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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 September 30, 2008

1. CALL TO ORDER

The Assembly Meeting of September 30, 2008 was convened by Acting Chair Selkregg at 5:00 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, Sheila Selkregg, Harriet Drummond, Debbie Ossiander, Patrick Flynn, Jennifer Johnston and Dan Coffey.

ABSENT: Matt Claman, excused.

3. PLEDGE OF ALLEGIANCE Assemblymember Johnston led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Continued Meeting – July 15, 2008.

Ms. Ossiander moved, to approve the Continued Meeting Minutes of July 15, 2008,
Ms. Gray-Jackson seconded,
and this was passed without objection,
with Mr. Claman as an excused absence,
and Ms. Ossiander and Mr. Flynn abstaining on the July 16th portion of the
Continued Meeting, due to each having an excused absence on the 16th.

4.B. Regular Meeting – August 12, 2008.

Ms. Ossiander moved, to approve the Meeting Minutes of August 12, 2008,
Mr. Coffey seconded,

Mr. Flynn moved, to amend the Minutes on Page 16, Line 15, *by changing to*
Ms. Ossiander seconded, read: Mr. Flynn stated that the intention was to impose the
and this was passed without objection. same restrictions on all Downtown liquor [packaging]
"package" stores.

and the main motion, as amended, was approved,
with Mr. Claman as an excused absence,
and Mr. Starr and Mr. Gutierrez abstaining, due
to each having an excused absence on August 12th.

5. MAYOR'S REPORT

Mayor Begich reported that the Dena'ina Civic and Convention Center held its grand opening on September 17th. The Dena'ina had been completed on time and on budget and had not and would not involve taxpayer dollars. He reported that he and Anchorage School District (ASD) Superintendent Carol Comeau had requested that the Governor address the issues of rural families being forced to move to Anchorage and other larger cities because of economic failure and the economic survival of rural Alaskan areas. There were already 400 more students enrolled in the ASD. He reported that three new recycling trucks were ready for service and new roll carts would be delivered to 3500 city customers that week, with collection beginning the following week. Mayor Begich reported the city was partnering with the Big Brothers and Big Sisters Youth Mentoring Program and municipal employees would be allowed leave and travel time to participate.

6. ASSEMBLY CHAIR'S REPORT There was none.

7. COMMITTEE REPORTS

Mr. Gutierrez reported that on September 25th the Public Safety Committee held an evening meeting to address urban bears. Forty-five people were present to testify and the Alaska Department of Fish and Game (ADF&G) and Solid Waste Services were present to answer questions. While managing wild animals remained the responsibility of the ADF&G, there were suggested precautions that could be taken, including using bear-proof garbage containers, proactively closing park trails before there was a bear encounter, not building trails in high bear populations and thinning the bear population. Mr. Gutierrez reported the next Public Safety Committee would meet in City Hall on

1 October 8th, to address the issues of aggressive domestic animals and of substance abuse. To Ms. Ossiander, Mr.
2 Gutierrez responded that he would provide a written summary of recommendations (*of urban bear*) from that meeting.

3
4 Ms. Gray-Jackson distributed the 2009 Budget summary report from the Budget and Finance Committee. Her
5 meetings with Office of Management and Budget Director Wanda Phillips and each municipal department had resulted
6 in finding resources for a new Park Ranger Program with positions for a Superintendent and two Park Safety Rangers
7 and absorbing the \$1.3 million fuel increase by adjusting the vacancy factor. Project and service requests that were
8 adopted were prorated to reflect accurately service delivery in 2009, including the Eagle River Library when it opens in
9 April. Savings were achieved without any reductions to public services. The Committee would continue working
10 proactively to achieve efficiencies and save taxpayer dollars. She reported that she would issue a report the following
11 week concerning her September 26th meeting with the Cooperative Services Authority Board.

12
13 Mr. Birch reported that he attended the Dena'ina Civic and Convention Center grand opening on September 17th. He
14 attended the American Association of Port Authorities Meeting, with 700 participants, held at the Dena'ina which had
15 included a presentation by Author James Bradley on *Flags of Our Fathers*. He responded to Mr. Gutierrez's Public
16 Safety report by saying that he supported a reduction in the bear population to make areas in Anchorage safe again.

17
18 Ms. Ossiander reported that the Title 21 Committee would meet at the Planning Department Conference Room
19 Thursday morning from 9:30 to 11:00 a.m. to continue discussion on the Public Hearing Draft of Chapter 3.

20
21 Mr. Coffey reported the Energy Workgroup and the Energy Generation Committee would hold a joint meeting in
22 November to discuss generation transmission and distribution.

23
24 Acting Chair Selkregg reported the Community and Economic Development Committee had an active Energy
25 Workgroup which would hold a joint meeting with the Energy Generation Committee and make recommendations at an
26 Assembly Worksession. A new working committee had just been formed that would address housing and
27 neighborhoods.

28 **8. ADDENDUM TO AGENDA**

29
30
31 Acting Chair Selkregg called for a motion and read the Addendum items. There were no additional items and she
32 called for a vote to incorporate the Addendum items into the Consent Agenda.

33
34 Ms. Drummond moved, *to incorporate* the inclusion of the Addendum items
35 Mr. Flynn seconded, *into the Consent Agenda,*
36 and this motion was passed, 10-0.

37
38 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

39 NAYS: None.

40 ABSENT: Claman, excused.

41
42 Acting Chair Selkregg called for a motion on the Consent Agenda.

43
44 Mr. Gutierrez moved, *to approve the Consent Agenda,*
45 Mr. Flynn seconded,

46
47 Acting Chair Selkregg called for Assemblymembers to request items be pulled for discussion on the Regular Agenda.

48 **9. CONSENT AGENDA**

49 **9.A. RESOLUTIONS FOR ACTION – PROCLAMATIONS AND RECOGNITIONS**

50
51 9.A.1. Resolution No. AR 2008-210, a resolution of the Anchorage Municipal Assembly recognizing and
52 honoring **Cathy Feaster** for her 11 years of service to the Municipality of Anchorage. (*Addendum*)

53
54 Mr. Gutierrez requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)

55 **9.B. RESOLUTIONS FOR ACTION – OTHER**

56
57 9.B.1. Resolution No. AR 2008-202, a resolution of the Anchorage Municipal Assembly approving a minor
58 amendment to an existing alcoholic beverages conditional use in the B-3 (General Business District) to
59 add a second beverage dispensary use and license per AMC 21.40.180 D.8 for **Henri Hawaii, Inc.**,
60 located at 201 E. Northern Lights Boulevard, Suite A, within Smith Subdivision Number 1, Lots 8
61 through 12A, generally located on the northeast corner of Barrow Street and East Northern Lights
62 Boulevard (Midtown Community Council) (Case 2008-128), Planning Department.
63 a. Assembly Memorandum No. AM 590-2008.

64
65 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.B.1*)

66
67 9.B.2. Resolution No. AR 2008-203, a resolution of the Municipality of Anchorage appropriating the sum of
68 \$16,320 from the Alaska Mental Health Trust Authority and \$12,799 as a contribution from the 2008
69 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
70 Miscellaneous Grants Fund (261) Anchorage Police Department, for this **Crisis Intervention Team**
71 **Conference Grant**.

72 a. Assembly Memorandum No. AM 593-2008.

73 9.B.3. Resolution No. AR 2008-204, a resolution of the Municipality of Anchorage appropriating \$75,000 from
74 the Alaska Mental Health Trust Authority as a grant to the State Categorical Grants Fund (231) to the
75 Department of Neighborhoods for **staffing support for the Municipality of Anchorage Ten Year**
76 **Plan on Homelessness**.

77 a. Assembly Memorandum No. AM 594-2008.
78

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

2
3 9.B.4. Resolution No. AR 2008-205, a resolution of the Municipality of Anchorage providing for the
4 appropriation of a donation of \$10,000 from the Friends of the Library, to the Office of Economic and
5 Community Development, Miscellaneous Operational Grants Fund (261) for **2008 Wish List Program**
6 **for the Library**.

7 a. Assembly Memorandum No. AM 595-2008.

8 9.B.5. Resolution No. AR 2008-206, a resolution of the Municipality of Anchorage providing for the
9 appropriation of \$27,000 from the Friends of the Library, to the Office of Economic and Community
10 Development Miscellaneous Operational Grants Fund (261) for the **Mountain View Library**.

11 a. Assembly Memorandum No. AM 596-2008.

12 9.B.6. Resolution No. AR 2008-207, a resolution of the Municipality of Anchorage appropriating \$99,000 from
13 the South Goldenview Rural Road Service Area (RRSA) Fund Balance (Fund 149) to the **South**
14 **Goldenview RRSA BP2008 Operating Budget** (Fund 149), Maintenance and Operations
15 Department, for summer work program.

16 a. Assembly Memorandum No. AM 597-2008.

17
18 **9.C. BID AWARDS**

19 9.C.1. Assembly Memorandum No. AM 598-2008, recommendation of award to AKA Hauling, LLC for
20 providing **end-dump trucks with operators** for the Municipality of Anchorage, Maintenance and
21 Operations Department (ITB 28-B046) (\$1,200,000), Purchasing.

22
23 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.C.1)

24
25 9.C.2. Assembly Memorandum No. AM 599-2008, recommendation of award to Yukon Equipment for
26 furnishing **miscellaneous heavy equipment** to the Municipality of Anchorage, Maintenance &
27 Operations (M&O) Department and Municipal Light & Power (ML&P) Utility (ITB 28-B047) (\$611,842),
28 Purchasing.

29
30 **9.D. NEW BUSINESS**

31 9.D.1. Assembly Memorandum No. AM 606-2008, **Historic Preservation Commission** appointment (Debra
32 Corbett), Mayor's Office.

33 9.D.2. Assembly Memorandum No. AM 607-2008, **Mt. View Community Recreation Center Advisory**
34 **Commission** appointment (Chester Mataia), Mayor's Office.

35 9.D.3. Assembly Memorandum No. AM 600-2008, proprietary purchase of **Oracle software license updates**
36 **and support renewal** from Oracle Corporation for the Municipality of Anchorage, Information
37 Technology Department (ITD) (\$73,712.21), Purchasing.

38 9.D.4. Assembly Memorandum No. AM 601-2008, proprietary purchase of **library information services**
39 from Online Computer Library Center, Inc. (OCLC) for the Municipality of Anchorage, Office of
40 Community & Economic Development, Anchorage Municipal Libraries (AML) (\$54,829.54),
41 Purchasing.

42 9.D.5. Assembly Memorandum No. AM 602-2008, approval of Amendment No. 2 to the Anchorage Sand &
43 Gravel Co., Inc. contract (PO No. 280742) to increase the contract by \$23,518.00 for an amount Not To
44 Exceed (NTE) \$199,628.57 for the **2008 Summer Recycled Asphalt Product (RAP) projects** within
45 the South Goldenview Rural Road Service Area (RRSA), Maintenance & Operations Department.

46
47 Ms. Ossiander had requested this item be pulled for review, but later reported that her questions had been answered
48 and she withdrew her request.

49
50 9.D.6. Assembly Memorandum No. AM 603-2008, proprietary purchase for furnishing **Pacesetter Platinum**
51 **Water System Controller** from GE Betz, Inc. for the Municipality of Anchorage, Municipal Light &
52 Power Utility (ML&P) (\$31,000), Purchasing.

53 9.D.7. Assembly Memorandum No. AM 611-2008, proprietary purchase of a **Lube Oil Cooler Tube Bundle**
54 from Essex a Division of Tri-Thermal, Inc. for the Municipality of Anchorage, Municipal Light & Power
55 (ML&P) (\$102,414), Purchasing.

56 9.D.8. Assembly Memorandum No. AM 604-2008, Change Order No. 5 to Purchase Order No. 250641 with
57 SLR International Corporation dba SLR Alaska to provide **Landfill Water Quality Monitoring**
58 **Programs** for the Municipality of Anchorage, Solid Waste Services (SWS) (\$145,500), Purchasing.

59 9.D.9. Assembly Memorandum No. AM 613-2008, approval of cost reduction measures related to the revised
60 (schematic) design for **Chester Valley Elementary School Renewal**, Anchorage School District.
61 **(Addendum)**

62 9.D.10. Assembly Memorandum No. AM 617-2008, Change Order No. 7 to Purchase Order 260422 with SCS
63 Engineers to provide professional services to conduct a **Landfill Gas Monitoring and Compliance**
64 **Support Program** for the Municipality of Anchorage, Solid Waste Services (SWS) (\$25,000),
65 Purchasing. **(Addendum)**

66 9.D.11. Assembly Memorandum No. AM 623-2008, Amendment No. 2 to lease with MT Investments LLC for
67 providing **leased space for the Chugiak-Eagle River Library** for the Municipality of Anchorage, Real
68 Estate Services (\$209,400), Purchasing. **(Addendum)**

69 9.D.12. Assembly Memorandum No. AM 624-2008, Amendment No. 4 to Lease Agreement with Hickel
70 Investment Company for **leased space at the Valley River Center** for the Municipality of Anchorage,
71 Real Estate Services (\$43,992), Purchasing. **(Addendum)**

72
73 **9.E. INFORMATION AND REPORTS**

74 9.E.1. Information Memorandum No. AIM 78-2008, **Recognition by the National Association of Local**
75 **Boards of Health**, Assembly Chair Claman.

76 9.E.2. Information Memorandum No. AIM 79-2008, **contracts awarded between \$50,000 and \$500,000**
77 **through formal competitive processes** for the month of August 2008, Purchasing.

- 1 9.E.3. Information Memorandum No. AIM 80-2008, **Sole Source Procurement Report** for the month of
- 2 August 2008, Purchasing.
- 3 9.E.4. Information Memorandum No. AIM 81-2008, Report of the **Project Management & Engineering**
- 4 **Department's Construction Contract Amendments**.
- 5 9.E.5. Information Memorandum No. AIM 82-2008, **Municipality of Anchorage Ten Year Plan on**
- 6 **Homelessness Status Report**, Department of Neighborhoods.
- 7

8 Mr. Flynn requested this item be pulled for review on the Regular Agenda. *(See item 10.E.5)*

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

- 11 9.F.1. Ordinance No. AO 2008-64, an ordinance authorizing a long term lease between the Municipality of
- 12 Anchorage, as lessor, and Aero-Metric Inc., as lessee, of **Lot 4, Block 5, Merrill Field Replat**, located
- 13 between Taxiway Quebec and Merrill Field Drive, Merrill Field Airport. P.H. 10-14-08.
- 14 a. Assembly Memorandum No. AM 264-2008.
- 15 9.F.2. Resolution No. AR 2008-208, a resolution of the Municipality of Anchorage appropriating \$175,000
- 16 from Tax-Exempt Master Lease Proceeds to the Finance Department to purchase and upgrade
- 17 **Remittance Processing Equipment** and to amend the 2008 General Government Capital Budget to
- 18 include the aforementioned equipment purchase, Finance Department. *Public Hearing 10-14-08.*
- 19 a. Assembly Memorandum No. AM 610-2008.
- 20 9.F.3. Assembly Memorandum No. AM 609-2008, **Employee Relations Board** appointment (Roxanne
- 21 Rohweder), Mayor's Office. *Public Hearing 10-14-08.*
- 22 9.F.4. Assembly Memorandum No. AM 592-2008, **Planning and Zoning Commission** appointments (Arthur
- 23 Isham, Nancy Pease, and Connie Yoshimura), Mayor's Office. *A 10-day Public Comment Period is*
- 24 *required pursuant to AMC 21.10.010 B. (Scheduled for Assembly Action 10-14-08)*
- 25

26 Mr. Coffey requested items 9.F.4, 9.F.5, 9.F.6, 9.F.7, 9.F.14 and 9.F.15 be pulled for review on the Regular Agenda.

27 *(Clerk's Note: See item 10.F.4 for details concerning all pulled items.)*

28

- 29 9.F.5. Assembly Memorandum No. AM 605-2008, **Board of Adjustment** appointments (Martha Beckwith
- 30 and Bernd Guetschow), Mayor's Office. *A 10-day Public Comment Period is required pursuant to*
- 31 *AMC 21.10.010 B. (Scheduled for Assembly Action 10-14-08)*
- 32 9.F.6. Assembly Memorandum No. AM 608-2008, **Urban Design Commission** appointments (Patrick
- 33 Coleman, James Dougherty, and Doug Gasek), Mayor's Office. *A 10-day Public Comment Period is*
- 34 *required pursuant to AMC 21.10.010 B. (Scheduled for Assembly Action 10-14-08)*
- 35 9.F.7. Assembly Memorandum No. AM 612-2008, **Community Development Authority Board of Directors**
- 36 appointments (Ted Carlson, Debby Sedwick, and Jan Sieberts), Mayor's Office. *A 10-day Public*
- 37 *Comment Period is required pursuant to AMC 25.35.030. (Scheduled for Assembly Action 10-14-08)*
- 38 9.F.8. Ordinance No. AO 2008-102, an ordinance of the Municipality of Anchorage adopting and
- 39 appropriating funds for the **2009 (Updated) General Government Operating Budget** for the
- 40 Municipality of Anchorage, Office of Management & Budget. *Public Hearing 10-14-08 & 10-28-08.*
- 41 **(Addendum)**
- 42 a. Assembly Memorandum No. AM 614-2008.
- 43 9.F.9. Resolution No. AR 2008-212, a resolution of the Municipality of Anchorage approving the **2009-2014**
- 44 **Municipal Utilities Capital Improvement Program**, Office of Management & Budget. P.H. 10-14-08
- 45 & 10-28-08. **(Addendum)**
- 46 a. Assembly Memorandum No. AM 622-2008.
- 47 9.F.10. Ordinance No. AO 2008-103, an ordinance adopting and appropriating funds for the **Municipal**
- 48 **Utilities/Enterprise Activities Operating Budget** for Fiscal Year 2009 Update and the 2009 Municipal
- 49 Utilities/Enterprise Activities Capital Budget, Office of Management & Budget. P.H. 10-14-08 & 10-28-
- 50 08. **(Addendum)**
- 51 a. Assembly Memorandum No. AM 619-2008.
- 52 9.F.11. Ordinance No. AO 2008-104, an ordinance adopting and appropriating funds for the 2009 Operating
- 53 and Capital Budgets for the **Anchorage Community Development Authority (ACDA)**, Office of
- 54 Management & Budget. P.H. 10-14-08 & 10-28-08. **(Addendum)**
- 55 a. Assembly Memorandum No. AM 620-2008.
- 56 9.F.12. Ordinance No. AO 2008-105, an ordinance adopting the **2009 General Government Capital**
- 57 **Improvement Budget**, Office of Management & Budget. P.H. 10-14-08 & 10-28-08. **(Addendum)**
- 58 a. Assembly Memorandum No. AM 621-2008.
- 59 9.F.13. Resolution No. AR 2008-211, a resolution of the Municipality of Anchorage approving the **2009-2014**
- 60 **General Government Capital Improvement Program**, Office of Management & Budget. P.H. 10-14-
- 61 08 & 10-28-08. **(Addendum)**
- 62 a. Assembly Memorandum No. AM 618-2008.
- 63 9.F.14. Assembly Memorandum No. AM 615-2008, **Platting Board** appointments (Ellen McKay, Len Story,
- 64 and Ana Taylor), Mayor's Office. *A 10-day Public Comment Period is required pursuant to AMC*
- 65 *21.10.010 B. (Addendum) (Scheduled for Assembly Action 10-14-08)*
- 66 9.F.15. Assembly Memorandum No. AM 616-2008, **Zoning Board of Examiners and Appeals** appointments
- 67 (Dean Karcz, Timothy Vig, and Holly Suozzo), Mayor's Office. *A 10-day Public Comment Period is*
- 68 *required pursuant to AMC 21.10.010 B. (Addendum) (Scheduled for Assembly Action 10-14-08)*
- 69

70 Acting Chair Selkregg called for a vote on the remainder of the Consent Agenda.

71 and the motion, as amended, was passed.

72
73
74 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
75 NAYS: None.
76 ABSENT: Claman, excused.

77

1 The amended Consent Agenda was approved and Acting Chair Selkregg led the body into discussion of the pulled
2 items.

3
4 **END OF CONSENT AGENDA**

5
6 **10. REGULAR AGENDA**

7 **10.A. RESOLUTIONS FOR ACTION – PROCLAMATIONS AND RECOGNITIONS**

8 10.A.1. Resolution No. AR 2008-210, a resolution of the Anchorage Municipal Assembly recognizing and
9 honoring **Cathy Feaster** for her 11 years of service to the Municipality of Anchorage. (*Addendum*)

10
11 Mr. Gutierrez moved, to approve AR 2008-210,
12 Ms. Ossiander seconded,
13 and the motion passed, 10-0,
14 with Mr. Claman as an excused absence.

15
16 Mr. Flynn read and Mr. Gutierrez, Health and Human Services Director Diane Ingle and Deputy Municipal Manager
17 Heather Handyside presented the resolution to Cathy Feaster, honoring her for her 11 years of service with Health and
18 Human Services. Ms. Feaster responded that she had enjoyed working with many nice people and she thanked the
19 Assembly for the recognition.

20
21 **10.B. RESOLUTIONS FOR ACTION – OTHER**

22 10.B.1. Resolution No. AR 2008-202, a resolution of the Anchorage Municipal Assembly approving a minor
23 amendment to an existing alcoholic beverages conditional use in the B-3 (General Business District) to
24 add a second beverage dispensary use and license per AMC 21.40.180 D.8 for **Henri Hawaii, Inc.**,
25 located at 201 E. Northern Lights Boulevard, Suite A, within Smith Subdivision Number 1, Lots 8
26 through 12A, generally located on the northeast corner of Barrow Street and East Northern Lights
27 Boulevard (Midtown Community Council) (Case 2008-128), Planning Department.
28 a. Assembly Memorandum No. AM 590-2008.

29
30 Mr. Flynn moved, to approve AR 2008-202,
31 Ms. Ossiander seconded,

32
33 Mr. Coffey declared a potential conflict of interest. The new owners of the building where Henri Hawaii was located
34 had requested his advice and counsel concerning this license. Ms. Drummond questioned Mr. Coffey whether he had
35 a substantial financial or private interest in this matter before the Assembly. Mr. Coffey responded that he had been
36 paid for providing services.

37
3 Acting Chair Selkregg ruled that Mr. Coffey did have a conflict of interest and ordered that he abstain from
3 participating. There were no objections.

4
41 and the motion was approved, 9-0,
42 with Mr. Claman as an excused absence,
43 and Mr. Coffey abstaining, due to a conflict of interest.

44
45 10.B.3. Resolution No. AR 2008-204, a resolution of the Municipality of Anchorage appropriating \$75,000 from
46 the Alaska Mental Health Trust Authority as a grant to the State Categorical Grants Fund (231) to the
47 Department of Neighborhoods for **staffing support for the Municipality of Anchorage Ten Year**
48 **Plan on Homelessness**.
49 a. Assembly Memorandum No. AM 594-2008.

50
51 Ms. Drummond moved, to approve AR 2008-204,
52 Mr. Flynn seconded,

53
54 Mr. Flynn stated that this was an important matter and he recommended the staff support for the Ten Year Plan on
55 Homelessness be highly ranked within the Administration. He would address the matter with the executive oversight
56 board.

57
58 Acting Chair Selkregg stated there were over 3,000 homeless children in the Anchorage School District and over 1,000
59 homeless children sleeping in cars. The issue of homelessness would become more complex as more families move
60 to Anchorage from rural Alaska and the Lower 48 because of the economic crisis. She supported the Administration's
61 addressing this matter as a higher priority.

62
63 and this was approved, 10-0,
64 with Mr. Claman as an excused absence.

65
66 **10.C. BID AWARDS**

67 10.C.1. Assembly Memorandum No. AM 598-2008, recommendation of award to AKA Hauling, LLC for
68 providing **end-dump trucks with operators** for the Municipality of Anchorage, Maintenance and
69 Operations Department (ITB 28-B046) (\$1,200,000), Purchasing.

70
71 Mr. Birch moved, to approve AM 598-2-008,
72 Ms. Gray-Jackson seconded,

73
74 Mr. Birch commended the Purchasing Office for a successful bidding process for snow hauling services, which had at
75 least 12 responding bidders with very competitive operating rates. Purchasing Officer Bart Mauldin responded the
76 Anchorage School District (ASD) could also be combined with the contracts, but negotiation would be needed to pass
77 on the same terms and conditions. Mr. Birch requested a comparison of the ASD snow hauling service costs.
78

1 and this was approved, 10-0,
2 with Mr. Claman as an excused absence.

3
4 **10.D. NEW BUSINESS** None were pulled for review.

5
6 **10.E. INFORMATION AND REPORTS**

7 10.E.5. Information Memorandum No. AIM 82-2008, Municipality of Anchorage Ten Year Plan on
8 Homelessness Status Report, Department of Neighborhoods.

9
10 Mr. Flynn moved, *to accept AIM 82-2008,*
11 Ms. Ossiander seconded,

12
13 Mr. Flynn stated that the Assembly had not heard about many important and outstanding issues that needed to be
14 addressed concerning the status of the Ten Year Plan on Homelessness. Municipal Manager Michael Abbott
15 responded that the Assembly would be informed when the information was available.

16
17 and the motion was approved, 10-0,
18 with Mr. Claman as an excused absence.

19
20 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

21 10.F.4. Assembly Memorandum No. AM 592-2008, Planning and Zoning Commission appointments (Arthur
22 Isham, Nancy Pease, and Connie Yoshimura), Mayor's Office. A 10-day Public Comment Period is
23 required pursuant to AMC 21.10.010 B. (Scheduled for Assembly Action 10-14-08)

24
25 *(Clerk's Note: Mr. Coffey had requested items 9.F.4, 9.F.5, 9.F.6, 9.F.7, 9.F.14 and 9.F.15 be pulled for review on the*
26 *Regular Agenda.)*

27
28 To Mr. Coffey, Municipal Manger Michael Abbott responded that the Municipal Clerk had reorganized the Agenda by
29 placing items that required a mandatory 10-day comment period on the Consent Agenda under items for introduction.
30 These memorandums would automatically be continued to the next meeting under old business without requiring
31 Assembly action. Acting Chair Selkregg stated that these items would be taken up on October 14th. Mr. Coffey
32 recommended that the scheduled date for Assembly action be included with the title.

33
34 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS** There were no items.

35
36 **12. APPEARANCE REQUESTS**

37 12.A. **Chris Hamre and Judy Moerlein**, to present a resolution from HALO regarding undergrounding of
38 power lines in Southeast Anchorage.

39
40 Chris Hamre and Judy Moerlein testified that HALO (*Home and Landowners Organization for the Anchorage Hillside*)
41 urged the city to support their plan for undergrounding power lines to help reduce the potential fire hazard in southeast
42 Anchorage. To Ms. Ossiander, Ms. Moerlein responded that she was requesting support from community councils.
43 To Ms. Johnston, she responded that the Firewise group indicated they were not involved with the utilities. Planning
44 Director Tom Nelson responded that Chugach Electric Association (CEA) and Municipal Light and Power (ML&P) had
45 been in compliance since the undergrounding ordinance was passed. CEA had submitted their annual capital projects
46 list, which included undergrounding transmission and distribution lines along O'Malley Road. Mr. Birch stated he
47 would help resolve the issue. Mr. Gutierrez stated that he had requested reports from the electric and telephone utility
48 companies, which were to have been submitted by 2005. Mr. Nelson responded that CEA and ML&P actively cleared
49 utility easements. Municipal Manager Michael Abbott responded that Firewise, the city and all utilities shared services
50 to clear utility corridors, which would help reduce fire danger and protect the utilities. To Mr. Coffey, Mr. Nelson
51 respond that having the utilities proceed with undergrounding specifically to reduce potential fire hazards would require
52 an ordinance amendment. Mr. Hamre testified that HALO had identified specific areas on the Hillside which could be
53 addressed by the Assembly under Title 21 Chapter 7.

54
55 **13. CONTINUED PUBLIC HEARINGS**

56 13.A. Resolution No. AR 2008-179, a resolution of the Anchorage Municipal Assembly approving an
57 alcoholic beverages conditional use in the B-3 (General Business District) for a package store use and
58 license per AMC 21.40.180 D.8 for **Wal-Mart Super Store #2188**, located at 18600 Eagle River Road,
59 within Eaglewood Subdivision, Tract A, generally located on the southeast corner of Eagle River Road
60 and Eagle River Loop Road (Eagle River Valley Community Council) (Case 2008-120), Planning
61 Department.

62 1. Assembly Memorandum No. AM 548-2008. *(Continued from 9-9-08; Continued to 10-14-08)*

63
64 Acting Chair Selkregg read the resolution title. Mr. Starr stated that the local Eagle River Valley Community Council
65 had scheduled Public Hearing on this Wal-Mart matter and it was his intention to continue the resolution to October
66 14th. Dr. Selkregg opened Public Hearing. There was no one to testify and she called for a motion.

67
68 Mr. Starr moved, *to continue AR 2008-179 to October 14, 2008,*
69 Mr. Flynn seconded,

70
71 To Mr. Flynn, Mr. Starr stated that the Alcoholic Beverage Control Board had not objected to extending the application
72 period and understood the Assembly's intent.

73
74 and the motion was passed, 10-0.

75
76 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.

77 NAYS: None.

78 ABSENT: Claman, excused.

1
2 13.B. Ordinance No. AO 2008-50, an ordinance of the Anchorage Municipal Assembly to provisionally adopt
3 a new Chapter 21.06, **Dimensional Standards and Measurements**, amending Anchorage Municipal
4 Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of
5 Title 21, Assembly Vice-Chair Ossiander. *(Continued from 6-24-08 and 9-9-08)*
6

7 Acting Chair Selkregg read the ordinance title and opened Public Hearing. There was no one to testify and she closed
8 Public Hearing and called for a motion.

9
10 Ms. Ossiander moved, to approve AO 2008-50, Chapter 21.06, (S) Version, Draft 4,
11 Mr. Coffey seconded, dated September 30, 2008.
12

13 Ms. Ossiander explained Title 21, Chapter 6 and the proposed changes.
14

15 Acting Chair Selkregg stated this chapter involved building height restrictions. Some challenges would be difficult to
16 address at this time with this process. Complex issues, including East Anchorage's high density and narrow side
17 yards receiving little sunlight, could be addressed in the future with district plans. Title 21 was a good document with
18 many improvements, but there were still things that needed to be addressed in residential areas.
19

20 Mr. Coffey stated there great changes being made to Title 21. There were great differences within different parts of
21 town. Some areas were being reserved to a later date, to allow more time to help resolve the differences.
22

23 Ms. Ossiander moved, to amend Chapter 21.06 (S) Version on Page 24, Lines 34-
24 Mr. Coffey seconded, 42, *by adding to read: In no case shall the existing grade be*
25 *altered "by grading, such as artificial embankment or where*
26 *the ground has been built up to increase the grade around*
27 *the building," to obtain a higher structure than is otherwise*
28 *permitted in the district. [If there is evidence that a*
29 *modification to the existing grade has occurred, the director*
30 *may consider the best available information to determine the*
31 *existing grade. This may include without limitation,*
32 *interpolating what the existing grade may have been using*
33 *the grade had been using the grade along property lines,*
34 *topographic information on file with the Municipality, or other*
35 *information.].*
36

37 Ms. Ossiander stated that protection was needed, so that developers would not adjust the property grade in order to
3 get around height restrictions. Staff had recommended language to protect both sides. Mr. Nelson responded that
3 currently there were no issues of noncompliance and the language was not necessary at this time.
4

5 Mr. Birch stated that in some areas with thick peat or other compressible material it was common to backfill with gravel
6 to compress the soil to be able to build. There was a project in his district on C Street and O'Malley that had backfilled
7 to heighten the grade. He hoped this change would not unreasonably complicate things. Mr. Nelson responded that
8 that area was zoned industrial and height was not an issue.
9

10 and the motion passed without objection, 10-0.
11

12 Ms. Ossiander moved, to amend Chapter 21.06 (S) Version on Page 11, Table
13 Mr. Coffey seconded, 21.06.020, footnote #7, *by deleting the first sentence: [The*
14 *following uses may exceed the height limit by up to 15 feet.]*
15

16 Ms. Ossiander stated I-1 zoned property had a height limit of 50 feet. Developers had indicated there would be
17 concerns with moving in cranes or other heavy equipment that may exceed the limit. Planning staff had helped create
18 the language, which would allow exemptions for certain things that exceed the 50-foot restriction. Removing the first
19 sentence helped clarify the intent. Mr. Nelson concurred.
20

21 and this passed without objection, 10-0.
22

23 and the main motion, as amended, was approved, 10-0.
24

25 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
26

27 NAYS: None.
28

29 ABSENT: Claman, excused.
30

31 To Ms. Ossiander, Mr. Nelson responded the amended, approved and signed Title 21 documents were posted on the
32 Planning Department website and the Planning staff would have the final chapters completed as soon as possible.
33

34 Ms. Ossiander requested the Administration's response to addressing situations where a development was in
35 compliance with provisionally adopted code, but not in compliance with existing code. Municipal Manager Michael
36 Abbott responded that each instance would be reviewed separately, following the revised language and also
37 addressing the complainant's concerns.
38

39 Mr. Coffey stated that the public needed to know that all Title 21 Chapters were being provisionally adopted and were
40 not yet effective. New code would be implemented when the Assembly had completed all the new chapters.
41

42 Acting Chair Selkregg stated that Planning staff had an enormous workload. There may be a consideration to add
43 Planning resources to be able to continue addressing the important additional changes that would be needed after
44 completing the initial rewrite to Title 21. She urged that more time be taken to complete S-versions that incorporated
45 all proposed amendments, to more easily get through the process. She thanked Ms. Ossiander for her efforts.
46

1
2 **14. NEW PUBLIC HEARINGS**

- 3 14.A. Ordinance No. AO 2008-99, an ordinance authorizing the disposal of a municipal interest in land to
4 relinquish a drainage easement located within the **East 5 Feet of Lot 22Q, Block Q, Woodland Park**
5 **Addition Subdivision** (Tax Parcel ID 010-033-27), Project Management and Engineering.
6 1. Assembly Memorandum No. AM 552-2008.

7
8 Acting Chair Selkregg read the ordinance title and opened Public Hearing. There was no one to testify and she closed
9 Public Hearing and called for a motion.

10
11 Ms. Ossiander moved, to approve AO 2008-99,
12 Mr. Coffey seconded,
13 and the motion passed, 10-0.

14
15 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
16 NAYS: None.
17 ABSENT: Claman, excused.

- 18
19 14.B. Ordinance No. AO 2008-101, an ordinance authorizing **long term leases** between the Municipality of
20 Anchorage as lessor and State of Alaska as lessee of Lot 1C and Lot 8C; Flight Safety Alaska Inc as
21 lessee of Lot 2C; Slipstream Hangars Condominium Association as lessee of Lot 3C; Federal Aviation
22 Administration as lessee of Lot 5C; Ramak Inc as lessee of Lot 9C; Chugach Hangars Owners
23 Association as lessee of Lot 10C; and North Edge LLC as lessee of Lot 11C; all located in Block 2,
24 Merrill Field Subdivision between Runway 07/25 and Glenn Highway, Merrill Field Airport.
25 1. Assembly Memorandum No. AM 576-2008.

26
27 Acting Chair Selkregg read the ordinance title and opened Public Hearing. There was no one to testify and she closed
28 Public Hearing and called for a motion.

29
30 Ms. Ossiander moved, to approve AO 2008-101,
31 Mr. Gutierrez seconded,
32 and the motion passed, 10-0.

33
34 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
35 NAYS: None.
36 ABSENT: Claman, excused.

- 37
38 14.C. Resolution No. AR 2008-183, a resolution of the Municipality of Anchorage appropriating \$169,500
39 from the Alaska Department of Health and Social Services to the State Categorical Grants Fund (231),
40 for provision of **HIV Prevention Work** in the Department of Health and Human Services.
41 1. Assembly Memorandum No. AM 550-2008.

42
43 Acting Chair Selkregg read the resolution title and opened Public Hearing. There was no one to testify and she closed
44 Public Hearing and called for a motion.

45
46 Ms. Gray-Jackson moved, to approve AR 2008-183,
47 Mr. Flynn seconded,
48 and the motion passed, 10-0.

49
50 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
51 NAYS: None.
52 ABSENT: Claman, excused.

- 53
54 14.D. Resolution No. AR 2008-184, a resolution of the Municipality of Anchorage appropriating \$230,000 from
55 the Girdwood Valley Service Area (SA) Fund Balance (Fund 106) to the **Girdwood Valley SA BP2008**
56 **Operating Budget** (Fund 106), Maintenance and Operations Department, for year round road
57 maintenance.
58 1. Assembly Memorandum No. AM 551-2008.

59
60 Acting Chair Selkregg read the resolution title and opened Public Hearing. There was no one to testify and she closed
61 Public Hearing and called for a motion.

62
63 Ms. Johnston moved, to approve AR 2008-184,
64 Ms Ossiander seconded,
65 and the motion passed, 10-0.

66
67 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Selkregg, Drummond, Ossiander, Flynn, Johnston and Coffey.
68 NAYS: None.
69 ABSENT: Claman, excused.

- 70
71 14.E. Resolution No. AR 2008-192, a resolution of the Municipality of Anchorage accepting and
72 appropriating a State of Alaska Municipal Matching Grant per Senate Bill 221 in the amount of
73 \$2,266,000 to be applied towards the **Asplund Wastewater Treatment Facility Disinfection**
74 **Upgrade Project**, Anchorage Water and Wastewater Utility.
75 1. Assembly Memorandum No. AM 572-2008.

76
77 Acting Chair Selkregg read the resolution title and opened Public Hearing. There was no one to testify and she closed
78 Public Hearing and called for a motion.

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Mr. Flynn moved, to approve AR 2008-192,
Ms. Ossiander seconded,
and the motion passed, 10-0.

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

14.F. Resolution No. AR 2008-193, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating an Alaska Drinking Water Fund loan offer in the amount of \$668,400 for financing a portion of the costs of the **Norm Newt Drive Water Project**, Anchorage Water and Wastewater Utility.
1. Assembly Memorandum No. AM 573-2008.

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

Ms. Ossiander moved, to approve AR 2008-193,
Mr. Flynn seconded,
and the motion passed, 10-0.

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

14.G. Resolution No. AR 2008-194, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating two (2) State of Alaska Clean Water Fund loan offers in the aggregate amount of \$1,280,000 for financing a portion of the costs of the **Pump Station 10 Upgrades and Downtown Sewer Upgrade Projects**, Anchorage Water and Wastewater Utility.
1. Assembly Memorandum No. AM 574-2008.

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

Mr. Gutierrez moved, to approve AR 2008-194,
Ms. Gray-Jackson seconded,
and the motion passed, 10-0.

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

14.H. Resolution No. AR 2008-195, a resolution appropriating \$214,552 from Amendment Number One to a Transfer of Responsibilities Agreement (TORA) between the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) and the Municipality of Anchorage (MOA) to the State Categorical Grants Fund (231) under the Municipal Traffic Department for the **Traffic Control Signalization 07-09 Project**.
1. Assembly Memorandum No. AM 575-2008.

Acting Chair Selkregg read the resolution title and opened Public Hearing.

JED WHITAKER questioned what the money was for. Municipal Manager Michael Abbott explained that this was a continuation of the street light and traffic signal transfer of responsibility agreement (TORA) between the city and the Department of Transportation (DOT). To Mr. Whitaker, Mr. Abbott responded one function of the agreement was to coordinate state and city signals.

There was no additional testimony and Acting Chair Selkregg closed Public Hearing and called for a motion.

Mr. Flynn moved, to approve AR 2008-195,
Ms. Ossiander seconded,
and the motion passed, 10-0.

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

14.I. Resolution No. AR 2008-196, a resolution of the Municipality of Anchorage appropriating \$150,000 from the Department of Military and Veterans' Affairs, Division of Homeland Security and Emergency Management and contribution of \$3,170 from Anchorage Fire Service Area Operating Fund (131) Fire Department 2008 Operating Budget to State Categorical Grants Fund (231) for support of **Emergency Management Performance Grant (EMPG) activities** in the Municipal Manager Department, Office of Emergency Management.
1. Assembly Memorandum No. AM 577-2008.

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

Mr. Gutierrez moved, to approve AR 2008-196,

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Ms. Gray-Jackson seconded,
and the motion passed, 10-0.

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

15. SPECIAL ORDERS

Ms. Drummond publicly noticed her intent to move for rescission of Assembly action taken on May 20, 2008, approving AM 272-2008(A), concerning a restaurant designation permit for Players House of Rock. The motion to rescind Assembly action was to be considered at the October 8th Assembly Meeting. To Mr. Coffey, Municipal Clerk Barbara Gruenstein responded that she had just received the intent to move to rescind the matter and would contact the business the following day. Mr. Coffey stated that all facts would need to be presented.

16. UNFINISHED AGENDA There were none.

17. AUDIENCE PARTICIPATION There was none.

18. ASSEMBLY COMMENTS There were none.

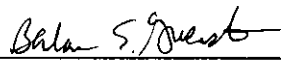
19. EXECUTIVE SESSIONS There were none.

20. ADJOURNMENT

Acting Chair Selkregg adjourned Regular Assembly Meeting of September 30, 2008 at 6:48 p.m.


SHEILA SELKREGG, Acting Assembly Chair

ATTEST:


BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: December 2, 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)