MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of April 29, 2008

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Claman at 5:01 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: William Starr, Mike Gutierrez, Elvi Gray-Jackson, Chris Birch, Matt Claman, Sheila Selkregg, Harriet Drummond, Debbie Ossiander, Patrick Flynn, Jennifer Johnston and Dan Coffey.
ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Flynn led the pledge.

4. MINUTES OF PREVIOUS MEETINGS There were none.

5. MAYOR'S REPORT

Mayor Begich reported on the construction of the Dena'ina Convention and Visitors Center and the F Street Connectivity projects. He recognized Mike Krueger for his 35 years of service, working with Geotechnical Services. He thanked him for his dedication and presented to him his 35-year pin. Mr. Krueger thanked the Assembly and the Administration for the recognition and stated that he had enjoyed serving Anchorage. Mayor Begich recognized Restoration of Creeks and Watersheds Manager David Wigglesworth and the Salmon in the City Stewardship Team. Through their efforts for Anchorage's Salmon in the City Program had received the National Coastal America 2007 Partnership Award. Local partners in the community included federal, state and local governments and local community individuals and organizations. Mayor Begich, Ms. Ossiander and Dr. Selkregg thanked them for their service.

6. ASSEMBLY CHAIR'S REPORT

Chair Claman reported that the recycling issues would be postponed to May 6th. The Administration had requested that AO 2008-47 regarding service recognition, be postponed indefinitely. He reported that an Assembly retreat would be scheduled for May. He announced that the Assembly would start taking breaks at 7:30 or later during Regular Assembly Meetings. Chair Claman introduced Tara Callear, newly-appointed to the Public Transit Advisory Board.

7. COMMITTEE REPORTS

Ms. Ossiander reported that suggested amendments to Chapter 4 of Title 21 were now online. The substitute version would be before the Assembly on May 6th. Chapter 4 dealt with zoning districts. She urged people with questions or comments to contact any Title 21 Committee member. There would be a public information meeting in early June, to review the whole *(Title 21 Rewrite)* project.

8. ADDENDUM TO AGENDA There were no Addendum items.

Chair Claman called for a motion on the Consent Agenda.

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

Chair Claman 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 2008-49, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich recognizing May 9, 2008 as **Police Memorial Day** and an opportunity for remembering and honoring those who have made the ultimate sacrifice in service to our community, Assemblymembers Claman, Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander, Selkregg, Starr and Mayor Begich.

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

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2008-81, a resolution of the Municipality of Anchorage appropriating $65,000 of revenues from within the Eagle River/Chugiak Parks, Recreation & Community Development Service Area Capital Improvement Fund (462) for facility improvements at the **Harry J. McDonald Memorial Center**, Eagle River/Chugiak Parks, Recreation & Community Development.
a. Assembly Memorandum No. AM 280-2008.

9.B.2. Resolution No. AR 2008-82, a resolution of the Municipality of Anchorage appropriating a supplemental grant award of $20,000 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants Fund (231) Department of Health and Human Services for the provision of **public health preparedness and response for bioterrorism**.
a. Assembly Memorandum No. AM 281-2008.

9.B.3. Resolution No. AR 2008-83, a resolution of the Anchorage Assembly appropriating $13,776 from the State of Alaska to the Miscellaneous Operational Grants Fund (231) to the Office of Economic and Community Development, for the purchase of **library books**.
a. Assembly Memorandum No. AM 282-2008.

9.B.4. Resolution No. AR 2008-84, a resolution of the Anchorage Assembly appropriating $1,000 from the State of Alaska to the Miscellaneous Operational Grants Fund (231) to the Office of Economic and Community Development, for the reimbursement of **library conference travel costs**.
a. Assembly Memorandum No. AM 283-2008.

9.B.5. Resolution No. AR 2008-85, a resolution appropriating $32,371 as a grant from the State of Alaska, Division of Homeland Security and Emergency Management, Department of Military and Veterans Affairs for the **Ben Boeke Seismic Retrofit Project**,, and appropriating $629 as a contribution from the Facilities Maintenance Operating Budget (Fund 101) to the Anchorage Parks and Recreation Service CIP Fund (461), Maintenance and Operations Department.
a. Assembly Memorandum No. AM 284-2008.

9.C. BID AWARDS

9.C.1. Assembly Memorandum No. AM 267-2008, recommendation of award to Quality Asphalt Paving, Inc. (QAP) for the **80th Avenue, 72nd Avenue, Spruce Street and Lore Road Upgrade Project** for Project Management and Engineering Department (ITB 28-C014) ($10,991,576), Purchasing.

9.C.2. Assembly Memorandum No. AM 268-2008, recommendation of award to Seacoast Construction Company, Inc. for **2008/2009 Miscellaneous Construction Services**, for the Municipality of Anchorage, Project Management & Engineering Department (ITB 28-C009) ($1,000,000), Purchasing.

9.C.3. Assembly Memorandum No. AM 288-2008, recommendation of award to Alaska Frontier Services, LLC for the **Traffic Calming Improvements 2007, Group B**, for the Project Management and Engineering Department (ITB 28-C015) ($667,992.13), Purchasing.

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 269-2008, **Animal Control Advisory Board** appointment (Kelly Regan), Mayor's Office.

9.D.2. Assembly Memorandum No. AM 270-2008, **Public Transit Advisory Board** appointment (Tara Callear), Mayor's Office.

9.D.3. Assembly Memorandum No. AM 271-2008, **Wal-Mart Supercenter** #3813 – Transfer of Ownership and Location of a Package Store Liquor License (*No Premise*), Clerk's Office.

Mr. Coffey requested this item be pulled for review on the Regular Agenda. *(See item 10.D.3)*

9.D.4. Assembly Memorandum No. AM 272-2008, **Player's House of Rock** #2097 – Restaurant Designation Permit for a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.

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

9.D.5. Assembly Memorandum No. AM 273-2008, **2008/2009 Liquor License Renewals**: Whaler Bar & Grill #1456, Homestead Lounge/Sourdough Bowl #2895 – Beverage Dispensary (Northeast and Eagle River Community Councils), Clerk's Office.

9.D.6. Assembly Memorandum No. AM 274-2008, **Proposed Alternative Methodology** for Levying Assessments Created by Water and Sanitary Sewer Main Extension Projects, Anchorage Water and Wastewater Utility.

Mr. Flynn requested this item be pulled for review on the Regular Agenda. *(See item 10.D.6)*

9.D.7. Assembly Memorandum No. AM 275-2008, **Anchorage Parks & Recreation 2008 Fee Schedule**.

Mr. Starr requested this item be pulled for review on the Regular Agenda. *(See item 10.D.7)*

9.D.8. Assembly Memorandum No. AM 276-2008, proprietary contract award to Integration Assistance Consulting Inc. (IAC) for providing technical services in support of the **Police Mobile Data Communications System** (MDCS) for the Municipality of Anchorage, Anchorage Police Department (APD) ($164,250), Purchasing.

9.D.9. Assembly Memorandum No. AM 277-2008, proprietary purchase with Tiburon, Inc. to provide **maintenance support services** for the Anchorage Police Department Records Management System (RMS), Automated Reporting System (ARS), and Computer Aided Dispatch System (CAD) for the Municipality of Anchorage, Anchorage Police Department ($121,271), Purchasing.

9.D.10. Assembly Memorandum No. AM 278-2008, Change Order No. 1 to Purchase Order No. 270988 with Agnew::Beck Consulting, LLC for providing master planning for the **Girdwood South Townsite** for the Municipality of Anchorage, Heritage Land Bank ($19,950), Purchasing.

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

9.D.11. Assembly Memorandum No. AM 279-2008, Amendment No. 2 to contract with Wilder Construction, Inc., **Kincaid Park Access Road, NSC Bunker to Kincaid Park Entrance**, Project No. 05-17 ($122,360), Project Management & Engineering.

9.D.12. Assembly Memorandum No. AM 289-2008, recommendation of award to Open Systems International, Inc. for the purchase and installation of an **Energy Management System** and Change Order No. 1 to Purchase Order No. 264108 with KEMA, Inc. for technical assistance for the Municipality of Anchorage, Municipal Light & Power ($1,857,001), Purchasing.

9.E. INFORMATION AND REPORTS

9.E.1. Information Memorandum No. AIM 28-2008, **Sole Source Procurement Report** for the month of March 2008, Purchasing.

9.E.2. Information Memorandum No. AIM 29-2008, **Executive Appointments** (Shalem Mathew-Administrative Assistant; Clare Stockert, Special Admin Assistant I; Matthew Holbrook III, Special Admin Assistant I; Amy Sparck Dobmeier, Special Admin Assistant I; Adele Stickman-Special Admin Assistant I; Genevieve Maurits-Special Admin Assistant I; Jeanne Carlson-Special Admin Assistant I; Sarah Kinderknecht-Special Admin Assistant I; August Petropulos-Municipal Attorney I; Candace Beery-Special Admin Assistant II; Cynthia Franklin-Municipal Attorney II; Teresa Peterson-Controller; Aaron Jabaay-Municipal Attorney I; Stephen Ribuffo-Special Admin Assistant II; Minta Montalbo-Special Admin Assistant I; John Gazaway-Special Admin Assistant I; Hanley Smith-Municipal Attorney I; Cynthia Dubell-Municipal Attorney I; Pamela Weiss-Municipal Attorney II; D. Kenneth Ford-Municipal Attorney I), Mayor's Office.

9.E.3. Information Memorandum No. AIM 30-2008, **1st Quarter 2008 Financial Reports**, Office of Management & Budget.

Mr. Starr requested this item be pulled for review on the Regular Agenda. *(See item 10.E.3)*

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

9.F.1. Resolution No. AR 2008-86, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating eight **State of Alaska Drinking Water Fund loan offers** in the aggregate amount of $6,720,000 for financing a portion of the costs of the Anchorage Loop WTM - Phase IV, Hillside Transmission Main, Knik View Water, Northeast Water Improvements, Water Data Processing, San Ernesto Water Upgrade, Daryl-Industrial Water Intertie, and South Anchorage Water Extension projects, Anchorage Water and Wastewater Utility. P.H. 5-20-08.

a. Assembly Memorandum No. AM 285-2008.

9.F.2. Resolution No. AR 2008-87, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating six **State of Alaska Clean Water Fund loan offers** in the aggregate amount of $4,246,806 for financing a portion of the costs of the C-2 (A, B) Sewer Improvements, Septage Improvements – Phase II, Girdwood WWTF Improvements, Arctic 32nd-36th Sewer Upgrade, San Ernesto Hoyt-San Antonio Sewer Upgrade, and Douglas Street Sewer Upgrade projects, Anchorage Water and Wastewater Utility. P.H. 5-20-08.

a. Assembly Memorandum No. AM 286-2008.

9.F.3. Resolution No. AR 2008-88, a resolution of the Municipality of Anchorage appropriating $1,603,589 from Alaska Housing Finance Corporation (AHFC) as a grant to the State Categorical Grants Fund (231), to the Department of Neighborhoods to fund the **Weatherization Assistance Program**. P.H. 5-20-08.

a. Assembly Memorandum No. AM 287-2008.

9.F.4. Assembly Memorandum No. AM 266-2008, **Employee Relations Board** appointments (William Evans and Roxanne Rohweder), Mayor's Office. P.H. 5-20-08.

Chair Claman called for a vote on the remainder of the Consent Agenda.

and the motion, as amended, was passed.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

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

END OF CONSENT AGENDA

10. REGULAR AGENDA

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.A.1. Resolution No. AR 2008-49, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich recognizing May 9, 2008 as **Police Memorial Day** and an opportunity for remembering and honoring those who have made the ultimate sacrifice in service to our community; Assemblymembers Claman, Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander, Selkregg, Starr and Mayor Begich.

Mr. Coffey moved, to approve AR 2008-49,
Ms. Ossiander seconded,
and this passed without objection, 11-0.

Mr. Gutierrez read and Mr. Coffey presented the resolution, recognizing May 9, 2008 as Police Memorial Day, an opportunity to remember and honor those who had made the ultimate sacrifice in service to the community. The Anchorage Police Department accepted the resolution on behalf of the fallen officers and their families and survivors.

Mr. Coffey stated that honoring these officers emphasized the risk of being a police officer. He thanked all law enforcement officers who had served or were serving.

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

10.C. BID AWARDS None were pulled for review.

10.D. NEW BUSINESS

10.D.3. Assembly Memorandum No. AM 271-2008, **Wal-Mart Supercenter** #3813 – Transfer of Ownership and Location of a Package Store Liquor License (*No Premise*); Clerk's Office.

Mr. Coffey moved, to approve AIM 271-2008,
Mr. Johnston seconded,

Mr. Coffey stated this was a transfer of ownership and not a transfer of location, which was referenced in the memorandum. Municipal Clerk Barbara Gruenstein responded this was a no-premise transfer. Janet Tipton, representing Wal-Mart, responded this was a no-location transfer to Wal-Mart from the Buckaroo Club. Mr. Coffey stated that adding a location would require an application and a conditional use permit.

and this passed without objection, 11-0.

10.D.4. Assembly Memorandum No. AM 272-2008, **Player's House of Rock** #2097 – Restaurant Designation Permit for a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.

Mr. Coffey moved, to approve AM 272-2008,
Ms. Ossiander seconded,

Mr. Coffey stated that the Player's House of Rock was seeking a restaurant designation permit, but there was nothing in the file that indicated this establishment was a bona fide restaurant. Mr. Birch responded this establishment was the former Fly By Night Club, which had served food. Mr. Coffey stated that it was unclear.

Mr. Coffey moved, *to continue* AM 272-2008 to May 6, 2008, to clarify
Ms. Ossiander seconded, the restaurant designation premise,
and the motion passed without objection.

10.D.6. Assembly Memorandum No. AM 274-2008, **Proposed Alternative Methodology** for Levying Assessments Created by Water and Sanitary Sewer Main Extension Projects, Anchorage Water and Wastewater Utility. *(Postponed to 7-29-08)*

Mr. Flynn requested this item be postponed and a worksession scheduled with Anchorage Water and Wastewater Utility *(AWWU)* to allow Assemblymembers to understand fully and receive an explanation of the cost of this project.

Mr. Flynn moved, *to postpone* AM 274-2008 [~~with a worksession scheduled from 10:30 a.m. to noon on June 6th~~] "to July 29th with a
Mr. Coffey seconded, worksession scheduled at a later date,"
and this was later amended,

Municipal Manager Michael Abbott urged that questions be submitted in writing.

Dr. Selkregg stated this was a complex topic and she supported *(holding)* a worksession to help brief new members.

Ms. Ossiander supported postponement and the worksession. This was a complex subject and would affect Chugiak.

Mr. Starr concurred. AWWU had invested $700,000 in a work plan to help resolve the matter.

Chair Claman scheduled the worksession for June 6th, from 10:30 a.m. to noon.

To Mr. Coffey, AWWU General Manager Mark Premo indicated the postponement would not hamper construction, but staff would not be available *(to answer questions)* on June 6th.

To Dr. Selkregg, Mr. Abbott responded the Administration supported a worksession date in July. Mr. Premo concurred. Chair Claman suggested postponing until July 29th and stated that a worksession would be scheduled.

and this was approved without objection, 11-0.

10.D.7. Assembly Memorandum No. AM 275-2008, **Anchorage Parks & Recreation 2008 Fee Schedule**.

Mr. Starr moved, to accept AM 275-2008,
Dr. Selkregg seconded,

To Chair Claman, Municipal Attorney Jim Reeves responded this did not require Assembly approval. Deputy Municipal Manager Heather Handyside concurred.

Mr. Starr stated a good management plan was needed for the aquatics group. Positions still were not filled. While he supported the aquatics program, he did not think the city was actively addressing the issue or providing information. He did not want to move ahead in haste and he would not accept the memorandum that included change orders.

Dr. Selkregg stated that user groups, struggling with the aquatics program fee structure, needed to be heard from.

Mayor Begich stated that this followed the Parks and Recreation Commission's advice, which had followed an extensive public process involving individuals and user groups. Recommendations included more taxes, more fees or cutting services.

To Mr. Coffey, Mayor Begich responded the sports concession stands would receive waivers. Parks Director Jeff Dillon responded the fee schedule included an increase for lanes fees and the School District would be adding sixth-period swimming.

Mr. Starr stated there was a Chugiak-Eagle River Parks and Recreation system, which was exempt from the policies that were set in the Anchorage system. He urged for the Assembly to proceed with caution.

Dr. Selkregg stated the kinks would be worked out and she would support it. Mayor Begich responded it was anticipated that these changes would resolve the issues being addressed, but not everyone would be happy.

Ms. Ossiander requested additional information on pools and pool maintenance. She urged consideration of creating and discussing expectations and policy directives for sub-vendors.

To Chair Claman, Mr. Dillon responded the Assembly had set the fee rates in the budgeting process. Mayor Begich responded the decisions made by the Boards of Supervisors would not be reviewed by the Assembly. Ms. Johnston stated that fees for the Forest Fair were set by the Board of Supervisors.

To Mr. Starr, Mr. Dillon responded the pool manager and lifeguard positions would be filled.

and the motion was passed, 10-1.

AYES: Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: Starr.

10.D.10. Assembly Memorandum No. AM 278-2008, Change Order No. 1 to Purchase Order No. 270988 with Agnew Beck Consulting, LLC for providing master planning for the **Girdwood South Townsite** for the Municipality of Anchorage, Heritage Land Bank ($19,950), Purchasing.

Ms. Ossiander moved, to approve AM 278-2008,
Mr. Coffey seconded,

Ms. Ossiander stated that this was an important matter and more information was needed on the Administration's intent and the Mountain View and Girdwood development plans.

Dr. Selkregg concurred. The Assembly needed to preserve as much land as possible for the future.

Mayor Begich stated the Heritage Land Bank *(HLB)* was preparing additional land in Girdwood for residential development. He proposed that a worksession be scheduled to show lands that were preserved for a wide variety of uses, including schools, greenbelts and parks. Girdwood was in need of affordable residential housing.

Mr. Coffey stated this was a small incremental increase. There was a definite need for housing in Girdwood. The land needed to be in the hands of homeowners. Mayor Begich responded that families wanted to live in Girdwood.

Dr. Selkregg supported scheduling a worksession to discuss land being developed by the HLB. There had been valuable land moved in the past fifteen years.

Mr. Birch stated that Girdwood constituents had commented on the effort. He supported improving the communication lines and he supported the effort.

Chair Claman supported scheduling a worksession to get details about the next HLB land transfer. Economic and Community Development Director Mary Jane Michael concurred. Chair Claman called for a vote.

and this was passed, 10-1.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Flynn, Johnston and Coffey.
NAYS: Ossiander.

10.E. INFORMATION AND REPORTS

10.E.3. Information Memorandum No. AIM 30-2008, **1st Quarter 2008 Financial Reports**, Office of Management & Budget.

Mr. Starr moved, to accept AIM 30-2008,
Dr. Selkregg seconded,

Mr. Starr thanked the Administration for addressing budget policy and solutions and providing information and clear numbers. He thanked Office of Management and Budget Director Wanda Phillips and Chief Fiscal Officer Sharon Weddleton for their work. The budget numbers would make more sense further in the year, as the Assembly made decisions about running government. There were unfilled, fully-funded positions in the Aquatics Program. Parks Director Jeff Dillon responded that he had requested that a worksession be scheduled that would review the recommendations of the Aquatics Committee and the Aquatics community. The manager's position was actively being advertised. Lifeguards, which were youth-oriented positions with a high turnover rate, were constantly advertised. Cash reserves were not being spent on other things.

To Mr. Coffey, Ms. Weddleton responded that compiling information on vacancy rates was labor-intensive and she urged members to request information for specific positions. Mr. Coffey requested information on the twenty-two Anchorage Police Department *(APD)* positions. Many of the charitable contributions numbers listed in the report were grants approved by the Assembly. Ms. Weddleton concurred. Mayor Begich stated that while it was not necessary, the report offered full disclosure of all contributions, including 501C-3 grants.

Ms. Ossiander appreciated the report. A better understanding was needed about the APD vacancy factor. Mayor Begich responded this would be discussed during the budget review.

Mr. Birch thanked the Administration for the list. Mayor Begich responded the city gave a contribution to Covenant House, but the report did not include contributions from the Anchorage School District.

Ms. Johnston thanked Ms. Phillips and Ms. Weddleton for their work, which made the budget process easier to review.

and the motion was passed unanimously, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

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

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Assembly Memorandum No. AM 263-2008, **Planning and Zoning Commission** appointment (William Earnhart), Mayor's Office. *(Postponed from 4-15-08)*

Mr. Starr moved, to approve AM 263-2008,
Dr. Selkregg seconded,

Mr. Starr, Mr. Coffey and Chair Claman thanked Mr. Earnhart for his willingness to serve and urged approval.

and this was passed without objection, 11-0.

12. APPEARANCE REQUESTS

12.A. **Robert C. Beau Bassett**, to request recognition of the April 2008 graduates of the Alaska Points of Light Youth Leadership Institute.

Robert C. "Beau" Bassett reported the Alaska Points of Light Youth Leadership Institute had recently graduated a group of young adults, including Lauren Astor, Seth Bolds, Jennifer Christiansen, Devante Hastings, Megan Johnston, Timothy Lee, Gavin Lyons, Lindsay Martin, Jordan Pruszenski, Ryan Sherwin-Alakayak, Curliah Young, Zach Barkley, Joy Chappell, Kimberly Delk, Coby Hoffman, Natalie Kardell, Demetria Lyons, Adam Leibert, Pandora Mewborn, Amanda May Sather and Marlise Williams. Graduates told of their community service and how much they had enjoyed their work. Dr. Selkregg, Ms. Gray-Jackson, Mr. Gutierrez and Mayor Begich thanked Mr. Bassett for his leadership and the graduates for their service.

13. CONTINUED PUBLIC HEARINGS

13.A. Resolution No. AR 2008-62, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-3 (General Business) District for a package store use and license per AMC 21.40.180 D.8, for **Brown Jug, Inc.**; located at 2203 West Dimond Boulevard, within Bruce Subdivision, Lot 11; generally located on the northeast corner of West Dimond Boulevard and Northwood Drive (Sand Lake Community Council) (Case 2008-061), Planning Department.
1. Assembly Memorandum No. AM 214-2008. *(Continued from 4-15-08)*

Chair Claman read the resolution title and opened Public Hearing.

TALVA CHANG, who owned a liquor store next to the proposed Brown Jug location, testified there were other liquor stores *(in the area)*. The location was close to Dimond High School, bike trails and foot traffic. There was already much drinking at Chester Creek.

Mr. Coffey disclosed a possible conflict of interest. He had formerly represented Brown Jug, more than five years ago. He no longer was associated with Brown Jug or his former law firm. Chair Claman ruled that Mr. Coffey did not have a conflict of interest and ordered that he participate with the issue. There were no objections.

STANLEY KURCZYNSKI, a Sand Lake resident, questioned whether Brown Jug needed another outlet, which would put pressure on the "mom and pop" businesses in the area. He urged Brown Jug to reconsider and show compassion to other local businesses.

HARVEY ROOKUS questioned why Brown Jug would want another store in this location because they already had many other liquor stores.

WILLIAM LORRENZE opposed Brown Jug developing in this location. He wanted to keep the trailhead clean.

BERNADETTE BRADLEY testified that Brown Jug would raise the operating standards in the area. Brown Jug was a leader that cleaned up homeless camps, did not serve minors and had a good record with the Alcoholic Beverage Control Board.

RICK HOFF, homeowner in the area, testified there were several liquor stores within close proximity to his home and he opposed allowing another liquor store in this location. There would be more panhandlers and drinking in the area and there had recently been a shooting. He and his son walked the trail all the time and it was no longer safe.

JOHN DUNN testified there were already many liquor stores in the area and Brown Jug did not need an extra store. There was a school in the area. Brown Jug was community-minded, but the community did not want the store there.

LOWELL SHINN, O.C. MADDEN, ED O'NEILL and BOB KLEIN, representing Brown Jug, testified that having their store in the proposed location would increase the standards *(in the area)*. Mr. Shinn stated that Brown Jug maintained high standards by cleaning up, prohibiting sales to minors and being involved with community service. Brown Jug regularly tested their own employees for serving minors. To Dr. Selkregg, Mr. Shinn responded Brown Jug did not serve inebriates and Mr. O'Neill cleaned the trails and underbrush where the homeless congregated. To Mr. Coffey, Mr. Shinn responded that Brown Jug maintained a photo album of inebriates in the area, to help keep them out of the stores. Vice President Madden testified that Brown Jug used the TAMS training and updated employees every 12-18 months. Brown Jug successfully pursued prosecuting minors illegally on premises by using small claims court and had received national attention for their efforts of dealing with minors. Mr. Shinn responded that Brown Jug would address existing problems in the area. To Ms. Gray-Jackson, Mr. Shinn responded there were three other establishments in the area.

To Ms. Gray-Jackson, Mr. Chang *(a liquor store owner located next to the proposed site)* responded that his business and Fred Meyer followed state requirements and used the TAMS program for their employees.

CHARLES GORSUCH who lived across the street from Mr. Chang's liquor store, opposed Brown Jug opening a store in this location. There was a school nearby and another *(liquor)* store was not needed in the area.

TROY WILSON questioned Brown Jug's interest in the location. He suspected they were trying to run off the small businesses.

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

Ms. Ossiander moved, to approve AR 2008-62,
Dr. Selkregg seconded,

To Chair Claman, Mr. Shinn responded that he and his wife owned a one-third interest in the property.

Mr. Gutierrez stated that he and his wife had lived in the Campbell Creek area and were familiar with the problems. Brown Jug was the best operator in the city and did a tremendous amount of good in the community, but he questioned increasing the number of liquor stores in the area.

Mr. Flynn thanked Brown Jug for their efforts, addressing the public inebriate issues in the community. He stated there were other liquor stores in the area, but there were no provisions in Anchorage Municipal Code that limited the number in an area. Brown Jug would work with the neighborhood to address the issues.

Mr. Coffey stated there was no law in Code for numbers *(of liquor stores)* because businesses were concentrated in major arterials with B-3 zoning. It was important to understand that ordinances reflected consideration of permitting of conditional uses. Considerations were given to impact. Brown Jug worked hard to maintain high standards and a good reputation. After 25 years in the business he understood what mattered was the operator, not the location. Brown Jug would raise the bar for standards and that area would improve. Anchorage had fewer package stores than were allowed, based on the population. Brown Jug was the best operation in town and he urged support.

Dr. Selkregg stated that she had gotten many emails on this matter and had talked with the applicant. Brown Jug was locally-owned, had a good track record in the city and would have a quality business. The Assembly did not have legal authority to turn down things because of competition with existing stores.

Mr. Birch supported the conditional use permit and development at this location. Brown Jug took initiative to resolve issues in the community, had a great reputation and would raise the standards. He would support it.

Ms. Drummond stated that it was the right of the business to use this location. Brown Jug was an outstanding operator in her district and had done a good job cleaning up the neighborhoods. She would support it.

Ms. Johnston stated that this Brown Jug team did great community service and treated inebriates with respect. She appreciated their efforts. She supported it.

Chair Claman supported the conditional use for Brown Jug. The Assembly's job was not to regulate competition. Brown Jug was locally-owned and very responsible corporate citizens who would make higher standards and clean up the area. He called for a vote.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

(Clerk's Note: Mr. Starr moved to take up 11.A and there were no objections.)

13.B. Resolution No. AR 2008-58, a resolution of the Municipality of Anchorage appropriating $157,829 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating $2,922 as a contribution from the 2008 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department, for **Impaired Driving Enforcement**..
1. Assembly Memorandum No. AM 190-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AO 2008-58 was Carried Over to May 6, 2008.)

13.C. Resolution No. AR 2008-46, a resolution appropriating $298,704 of revenue from the State of Alaska Department of Transportation & Public Facilities to the State Categorical Grant Fund (231), to the

Project Management & Engineering Department for **National Pollutant Discharge Elimination System (NPDES) permit services** provided in 2008.
1. Assembly Memorandum No. AM 166-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AR 2008-46 was Carried Over to May 6, 2008.)

13.D. Resolution No. AR 2008-60, a resolution of the Municipality of Anchorage appropriating $195,705 as payment in lieu of subdivision agreement obligations for road, pedestrian and intersection improvements from **Tideview Development, Inc.** to the Anchorage Roads and Drainage Service Area Capital Improvement Fund (441), Project Management & Engineering Department, for improvements of Independence Drive and O'Malley Road.
1. Assembly Memorandum No. AM 192-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AR 2008-60 was Carried Over to May 6, 2008.)

13.E. Ordinance No. AO 2008-40, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.050, Introduction of Ordinances; Action on Ordinances, to **repeal the provision for automatic defeat without a vote of the Assembly**, Assembly Vice-Chair Ossiander.
1. Assembly Memorandum No. AM 157-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AO 2008-40 was Carried Over to May 6, 2008.)

13.F. Ordinance No. AO 2008-44, an ordinance amending Anchorage Municipal Code Section 4.05.155 to require an **annual update on the composition of Title 4 Board and Commission Members** by gender and ethnic diversity of members, Assemblymember Selkregg, Mayor Begich.
1. Assembly Memorandum No. AM 193-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AO 2008-44 was Carried Over to May 6, 2008.)

13.G. Ordinance No. AO 2008-41, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.20.100, Review and Recommendation by Planning and Zoning Commission, and Section 21.20.120, Action by Assembly, relating to review, recommendation, and Assembly action on **applications for zoning map amendments**, Assembly Vice-Chair Ossiander.
1. Assembly Memorandum No. AM 158-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AO 2008-41 was Carried Over to May 6, 2008.)

13.H. Ordinance No. AO 2008-46, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add a new section for **Anchorage Regional Landfill Closure and Post-Closure Care Liability** retroactive to January 1, 2008, Solid Waste Services.
1. Assembly Memorandum No. AM 195-2008. *(Carried Over from 4-15-08)*

(Clerk's Note: Due to a lack of time, AO 2008-46 was Carried Over to May 6, 2008.)

14. NEW PUBLIC HEARINGS

14.A. Resolution No. AR 2008-79, a resolution appropriating $1,000,000 as a grant from the Rasmuson Foundation to the Areawide General CIP Fund (401); appropriating $1,000,000 as a contribution from the Eagle River Chugiak Parks and Recreation Service Area Fund Balance (162) to the Areawide General CIP Fund (401); appropriating $250,000 as a contribution from Public Finance and Investment Fund Balance (191) to the Areawide General CIP Fund (401); all of the above for use in the **Eagle River Town Center Project** for building purchase, repair, renovation and related expenses; authorizing an additional inter-fund loan not to exceed $2,000,000 from the General Cash Pool to the Areawide General CIP Fund (401) for purposes of financing Eagle River Town Center improvements if required; and authorizing transfer of $575,000 to Town Center Holdings, LLC, for the purpose of purchase of real property known as Valley River Center Building "A," legal description Tract K, Regional Park Subdivision #2, Office of Economic and Community Development.
1. Assembly Memorandum No. AM 262-2008.

Chair Claman read the resolution title and opened Public Hearing.

SUSAN GORSKI, Chugiak-Eagle River Chamber of Commerce Executive Director, testified in support of revitalization and the Eagle River Town Center Project. The library had the highest readership in the community. The Town Center was needed and was supported by the community. On behalf of the Chamber she urged support.

PETER RISSE, Director of the University of Alaska, Eagle River, testified that people in this area had a high level of education and he supported the library rehabilitation and the Eagle River Town Center, which would add character to the community and bring people together. He urged support.

TERRY SCHOENTHAL, with Land Design North testified that the revitalization plan and design would create the Town Center which would be a town core for Eagle River.

AL ROMASZEWSKI, owner of REMAX of Chugiak-Eagle River, testified that the Valley River Center had failed as a shopping center, had been virtually empty for the past ten years and had become an eyesore with failing businesses. This area would excel as the Town Center and would be greatly appreciated by the community.

TED KASSIER, an Eagle River resident and Library Advisory Board member, testified in support of the Town Center, which was strongly supported by the community and would revitalize downtown Eagle River. The $2 million interfund loan was only a last resort. He urged support of the resolution.

JOE HEGNA, President Elect for Eagle River Chugiak Chamber of Commerce, personally supported the project, which addressed long term planning and was sensible in a growing community. He urged support.

DR. PETER LORENTZEN, owner of Alaska Chiropractic and Therapy Clinic, located next to the proposed project site, testified in support. The area needed revitalization and the community supported the project.

JIM ARNESEN, representing Eklutna, Incorporated, testified in support of the Eagle River Town Center Project, with the revitalization of the library and creation of a community center. He urged the Assembly to support the plan.

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

Mr. Starr moved, to approve AR 2008-79,
Ms. Ossiander seconded,

Mr. Starr stated that the process had had many challenges and dead ends. He thanked Mayor Begich and city staff, who had fully supported the revitalization and had offered professional solutions. The new project would help link government and the private sector.

Mr. Coffey thanked Mr. Starr and Ms. Ossiander for their hard work, researching the building and determining the costs of the project. The Town Center was needed in Eagle River and he would support it.

Mayor Begich stated that he had worked with the community in support of this project, even before he was mayor. The community was passionate about the project and had lobbied legislators, which had made the difference. He thanked Ms. Ossiander and Mr. Starr for their support.

Mr. Birch supported the project. Mayor Begich responded that the Administration had a legal review of the funding source and found no problems. The Administration fully supported it.

Dr. Selkregg stated that this had been talked about in the community for the past ten years. It was exciting to watch each section of the city developing. She would support it.

Chair Claman supported the project.

Ms. Ossiander stated there had been much discussion about this project, which had been slow in coming. She thanked the Administration for their support. The heart of Eagle River had been an eyesore for years and it was a positive thing to support the Town Center. The building revitalization would be completed within a year and would be a dramatic change for downtown Eagle River. She strongly urged support.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Ms. Ossiander moved for immediate reconsideration and urged a NO-vote.

Ms. Ossiander moved, *for immediate reconsideration* of AR 2008-79,
Mr. Starr seconded,

Mr. Coffey urged a NO-vote.

and this failed unanimously, 0-11.

AYES: None.
NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

14.B. Resolution No. AR 2008-63, a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Financial Plan for FY 2008-2009**, Anchorage School District.
1. Assembly Memorandum No. AM 216-2008.

Dr. Selkregg moved, to combine Public Hearing on 14.B, 14.C, 14.D and 14.E,
Mr. Coffey seconded, AR 2008-63, AO 2008-55, AR 2008-64 and AO 2008-56,
and this was approved without objection.

Chair Claman read the resolution and ordinance titles and opened Combined Public Hearing.

ASD SUPERINTENDENT COMEAU urged for Assembly support of the budget revisions and to increase the tax cap to increase the revenues.

CHRIS SCHUTTE, Anchorage Downtown Partnership Executive Director, supported the appropriations for increased police funding for downtown foot patrol officers for security and ambassadorship. He urged support. Ms. Ossiander stated that she supported increased security for downtown, but other resources needed to be found, rather than funding from police overtime. Mr. Schutte responded funding for the foot patrol would be beneficial and was only short term. Long term solutions would be sought. Mr. Flynn stated that increased patrols would make a better downtown with increased security for public events. To Mr. Coffey, Mr. Schutte responded that Anchorage Convention and Visitor's Bureau *(ACVB)* would work with the city to develop the foot patrol program and work with the Downtown Partnership to pursue grant possibilities to hire additional security ambassadors. Mr. Coffey stated using police officers involved overtime dollars, was expensive and would not solve the problem.

CHARLENE SPADAFORE VASSAR, Anchorage Project Access Director, urged increasing the $25,000 appropriation. To Dr. Selkregg, Ms. Vassar responded the program would be financially stable through 2008 and one half of 2009, except for pharmaceutical costs. To Ms. Johnston, she responded they were working with the Neighborhood Health Center and United Way and trying to secure partnerships with other Anchorage businesses. They were interested in partnering with the Municipality. Other similar organizations normally received city funding. To Mr. Coffey, Ms. Vassar responded local pharmacists contributed pharmaceuticals. Mr. Coffey stated that she was asking for money from taxpayers, who were people also struggling to make healthcare costs.

K.C. KALTENBORN, M.D. and Project Access Board President stated that doctors, physical therapists and nurse practitioners saw patients at no charge. Procedures were completed with no compensation by the best specialists in the state. He shared stories of patients who were without hope and had been helped. Mr. Coffey stated that the Assembly heard many requests for help. There were people in the city with similar problems who could not qualify for healthcare programs. The taxing power of government should not cover something like this when citizens at large were also suffering and not receiving help. Dr. Kaltenborn stated that patients receiving services decreased emergency room use. To Dr. Selkregg, he responded this program involved about sixty doctors and had received funding from the Rasmuson Foundation. Mayor Begich stated that their volunteerism helped decreased use of emergency rooms, which was expensive and eventually paid for by the insurance companies, with increased costs to the insured. To Chair Claman, Dr. Kaltenborn responded he worked in two private practices and had contributed his services, valued at $26,000 to Project Access.

DUANE LESTER, a private physician and a Project Access volunteer testified that this country was in a medical crisis. Emergency room care was poor use of resources and was ineffective. He urged support of the city's partnering with Project Access to ensure long-term sustainability. Ms. Ossiander stated Project Access needed a work plan. Dr. Selkregg thanked Dr. Lester for his volunteerism and stated that she supported the program.

BILL MAYER, a cardiologist and Project Access donor, testified that his company had donated $2 million in services since the program began, but pharmaceuticals were needed. The city's support was a cheap way to keep the overall costs of healthcare down. Their services helped keep these people out of the hospitals and emergency rooms. But, the program could not afford the needed medications. To Dr. Selkregg, he responded that Project Access had served 750 patients and he had helped serve over forty.

NICHOLE VAUGHAN, Project Access patient, told her story of being helped by Project Access. This program should be available to everyone in the city. She urged support.

JOHN LAPKASS, orthopedic surgeon and a Project Access volunteer, testified it was gratifying to help people and get them back into the workforce as productive and beneficial members of society. His clinic had provided over $200,000 in services, but they could not help everyone.

LAURA REINHOLD, a former healthcare manager who had sold pharmaceuticals, testified that pharmaceutical companies gave very few samples to people in need. She thanked all the project volunteers and stated she supported the program. To Mr. Gutierrez, she responded the city donation would pay off by keeping people out of emergency rooms.

JED WHITTAKER testified that the Assembly had recently given $75 million to the Port of Anchorage, but people were the most important asset and the $25,000 would be an investment. He urged support for the program.

PAUL D. KENDALL testified that the Assembly always addressed true folly without merit and needed to address energy.

There was no additional public testimony and Chair Claman closed Combined Public Hearing and called for a motion on AR 2008-63.

Ms. Gray-Jackson moved, to approve AR 2008-63,
Mr. Gutierrez seconded,
and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Ms. Gray-Jackson moved for immediate reconsideration and urged a NO-vote.

Ms. Gray-Jackson moved, *for immediate reconsideration* of AR 2008-63,
Mr. Gutierrez seconded,
and the motion failed, 0-11.

AYES: None.
NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

14.C. Ordinance No. AO 2008-55, an ordinance setting the rate of tax levy, approving the amount of municipal property tax, and levying taxes for the **Anchorage School District for Tax Year 2008**, Office of Management and Budget.
1. Assembly Memorandum No. AM 217-2008.

(Clerk's Note: See item 14.B for details of Combined Public Hearing on 14.B, 14.C, 14.D and 14.E.)

Ms. Gray-Jackson moved, to approve AO 2008-55,

Dr. Selkregg seconded,
and the motion was passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Ms. Gray-Jackson moved for immediate reconsideration and urged a NO-vote.

Ms. Gray-Jackson moved, *for immediate reconsideration* of AO 2008-55,
Dr. Selkregg seconded,
and the motion failed, 0-11.

AYES: None.
NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

14.D. Resolution No. AR 2008-64, a resolution of the Municipality of Anchorage **revising and appropriating funds for the 2008 General Government Operating Budget**, Office of Management & Budget.
1. Assembly Memorandum No. AM 220-2008.
2. Resolution No. AR 2008-64(S), a resolution of the Municipality of Anchorage revising and appropriating funds for the 2008 General Government Operating Budget, Office of Management & Budget.
3. Assembly Memorandum No. AM 220-2008(A).

(Clerk's Note: See item 14.B for details of Combined Public Hearing on 14.B, 14.C, 14.D and 14.E.)

Ms. Gray Jackson moved, to approve [~~AR 2008-64~~] "AR 2008-64(S)."
Mr. Gutierrez seconded,

Ms. Gray-Jackson, Chair of the Budget Committee, explained the process followed and the proposed amendments, with a net total of $89,394.65. Municipal Manager Michael Abbott responded the Administration recommended use of the fund balance from the emergency designation category to cover costs of additional budget amendments.

Ms. Ossiander stated that the areawide fund balance for departments like Parks and Recreation was already short of what it should be. People in Chugiak-Eagle River paid for their own Parks Department, which needed to be addressed. Policy was needed to make sure that areawide funds were used to support areawide services. She had not gotten her questions answered about the funded but unfilled positions with the Anchorage Police Department *(APD)*. APD Deputy Chief Ross Plummer responded a constant vacancy factor allowed for recruitment. Mayor Begich responded the twenty authorized funded positions were needed to hire new officers. Ms. Ossiander stated that she opposed funding unfilled vacancies. The report indicated the vacancies would be filled, but there was still a request for more funded vacancies, which meant the process would continue.

Mr. Coffey stated the APD currently had 16 funded vacancies. Chief Fiscal Officer Sharon Weddleton responded the positions could be filled if applicants were found. Mr. Coffey stated that it was hard to understand maintaining funded vacancies to fill those positions. He questioned what had happened to the fund balance, which was near zero. Ms. Weddleton responded the APD managed their budget very well and their fund balance was low. Mr. Coffey stated the city was $130,000 short for the bond rating. Municipal Manager Michael Abbott responded that no service area money or areawide money would go to other accounts. Mr. Coffey questioned whether the over-funding process would be stopped. Mr. Abbott responded that budgets were based on estimations which caused revenue variations. The short fund balance was not caused by additional spending. Revenue would continue to come in and next year the APD could be overfunded. To Mr. Coffey, Deputy Chief Plummer responded a computer was issued to each officer.

Dr. Selkregg stated the Assembly had budgeted for a fixed number of *(APD)* positions, recognizing the vacancy factor. The estimate had been precise, but additional money was being requested for overtime. The chronic *(use of)* overtime meant more officers were needed. Ms. Weddleton responded that the APD was recruiting as aggressively as possible.

To Mr. Birch, Ms. Weddleton responded the higher costs of PERS affected the ratio of benefit to salaries, with huge margins between PERS tier levels. The city had previously over-subscribed to the medical and dental insurance plans, and had exceeded claims paid and that surplus could be used to pay for the budget amendments.

Ms. Ossiander moved, to amend AR 2008-64(S) on Page 3, Line 25 *by deleting*
Mr. Birch seconded, [~~$17,502.00 for snowplowing two business parking lots on Mountain View Drive~~],

Ms. Ossiander stated that Heritage Land Bank *(HLB)* had acquired additional property to benefit businesses that had lost parking when Mountain View Drive was completed. She recommended that those funds be transferred to the Parking Authority maintenance fund. Mayor Begich responded the city was obligated to provide parking for businesses which lost parking due to improvement projects. This was no different than the downtown policy and would be needed in areas of redevelopment elsewhere in the city.

and the motion failed, 3-8.

AYES: Birch, Ossiander and Johnston.
NAYS: Starr, Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond, Flynn and Coffey.

Ms. Ossiander moved, to amend AR 2008-64(S) on Page 3, Line 28 *by deleting*
Mr. Birch seconded, [~~Heritage Land Bank ($61,000); Land Management Officer~~],

Ms. Ossiander stated that a new position was not needed.

and the motion failed, 5-6.

AYES: Starr, Birch, Ossiander, Flynn and Coffey.
NAYS: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond and Johnston.

Ms. Ossiander moved,
Mr. Birch seconded,

to amend AR 2008-64(S) on Page 2, Line 23 *by deleting* [~~Police ($100,000); address the public inebriates at the ACVB property on 4th Avenue~~],

Ms. Ossiander stated that she did not object to the program and requested reviewing alternative revenue sources. Mayor Begich opposed the amendment.

Mr. Coffey stated that Mr. Abbott had assured him that alternative revenue sources would be found for next year. He did not approve of the funding coming from police overtime, but he did not want to discontinue the program. Mayor Begich responded that next year a new cadet program would work with the downtown security ambassadors.

and the motion failed, 1-10.

AYES: Birch.
NAYS: Starr, Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

Ms. Ossiander moved,
Ms. Johnston seconded,

to amend AR 2008-64(S) on Page 4, Lines 36, 37 and 38 *by deleting* $100,000: Line 36, [~~Planning ($25,000); Eastside Plan scope for 2008, includes Parks and Rec~~]; Line 37, [~~Planning ($50,000); Demand and supply assessment for industrial land~~], and; Line 38, [~~Planning ($25,000); West Anchorage Plan~~];

Ms. Ossiander stated that the Planning Department was understaffed and overworked and was behind on current city projects. The additional workload requested was not realistic.

Dr. Selkregg stated that the proposed amendments included a position to scope the projects and was supported by the Planning Department. Much work still was needed for revisions to Title 21 and a district plan was needed to deal with high density and code issues. Planning would work with the Anchorage Economic Development Corporation *(AEDC)* to assess industrial development.

Chair Claman stated that the $50,000 for industrial development would go to AEDC for their work.

Mr. Coffey stated that it was understood the Planning staff was overworked. Industrial land needed to be addressed. The plan was to give the $50,000 to AEDC to work on assessing industrial development.

Mr. Coffey moved,
Mr. Starr seconded,
and this passed without objection.

to amend the Ossiander amendment *by bifurcating* Line 37, [Planning ($50,000); Demand and supply assessment for industrial land],

Mr. Coffey moved,
Mr. Starr seconded,

to amend AR 2008-64(S) *by deleting* Line 37, [~~Planning ($50,000); Demand and supply assessment for industrial land~~],

Ms. Ossiander stated that AEDC had not had the opportunity to respond or complete their budget. It was premature to give AEDC the $50,000 without any indication of their willingness to participate or a cost estimate of the study.

To Dr. Selkregg, AEDC President and CEO Bill Popp responded that AEDC would want to first discuss the matter with the Planning, the Administration and the Assembly to clearly understand the intent for the $50,000. A grant agreement needed to be in place and AEDC could scope the project and begin an RFP process. Dr. Selkregg stated that it was Planning's intent to partner with AEDC to complete the work. Mayor Begich responded the Administration would support and assist AEDC.

Chair Claman stated that a NO-vote would keep the $50,000 in the budget. He called for a vote.

and the motion to delete failed, 3-8.

AYES: Starr, Birch and Ossiander.
NAYS: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond, Flynn, Johnston and Coffey.

Chair Claman called for a vote on the remainder of the Ossiander motion, deleting Lines 36 and 38, deleting $25,000 for the Eastside Plan and $25,000 for the West Anchorage Plan. A NO-vote would keep both lines in the budget.

and the main motion, as amended, failed, 5-6.

AYES: Starr, Birch, Ossiander, Johnston and Coffey.
NAYS: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond and Flynn.

Ms. Ossiander moved,
Mr. Starr seconded,

to amend AR 2008-64(S) on Page 6, Line 63 *by applying* Maintenance and Operations, Fund 129; "<u>$35,000 from the Eagle River Street Lighting Service Area fund balance to support increased costs and to reduce mill levy requirement</u>,"

Ms. Ossiander stated there would be an increased mill rate and this change would move money from the fund balance to the operating budget and the mill levy would not be increased.

Mr. Starr stated there was basically a rearrangement of money that would reduce the mill rate to .25.

and the motion passed unanimously, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Chair Claman stated that the meeting was almost out of time and the Administration had requested that Agenda item 14.K be taken up that evening. Ms. Ossiander stated 14.M was a critical zoning issue that also needed to be addressed that evening. Chair Claman concurred and called for a motion to extend.

Mr. Flynn moved,
Mr. Starr seconded,
and this was passed without objection.

to extend the Assembly Meeting to complete 14.D and take up Agenda items 14. E, 14.F, 14.G, 14.H, 14.I, 14.J, 14.K and 14.M,

Mr. Starr moved,
Ms. Ossiander seconded,

to amend AR 2008-64(S) on Page 6, Line 73 *by deleting* OECD [~~$76,480; ER/Chugiak P&R funding for contribution to capital based on available tax dollars at the mill rate. (for a tax rate of .50 mills)~~];

Mr. Starr stated that this increase to the full mill rate was not supported by any capital improvement projects and had not been vetted by the Eagle River-Chugach Parks and Recreation Board. This would adjust the mill rate to .47, which lowered the tax rate. He urged approval. Eagle River Parks and Recreation Manager John Rodda responded that the department had no objection. Mayor Begich concurred.

and the motion passed unanimously, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

There were no additional amendments and Chair Claman called for a vote on the main motion.

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

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Ms. Gray-Jackson moved for immediate reconsideration and urged a NO-vote.

Ms. Gray-Jackson moved,
Dr. Selkregg seconded,
and the motion failed, 0-11.

for immediate reconsideration of AR 2008-64(S),

AYES: None.
NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

14.E. Ordinance No. AO 2008-56, an ordinance setting the rates of tax levy, approving the amount of municipal property tax, and levying taxes for all service areas of the **Municipality of Anchorage General Government for Fiscal Year 2008**, Office of Management and Budget.
1. Assembly Memorandum No. AM 218-2008.
2. Ordinance No. AO 2008-56(S), an ordinance setting the rates of tax levy, approving the amount of municipal property tax, and levying taxes for all service areas of the Municipality of Anchorage General Government for Fiscal Year 2008, Office of Management and Budget.
3. Assembly Memorandum No. 218-2008(A).

(Clerk's Note: See item 14.B for details of Combined Public Hearing on 14.B, 14.C, 14.D and 14.E.)

Ms. Gray-Jackson moved,
Ms. Drummond seconded,

to introduce and approve AO 2008-56(S),

Ms. Ossiander moved,
Mr. Starr seconded,
and this motion was passed, 11-0.

to amend AO 2008-56(S), Section 22 on Page 2, Line *by changing* the Eagle River Street Light Service Area, Fund 129, a tax of [~~0.27 mills~~] "0.24 mills;" Section 35 on Page 3, Eagle River-Chugiak Parks & Recreation Service Area, Fund 162, a tax of [~~1.11 mills~~] "1.08 mills;"

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

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

14.F. Resolution No. AR 2008-65, a resolution of the Municipality of Anchorage appropriating $44,800,000 of General Obligation Bond proceeds to the **Anchorage Roads and Drainage Service Area Capital Improvement Program** (CIP) Fund (441) to pay the costs of road and storm drainage capital improvement projects, Office of Management & Budget.
1. Assembly Memorandum No. AM 223-2008.

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

Dr. Selkregg moved, to approve AR 2008-65,
Ms. Ossiander seconded,
and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

14.G. Resolution No. AR 2008-66, a resolution of the Municipality of Anchorage appropriating $6,900,000 of General Obligation Bond proceeds to the **Areawide General Capital Improvement Program** (CIP) Fund (401) to pay the costs of public facility capital improvement projects for the existing Anchorage Museum, Sullivan Arena and Anchorage Municipal Libraries, Office of Management & Budget.
1. Assembly Memorandum No. AM 224-2008.

Chair Claman called for a motion to combine Public Hearing on 14.G, 14.H, 14.I and 14.J.

Ms. Ossiander moved, to combine Public Hearing on AR 2008-66, AR 2008-67, AR 2008-68 and AR 2008-69,
Dr. Selkregg seconded,

Chair Claman read the resolution titles and opened Combined Public Hearing. There was no one to testify and he closed Public Hearing and called for a motion on 14.G.

Dr. Selkregg moved, to approve AR 2008-66,
Ms. Drummond seconded,

To Mr. Starr, Municipal Manager Michael Abbott responded this included an allocation that affected the library in the Eagle River Town Center. Mayor Begich responded that the allocated amount depended on a number of factors, including the need for the projects and Governor Palin's decisions on state capital grants.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

14.H. Resolution No. AR 2008-67, a resolution of the Municipality of Anchorage appropriating $1,038,000 of General Obligation Bond proceeds to the **Areawide General Capital Improvement Program** (CIP) Fund (401) to pay the costs of public safety capital improvement projects and appropriating $650,000 of proceeds of General Obligation Bonds to the Public Transportation CIP Fund (485) to pay the costs of public transportation capital improvement projects, Office of Management & Budget.
1. Assembly Memorandum No. AM 225-2008.

(Clerk's Note: See 14.G for details of Combined Public Hearing on 14.G, 14.H, 14.I and 14.J.)

Chair Claman called for a motion.

Ms. Ossiander moved, to approve AR 2008-67,
Ms. Johnston seconded,
and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

14.I. Resolution No. AR 2008-68, a resolution of the Municipality of Anchorage appropriating $3,622,000 of General Obligation Bond proceeds to the **Anchorage Fire Service Area Capital Improvement Program** (CIP) Fund (431) to pay the costs of fire protection capital improvement projects, Office of Management & Budget.
1. Assembly Memorandum No. AM 226-2008.

(Clerk's Note: See 14.G for details of Combined Public Hearing on 14.G, 14.H, 14.I and 14.J.)

Chair Claman called for a motion.

Dr. Selkregg moved, to approve AR 2008-68,
Ms. Johnston seconded,

To Mr. Starr, Municipal Manager Michael Abbott responded that this would change out all the air packs systems for all responders, including EMS, fire professionals and volunteers in the city.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

14.J. Resolution No. AR 2008-69, a resolution of the Municipality of Anchorage appropriating $2,000,000 of General Obligation Bond proceeds to the **Anchorage Parks and Recreation Service Area Capital Improvement Program** (CIP) Fund (461), to pay the costs of capital improvements for swimming pools within the Anchorage Parks and Recreation Service Area, Office of Management & Budget.
1. Assembly Memorandum No. AM 227-2008.

(Clerk's Note: See 14.G for details of Combined Public Hearing on 14.G, 14.H, 14.I and 14.J.)

Chair Claman called for a motion.

Mr. Flynn moved, to approve AR 2008-69,
Ms. Johnston seconded,

Ms. Johnston stated there was no mention of the specified amount or a required state contribution. Municipal Manager Michael Abbott responded that the bond language had included conditions of a state match. Ms. Johnston concurred.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

Chair Claman moved the body to take up Agenda item 14.M. There were no objections.

14.K. Ordinance No. AO 2008-47, an ordinance amending Anchorage Municipal Code Section 3.30.127 regarding **Service Recognition Pay**, and Sections 3.30.181, 3.30.182, 3.30.184, and 3.30.186 regarding productivity and employee incentive programs, Employee Relations Department.
1. Assembly Memorandum No. AM 209-2008.

Chair Claman 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. Flynn moved, *to postpone indefinitely* AO 2008-47,
Mr. Gutierrez seconded,
and the motion passed without objection, 11-0.

14.L. Resolution No. AR 2008-70, a resolution of the Municipality of Anchorage appropriating $540,990 from the State of Alaska, Department of Health and Social Services as a grant to the State Categorical Grants Fund (231), Department of Health and Human Services for the provision of **Women, Infants and Children Supplemental Nutrition Services**.
1. Assembly Memorandum No. AM 228-2008.

(Clerk's Note: Due to a lack of time, AR 2008-70 was Carried Over to May 6, 2008.)

14.M. Ordinance No. AO 2008-63, an ordinance amending the zoning map and providing for the rezoning of approximately 4.80 acres, from R-7 SL (Intermediate Rural Residential) with Special Limitations to R-7 SL (Intermediate Rural Residential) with Special Limitations for **BLM Lots 74, 75 and 137, Section 30, T15N, R1W, S.M., AK**; generally located at the southwest corner of the Old Glenn Highway and Darby Road (Chugiak Community Council) (Planning and Zoning Commission Case 2008-041).
1. Assembly Memorandum No. AM 263-2008.

Chair Claman read the ordinance title and opened Public Hearing.

DAN BOWLS, representing Jehovah Witnesses of Eagle River, testified this rezone was supported by the community, the community council, the Planning Department and the Planning and Zoning Commission. He urged approval.

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

Dr. Selkregg moved, to approve AO 2008-63,
Mr. Starr seconded,

Mr. Starr thanked Ms. Ossiander for addressing this community issue, which involved the Old Glenn Highway upgrade encroaching on many properties. He urged approval.

Ms. Ossiander stated that this involved a very small change and was in-line with all residential zoning in town. She urged support.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
NAYS: None.

(Clerk's Note: Chair Claman moved the body to take up item 14.K. There were no objections.)

14.N. Ordinance No. AO 2008-54, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Ethics Code Section 1.15.035, **Additional Provisions for Elected Officials**, relating to participation by an elected official after disclosure of a private interest, Assemblymember Selkregg.
1. Assembly Memorandum No. AM 215-2008.

(Clerk's Note: Due to a lack of time, AO 2008-54 was Carried Over to May 6, 2008.)

14.O. Ordinance No. AO 2008-51, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add a new section for adding a **surcharge to the landfill tipping fees** to support Community Recycling Initiatives, Solid Waste Services.
1. Assembly Memorandum No. AM 210-2008.

(Clerk's Note: Due to a lack of time, AO 2008-51 was Carried Over to May 6, 2008.)

14.P. Ordinance No. AO 2008-52, an ordinance amending Anchorage Municipal Code Chapter 26.70 to add a new section establishing **variable garbage collection rates** for automated collection routes, Solid Waste Services.
1. Assembly Memorandum No. AM 211-2008.
2. Ordinance No. AO 2008-52(S), an ordinance amending Anchorage Municipal Code Chapter 26.70 to add a new section establishing variable garbage collection rates for automated collection routes, Solid Waste Services.
3. Assembly Memorandum No. AM 260-2008.

(Clerk's Note: Due to a lack of time, AO 2008-52 was Carried Over to May 6, 2008.)

14.Q. Ordinance No. AO 2008-53, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add a section allowing the Solid Waste Disposal Utility to operate a **compost facility**, sell finished composted product and establish tipping fees for disposal of organic wastes effective, Solid Waste Services.
1. Assembly Memorandum No. AM 212-2008.

(Clerk's Note: Due to a lack of time, AO 2008-53 was Carried Over to May 6, 2008.)

14.R. Ordinance No. AO 2008-62, an ordinance amending Anchorage Municipal Code Chapter 26.80 to add a new section for a surcharge to support community recycling initiatives and amending Section 26.70.040 to add the **surcharge fees**, Solid Waste Services.
1. Assembly Memorandum No. AM 261-2008.

(Clerk's Note: Due to a lack of time, AO 2008-62 was Carried Over to May 6, 2008.)

15. SPECIAL ORDERS There were no Special Orders.

16. UNFINISHED AGENDA There was no Unfinished Agenda.

17. AUDIENCE PARTICIPATION There was no Audience Participation.

18. ASSEMBLY COMMENTS There were no Assembly Comments.

19. EXECUTIVE SESSIONS There were no Executive Sessions.

20. ADJOURNMENT

Chair Claman adjourned the Regular Assembly Meeting at 11:40.m.

MATT CLAMAN, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: June 10, 2008.
MC/BG

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