foundation was
44 responsible for the expenditures. This proposal did not support the public process as well and she would not support.

45

46 To Mr. Claman, Mr. Tesche responded the version before the Assembly had been drafted to address all service areas.
47 Mr. Claman proposed to continue the matter to see if a compromise could be reached.

48

49 To Dr. Selkregg, Municipal Attorney Jim Reeves responded the Law Department had drafted the ordinance to make
50 certain that money going into the Legacy Fund would be approved by the service area boards. Private funds and
51 charitable donations would also be accepted. Under federal law, the foundation would disperse only at the request of
52 the Assembly. Ms. Ossiander responded that this was unnecessary for Eagle River/Chugiak. Dr. Selkregg stated the
53 ordinance would create a potential for increasing park resources.

54

55 Mr. Starr stated that he respected the opinions of the service boards, which did not want to be involved because the
56 proposal could potentially damage their ability to manage parks. The current service boards were working well and the
57 additional level of oversight was not necessary. He would not support the ordinance.

58

59 Ms. Johnston stated that this model would not work for Eagle River/Chugiak or Girdwood. Mr. Dillon explained the
60 process involved a check-and-balance of the Anchorage Park Foundation and Community Foundation and involved
61 community approval.

62

63 Mr. Tesche stated this was designed to set up a fund for parks and facilities for generations to come. The service
64 areas not wanting to participate should not be forced to, but the rest of Anchorage should not be denied an opportunity
65 to use a funding mechanism that would effectively maintain Anchorage parks.

66

67 Mr. Birch stated that no one had testified and the process in place was working well. He urged a NO-vote.

68

69 Mr. Claman proposed to continue to May 6th and schedule a worksession to view all information and to hear from
70 Eagle River/Chugiak and Girdwood Service Boards and the Parks Foundation.

71

72 Mr. Claman moved, to continue AO 2008-39 to May 6, 2008, with a worksession
73 Dr. Selkregg seconded, scheduled to hear from the Eagle River/Chugiak and
74 and this motion failed, 3-8. Girdwood Service Boards and the Parks Foundation,

75

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

78

79 Ms. Ossiander stated she had studied and understood the matter and she did not support it.

80

1 Mr. Starr stated that he liked the idea but not the mechanism. He would be a NO-vote.

2
3 Mayor Begich stated there was interest in this concept and he encouraged additional discussion.

4
5 Mr. Tesche stated that the Assembly had an opportunity to make a difference and he urged approval that evening.

6
7 Mr. Traini called the Question on the main motion and there were no objections. Chair Coffey called for a vote on the
8 main motion.

9
10 and the main motion failed, 4-7.

11
12 AYES: Tesche, Traini, Selkregg and Claman.

13 NAYS: Sullivan, Starr, Coffey, Ossiander, Johnston, Birch and Bauer.

14
15 **15. SPECIAL ORDERS**

16 15.A. Motion to remand **AO 2006-104 and AO 2006-104(S)** to the Planning and Zoning Commission.
17 (Postponed from 2-12-08)

18
19 Chair Coffey stated that Wal-Mart had withdrawn its petition and he urged that the matter be voted down.

20
21 Mr. Traini moved, to remand AO 2006-104 and AO 2006-104(S) to the Planning
22 and this motion was later withdrawn. and Zoning Commission,

23
24 Mr. Traini stated that Wal-Mart was going to build on their property as it was zoned and there was no reason to
25 remand the matter to Planning and Zoning.

26
27 Mr. Traini withdrew his motion to remand.

28
29 Mr. Starr stated that Wal-Mart would be building and was a responsible developer and would benefit the community.

30
31 Chair Coffey called for objections on withdrawing the motion to remand and there were none.

32
33 Dr. Selkregg stated that Wal-Mart was working with the Municipality and would be responsible and committed to
34 following the rules.

35
36 Chair Coffey stated that the Assembly had worked long hours and now, because of a technicality, the result would be
37 much less than what the Assembly had crafted. The city would get a development that was based on the big-box store
38 (ordinance).

39
40 Mr. Bauer stated that this was to have been the best development in the state, with many improvements and
41 contributions to the community.

42
43 **16. UNFINISHED AGENDA** None.

44
45 **17. AUDIENCE PARTICIPATION**

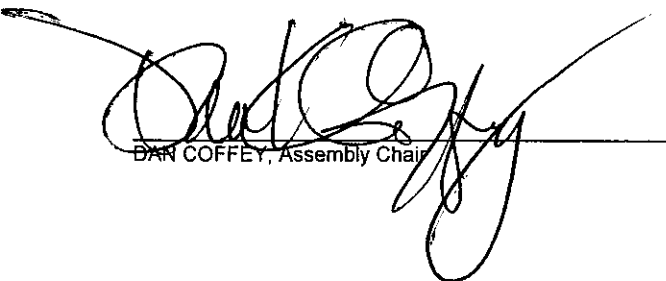
46
47 Visiting Boy Scout Troop 267, working on merit badges, introduced themselves as Scouts Chris Thomas, Levi
48 Musgrave, Dallin Call, Patrick Thornton and Patrol Leader Cortland Parret. They were joined by Scout Master Chad
49 Kotter, Assistant Scout Masters John Thornton and Merlyn Parret.

50
51 **18. ASSEMBLY COMMENTS**

52
53 Mr. Birch reported on the tragedy of the downtown Veterans' monument being damaged. Mr. Traini responded that a
54 \$5,000 reward had been offered to find who had committed the atrocity. Municipal Manager Michael Abbott responded
55 the site was one being considered for park security measures, including possible video surveillance. Mr. Tesche
56 stated that it was important to treat returning Veterans with respect and he supported police surveillance and bringing
57 those responsible to justice.

58
59 **19. EXECUTIVE SESSIONS** None.

60
61 **20. ADJOURNMENT** Chair Coffey adjourned the Assembly Meeting at 9:08 p.m.

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DAN COFFEY, Assembly Chair

ATTEST:


BARBARA GRUENSTEIN, Municipal Clerk

Date Minutes Approved: April 15, 2008.

MC/BG

(View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or call the
Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505)