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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 August 9, 2005, amended

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1. CALL TO ORDER

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

2. ROLL CALL A Quorum was achieved with Assemblymembers present.

PRESENT: Allan Tesche, Janice Shamberg, Debbie Ossiander, Dan Sullivan, Anna Fairclough, Dan Coffey, Chris Birch, Ken Stout, Paul Bauer, Dick Traini and Pamela Jennings.

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Bauer led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – June 28, 2005.

Mr. Coffey moved, to approve the Regular Meeting Minutes of
Ms. Ossiander seconded, June 28, 2005,
and this motion was passed unanimously,
with Mr. Bauer abstaining due to an excused absence on June 28th.

5. MAYOR'S REPORT

Mayor Begich honored two municipal employees present that evening for their service in the Alaska Air National Guard. Anthony Rollins was serving as Master Sergeant with the 176th Security Force Division. Mr. Rollins thanked the Mayor for the recognition and stated it was an honor to serve the country. Darrell Evans was serving as Lieutenant with the 176th Mission Support Flight Division. Mr. Evans thanked Mayor Begich for the recognition and the city for allowing National Guard members to participate with annual training. Both men were Senior Patrol Officers with the Anchorage Police Department. Mayor Begich presented certificates of appreciation to each and thanked them for their dedication and commitment in protecting the nation and the city.

6. ASSEMBLY CHAIR'S REPORT

Chair Fairclough asked for volunteers to assist with "Snack Attack," an organized effort to send off Alaskan troops for deployment to Iraq next week. Willing participants could contact the YMCA.

Chair Fairclough announced that she and Ms. Ossiander successfully ran in the Bear Paw Slippery Salmon Derby 2005 over the weekend.

Chair Fairclough and Ms. Ossiander announced there would be a ribbon cutting service at Eagle River High School on Wednesday, August 17th and the public was invited.

7. COMMITTEE REPORTS

Ms. Ossiander announced the Title 21 Committee was continuing weekly meetings to review the Title 21 Draft. They would meet on Friday morning in the Planning Department. She encouraged all interested people to attend.

Mr. Sullivan announced the Finance Committee, Chaired by Mr. Coffey, would meet tomorrow, at noon in the Assembly Conference Room, to continue discussion on the proposed sales tax ordinance.

8. ADDENDUM TO AGENDA

Chair Fairclough called for a motion and read the Addendum items. She called for additional items and AR 2005-207 and AR 2005-109 were added. The Chair assigned to these items Agenda numbers 9.F.14 and 9.F.15, respectively. There being no additional Addendum items, she called for a vote.

Ms. Shamberg moved, to approve the inclusion of the Addendum items into the
Ms. Jennings seconded, Regular Agenda,
and this motion was passed.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

1
2 Chair Fairclough called for a motion on the Consent Agenda.

3
4 Mr. Tesche moved, to approve the Consent Agenda,
5 Mr. Traini seconded,
6

7 Chair Fairclough called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
8 discussion.
9

10 **9. CONSENT AGENDA**

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

12 **CLERK'S NOTE: A moment of silence will be observed immediately following passage of AR 2005-205.**

13 9.A.1. Resolution No. AR 2005-205, a resolution of the Anchorage Municipal Assembly honoring and
14 remembering **The Honorable Governor Jay S. Hammond**; Mayor Begich; Assembly Chair
15 Fairclough and Assemblymembers Tesche, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg,
16 Stout, Sullivan and Traini. (**Addendum**)
17

18 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)
19

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

21 9.B.1. Resolution No. AR 2005-195, a resolution of the Municipality of Anchorage appropriating \$90,000 from
22 the **Federal Seized and Forfeited Monies** from the Police Investigation Fund (257) awarded from
23 criminal narcotics cases by the U.S. Drug Enforcement Agency, to the Police Investigation Fund (257)
24 for use by the Anchorage Police Department.

25 a. Assembly Memorandum No. AM 540-2005.

26 9.B.2. Resolution No. AR 2005-196, a resolution of the Municipality of Anchorage appropriating the sum of
27 \$78,484 from the State of Alaska, Alaska Court System and \$2,820 as a contribution from the 2005
28 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
29 State Categorical Grants Fund (231) Anchorage Police Department, for the **Domestic Violence**
30 **Warrants/Orders Program Coordination Grant**; Anchorage Police Department.

31 a. Assembly Memorandum No. AM 541-2005.

32 9.B.3. Resolution No. AR 2005-197, a resolution of the Municipality of Anchorage appropriating the sum of
33 \$35,000 from the State of Alaska, Department of Transportation & Public Facilities and \$1,240 as a
34 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
35 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
36 for the **Impaired Driving Enforcement Sustainment Program**; Anchorage Police Department.

37 a. Assembly Memorandum No. AM 542-2005.

38 9.B.4. Resolution No. AR 2005-198, a resolution of the Anchorage Municipal Assembly appropriating the
39 sum of \$5,400 from the interest accrued on the Local Law Enforcement Block Grant (241-45533G) to
40 the Federal Categorical Grants Fund (241) for the purpose of funding **police programs and**
41 **activities**; Anchorage Police Department.

42 a. Assembly Memorandum No. AM 543-2005.

43 9.B.5. Resolution No. AR 2005-199, a resolution of the Municipality of Anchorage appropriating the sum of
44 \$3,000 from the State of Alaska, Department of Transportation & Public Facilities and \$110 as a
45 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
46 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
47 for the **Drug Recognition Expert Training Program** amendment; Anchorage Police Department.

48 a. Assembly Memorandum No. AM 544-2005.

49 9.B.6. Resolution No. AR 2005-200, a resolution of the Municipality of Anchorage appropriating \$25,000 from
50 the Providence Health System to the Miscellaneous Operational Grants Fund (261) for the
51 **Emergency Alcohol Services Program** in the Department of Health and Human Services.

52 a. Assembly Memorandum No. AM 545-2005.

53 9.B.7. Resolution No. AR 2005-201, a resolution authorizing the Municipality of Anchorage, Public
54 Transportation Department, to enter into an amendment to the Transfer of Responsibilities Agreement
55 (TORA) in the amount of \$8,755 with the State of Alaska, Department of Transportation and Public
56 Facilities, and appropriating these funds to the State Categorical Grants Fund (231) for summer
57 landscaping and winter ice and snow removal at selected bus stops within the Anchorage area through a
58 **Transit Enhancement Work Program**; Public Transportation Department.

59 a. Assembly Memorandum No. AM 546-2005.

60 9.B.8. Resolution No. AR 2005-206, a resolution of the Anchorage Municipal Assembly urging the University
61 of Alaska Board of Regents to continue the **Senior Tuition Waiver Program**; Assemblymember
62 Stout. (**Addendum**)
63

64 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*See item 10.B.8*)
65

66 **9.C. BID AWARDS**

67 9.C.1. Assembly Memorandum No. AM 522-2005, recommendation of award to Tam Construction, Inc. for
68 **Trena-Rierie easement sewer upgrade** to the Municipality of Anchorage; Anchorage Water and
69 Wastewater Utility (ITB 25-C041) (\$434,646.64); Purchasing.

70 9.C.2. Assembly Memorandum No. AM 523-2005, recommendation of award to VF Imagewear, Inc. for
71 furnishing police officer **uniforms** to the Municipality of Anchorage; Anchorage Police Department (ITB
72 25-B058) (\$449,882.50); Purchasing.

73 9.C.3. Assembly Memorandum No. AM 524-2005, recommendation of award to Denali Materials, Inc. for
74 furnishing **Recycled Asphalt Product (RAP) crushing services** to the Municipality of Anchorage;
75 Maintenance & Operations Department (ITB 25-B065) (\$185,000); Purchasing.
76

77 **9.D. NEW BUSINESS**

- 1 9.D.1. Assembly Memorandum No. AM 534-2005, **Bombay Deluxe** #4158 – Transfer of Ownership and
2 Restaurant Designation for a Restaurant/Eating Place Liquor License (Midtown, North Star, Spenard
3 Community Councils); Clerk's Office.
4

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

- 6
7 9.D.2. Assembly Memorandum No. AM 535-2005, **Chepo's Fiesta** #4350 – Transfer of Location for a
8 Beverage Dispensary Liquor License (*NO PREMISE*); Clerk's Office.
9

10 Mr. Stout requested this item be pulled for review on the Regular Agenda. (See item 10.D.2)

- 11
12 9.D.3. Assembly Memorandum No. AM 536-2005, 2005/2006 Liquor License Renewal: **Chepo's Fiesta**
13 #4350 – Beverage Dispensary (Downtown Community Council); Clerk's Office.
14

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

- 16
17 9.D.4. Assembly Memorandum No. AM 537-2005, **Icons Lounge** #1078 – Transfer of Ownership and Name
18 Change for a Restaurant/Eating Place Liquor License (Northeast Community Council); Clerk's Office.
19

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

- 21
22 9.D.5. Assembly Memorandum No. AM 538-2005, **Northern Spirits Distributors** #4497 – New Wholesale
23 Malt Beverage and Wine Liquor License (Taku/Campbell Community Council).
24

- 25 9.D.6. Assembly Memorandum No. AM 539-2005, **Eagle River Liquor** #1011 – Transfer of Ownership and
26 Name Change for a Package Store Liquor License (Eagle River Community Council).
27

- 28 9.D.7. Assembly Memorandum No. AM 525-2005, Amendment No. 5 to Contract No. 21WWU168 with
29 Guess & Rudd P.C. to provide **legal services** pertaining to regulatory issues for the Municipality of
30 Anchorage; Anchorage Water and Wastewater Utility (AWWU) (\$75,000).

- 31 9.D.8. Assembly Memorandum No. AM 526-2005, Change Order #1 to Purchase Order 250306 with KME
32 Fire Apparatus c/o Oregon Fire Equipment Company, Ltd. for furnishing a **mini pumper fire**
33 **apparatus** to the Municipality of Anchorage; Anchorage Fire Department (AFD) (\$159,957);
34 Purchasing.

- 35 9.D.9. Assembly Memorandum No. AM 527-2005, recommendation of award to Hansen Information
36 Technology, Inc. for providing a **code compliance tracking system**, to the Municipality of Anchorage
37 Information Technology Department (RFP 24-P061) (\$927,628); Purchasing.

38 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.9)

- 39 9.D.10. Assembly Memorandum No. AM 528-2005, recommendation of award to MAKERS Architecture &
40 Urban Design for providing professional engineering services for design & development of the "**E**"
41 **Street Pedestrian Corridor**, for the Municipality of Anchorage; Project Management & Engineering
42 (RFP 25-P011) (\$495,000); Purchasing.
43

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

- 45
46 9.D.11. Assembly Memorandum No. AM 529-2005, Utility Relocation Agreement with Chugach Electric
47 Association, Inc. (CEA) for the **Tudor Road/Harding Drive Improvements**, Project No. 02-15
48 (\$97,906.16); Project Management & Engineering.

- 49 9.D.12. Assembly Memorandum No. AM 530-2005, Amendment No. 2 to the Utility Relocation Agreement with
50 General Communication, Inc. (GCI) for the **West Northern Lights Boulevard Upgrade, Nathaniel**
51 **Court to Wisconsin Street**, Project No. 01 10 (\$151,269); Project Management & Engineering.

- 52 9.D.13. Assembly Memorandum No. AM 531-2005, Amendment No. 5 to Professional Engineering Services
53 Contract with DOWL Engineers, **West Northern Lights Boulevard Upgrade, Nathaniel Court to**
54 **Wisconsin Street**, Project No. 01-10 (\$96,000); Project Management & Engineering.

- 55 9.D.14. Assembly Memorandum No. AM 532-2005, Amendment No. 3 to 2004 professional **civil engineering**
56 **services** contract with CRW Engineering Group, LLC, Contract No. 24PME023 (\$100,000); Project
57 Management & Engineering.

- 58 9.D.15. Assembly Memorandum No. AM 533-2005, Change Order No. 1 to Purchase Order 2540641 with SLR
59 International Corporation, dba SLR Alaska, to provide a **Landfill Water Quality Monitoring Program**
60 for the Municipality of Anchorage; Solid Waste Services (SWS) (\$51,500); Purchasing.

- 61 9.D.16. Assembly Memorandum No. AM 558-2005, AO 2005-51 – **3% Sales Tax Ordinance** – Rescheduled
62 Public Hearing Date; Assembly Chair Fairclough. (**Addendum**)

- 63 9.D.17. Assembly Memorandum No. AM 559-2005, reimbursable services agreement with the Alaska
64 Department of Transportation, Public Facilities for construction of water improvements in the **Abbott**
65 **Loop Road Extension (Tudor Road to Abbott Road) Project** for the Municipality of Anchorage;
66 Anchorage Water and Wastewater Utility (AWWU) (\$16,540,000); Purchasing. (**Addendum**)

- 67 9.D.18. Assembly Memorandum No. AM 560-2005, Amendment No. 1 to construction contract with Pruhs
68 Corporation for **3rd Avenue Surface Rehabilitation**, Project No. 03-08, Contract No. C-250787
69 (\$650,000); Project Management & Engineering. (**Addendum**)

- 70 9.D.19. Assembly Memorandum No. AM 561-2005, approval of a bridge loan in the amount of \$240,000 to the
71 Anchorage Community Land Trust to complete the **acquisition of 3130, 3142 and 3150 Mountain**
72 **View Drive**; Community Development Division. (**Addendum**)
73

74 Ms. Ossiander requested this item be combined with AR 2005-183 and there were no objections. (See item 14.G)

75
76 **9.E. INFORMATION AND REPORTS** None.

77
78 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 1 9.F.1. Ordinance No. AO 2005-99, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
2 providing for the issuance of not to exceed \$96,805,000 in aggregate principal amount of **General**
3 **Obligation General Purpose Bonds** of the Municipality for the purpose of raising funds to pay costs
4 related to public safety, road and drainage improvements, public transit improvements, and related
5 capital improvements; fixing certain details of said bonds; pledging the full faith and credit of the
6 Municipality to the payment thereof; authorizing the Chief Fiscal Officer to cause the bonds to be sold
7 at competitive public sale; and related matters; Finance. (*Public Hearing 8-23-05*)
8 a. Assembly Memorandum No. AM 520-2005.
- 9 9.F.2. Ordinance No. AO 2005-100, an ordinance of the Anchorage Assembly amending Anchorage
10 Municipal Code Chapter 9.38, **Bicycle Registration**, and requiring the Anchorage Police Department
11 to develop and administer the Bicycle Registration Program; Assemblymember Bauer. (*Public*
12 *Hearing 8-23-05*)
13 a. Assembly Memorandum No. AM 550-2005.
- 14 9.F.3. Ordinance No. AO 2005-101, an ordinance of the Anchorage Municipal Assembly requiring utilization
15 of combined cycle technology together with combined heat and power and state of the art
16 environmental controls in connection with **replacement of Unit #3, Plant 1** by Municipal Light and
17 Power; Assemblymember Tesche. (*Public Hearing 8-23-05*) (**Laid on the Table**)
- 18 9.F.4. Ordinance No. AO 2005-102, an ordinance amending Anchorage Municipal Code Section 11.20.100
19 to reduce regulated **vehicle minimum liability insurance requirements**; Transportation Inspection.
20 (*Public Hearing 8-23-05*)
21 a. Assembly Memorandum No. AM 552-2005.
- 22 9.F.5. Ordinance No. AO 2005-103, an ordinance amending Anchorage Municipal Code Section 26.65.050
23 to increase the **911 surcharge** to \$1.50 as authorized by 2005 amendments to Alaska Statute
24 29.35.131; Anchorage Police Department. (*Public Hearing 8-23-05*)
25 a. Assembly Memorandum No. AM 553-2005.
- 26 9.F.6. Ordinance No. AO 2005-104, an ordinance amending Assembly Ordinance 98-1 to adjust certain
27 special assessments for streets and street light improvements on property specially benefited in
28 **Paving Special Assessment District 8P79** and setting a payment date for adjusted special
29 assessments; Legal Department. (*Public Hearing 8-23-05*)
30 a. Assembly Memorandum No. AM 554-2005.
- 31 9.F.7. Ordinance No. AO 2005-105, an ordinance authorizing the Municipality of Anchorage to **extinguish all**
32 **unpaid penalty, interest and administrative debt** on property listed on Exhibit A (PID 051-471-12 –
33 Sleepy Hollow #1 Lot 1 Block 1; PID 051-822-29 – Tract A Sampson Estates Commons Area); Real
34 Estate Services. (*Public Hearing 8-23-05*)
35 a. Assembly Memorandum No. AM 555-2005.
- 36 9.F.8. Ordinance No. AO 2005-106, an ordinance authorizing the **sale of properties foreclosed** by the
37 Municipality for delinquent taxes and/or special assessments (City View #2 Blk 7 Lt 18; Nels Kleven
38 Blk 1 Lt 2 S3 W2; Nels Kleven Blk 1 Lt 2 M3 W2; Nels Kleven Blk 1 Lt 2 N3 W2; Nels Kleven Blk 1 Lt 3
39 S3 W2; Nels Kleven Blk I Lt 3 M3 W2; Turpin Blk 2 Lt 6; Chester Valley Blk 7 Lt 5; College Heights Blk
40 8 Lt 14; College Heights Blk 7 Lt 3; Windemere Blk 4 Lt 11; Seacliff Plaza TR A Seacliff Terrace Unite
41 #B-09; Woodland Lakes Unit #2 Blk 2 Lt 6 Northwest Village Phase 1 Unit #34; Laurel Acres Blk 1 Lt
42 4; Chugach Meadows Blk 4 Lt 7A; Glacier View Heights #4 Blk 3 Lt 11); Real Estate Services. (*Public*
43 *Hearing 9-13-05*)
44 a. Assembly Memorandum No. AM 556-2005.
- 45 9.F.9. Ordinance No. AO 2005-107, an ordinance amending Anchorage Municipal Code to adopt a new
46 Title 31 to provide for independent operation and management of the **Anchorage Water and**
47 **Wastewater Utility** and amending Chapters 4.70, 4.80, 26.10 and 26.50 for consistency with new Title
48 31. (*Public Hearing 9-13-05*)
49 a. Assembly Memorandum No. AM 557-2005.
- 50 9.F.10. Resolution No. AR 2005-202, a resolution of the Anchorage Municipal Assembly appropriating
51 \$245,002 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial
52 Justice Assistance Grant and \$8,860 as a contribution from the Anchorage Police Service Area Fund
53 (151), Anchorage Police Department 2005 Operating Budget, to the Federal Categorical Grants Fund
54 (241), Anchorage Police Department, for the purpose of underwriting projects to **reduce crime and**
55 **improve public safety**; Anchorage Police Department. (*Public Hearing 8-23-05*)
56 a. Assembly Memorandum No. AM 547-2005.
- 57 9.F.11. Resolution No. AR 2005-203, a resolution accepting and appropriating a State of Alaska grant per
58 Senate Bill 46 in the amount of \$10,000,000 to the Municipality of Anchorage Port of Anchorage
59 Capital Fund (571) for the **Port Intermodal Expansion Project**; Port of Anchorage. (*Public Hearing 8-*
60 *23-05*)
61 a. Assembly Memorandum No. AM 548-2005.

62
63 Mr. Birch requested this item be pulled for review on the Regular Agenda. (*See item 10.F.11*)

- 64
65 9.F.12. Resolution No. AR 2005-204, a resolution of the Municipality of Anchorage appropriating \$1,896,054
66 to the State Categorical Grants Fund (231) from the Federal Highway Administration through the
67 Alaska Department of Transportation and Public Facilities to provide funding for congestion mitigation
68 and air quality improvement program through **expansion of public transportation services** within
69 the Municipality of Anchorage; Public Transportation Department. (*Public Hearing 8-23-05*)
70 a. Assembly Memorandum No. AM 549-2005.
- 71 9.F.13. Ordinance No. AO 2005-108, an ordinance of the Anchorage Municipal Assembly requiring utilization
72 of efficient **combined cycle power generation technology**, together with combined heat and power
73 and best available environmental control technology, in connection with replacement of existing power
74 generation equipment, including Unit #3, Plant #1; Municipal Light & Power; Assemblymember
75 Tesche. (*Public Hearing set for 8-23-05*) (**Addendum**)

76
77 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.F.13*)

- 1 9.F.14. Resolution No. AR 2005-207, a resolution of the Anchorage Assembly approving the **Heritage Land**
2 **Bank 2005-2006 Work Program** and 2007-2011 five-year management plan; Heritage Land Bank.
3 **(Laid on the Table)** *(Public Hearing set for 8-30-05)*
4 1. Assembly Memorandum No. AM 563-2005.
5

6 Mr. Coffey moved, *to introduce AR 2005-207, with Public Hearing set*
7 Ms. Jennings seconded, *for August 30, 2005,*
8 and Ms. Shamberg was the concurring third.
9

- 10 9.F.15. Resolution No. AO 2005-109 an ordinance approving borrowing up to five million dollars (\$5,000,000)
11 under the **United States Department of Housing and Urban Development's** Section 108, Loan
12 Guarantee Program, and securing repayment thereof with the Municipality's present and future
13 Community Development Block Grants and Brownfields Economic Development Initiative Grants;
14 appropriating \$5,000,000 in guaranteed loan funds and \$2,000,000 in Brownfields Economic
15 Development Initiative Grant Funds to Federal Categorical Grant Fund (241); and approving a
16 combined loan and grant of two million eight hundred thousand dollars (\$2,800,000) to Anchorage
17 Community Land Trust; Department of Economic and community Development. **(Laid on the Table)**
18 *(Public Hearing set for 8-23-05)*
19 1. Assembly Memorandum No. AM 562-005.
20

21 Mr. Coffey moved, *to introduce AO 2005-109, with Public Hearing set*
22 Ms. Ossiander seconded, *for August 23, 2005,*
23 and Ms. Jennings was the concurring third.
24

25 Chair Fairclough called the Question on the remainder of the Consent Agenda.

26 and this motion, as amended, was passed.
27

28
29 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
30 NAYES: None.
31

32 The amended Consent Agenda was approved and Chair Fairclough proceeded into discussion of the pulled items.
33

34 **END OF CONSENT AGENDA**

35 36 37 **10. REGULAR AGENDA**

38 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

- 39 10.A.1. Resolution No. AR 2005-205, a resolution of the Anchorage Municipal Assembly honoring and
40 remembering **The Honorable Governor Jay S. Hammond**; Mayor Begich; Assembly Chair
41 Fairclough and Assemblymembers Tesche, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg,
42 Stout, Sullivan and Traini. **(Addendum)**
43

44 Mr. Coffey moved, *to approve AR 2005-205,*
45 Mr. Sullivan seconded,
46 and this was passed without objection.
47

48 Mr. Coffey read and Ms. Fairclough presented the resolution to family members and colleagues of Governor Jay
49 Hammond. Governor Hammond was honored and remembered for his integrity and being an Alaskan politician, a
50 bush guide, pilot, trapper, fisherman and writer. He was Governor of Alaska during the early days of the Oil Pipeline
51 and the Permanent Fund.
52

53 Mr. Sullivan stated that he and his family were personal friends of Governor Hammond. Governor Hammond had left a
54 great mark in this world and would truly be missed.
55

56 David McRae accepted the resolution on behalf of the Hammond family and thanked the Assembly and the Mayor.
57

58 **10.B. RESOLUTIONS FOR ACTION - OTHER**

- 59 10.B.8. Resolution No. AR 2005-206, a resolution of the Anchorage Municipal Assembly urging the University
60 of Alaska Board of Regents to continue the **Senior Tuition Waiver Program**; Assemblymember
61 Stout, Traini, Sullivan, Shamberg, Tesche, Ossiander, Jennings and Bauer. **(Addendum)**
62

63 Mr. Stout moved, *to approve AR 2005-206,*
64 Mr. Tesche seconded,
65 and this passed with unanimous consent.
66

67 Mr. Stout read the resolution, supporting the continuation of the Senior Tuition Waiver Program by the University of
68 Alaska, which was being considered for elimination as a cost-saving measure.
69

70 Mr. Traini, Mr. Sullivan, Ms. Shamberg, Mr. Tesche, Ms. Ossiander, Ms. Jennings and Mr. Bauer requested their
71 names be added as cosponsors.
72

73 To Chair Fairclough, Municipal Clerk Barbara Gruenstein responded that the signed resolution would be sent to the
74 University.
75

76 **10.C. BID AWARDS** None were pulled for review.
77

78 **10.D. NEW BUSINESS**

1 10.D.1. Assembly Memorandum No. AM 534-2005, **Bombay Deluxe** #4158 – Transfer of Ownership and
2 Restaurant Designation for a Restaurant/Eating Place Liquor License (Midtown, North Star, Spenard
3 Community Councils); Clerk's Office.

4
5 Mr. Stout moved, *to introduce* AM 534-2005,
6 Mr. Tesche seconded,
7 Ms. Shamberg was the concurring third.
8

9 Mr. Stout questioned the application, which listed the same name for all of the corporate officers. Mr. Coffey
10 responded that the applications were from the ABC Board and he assumed they had not been questioned.

11
12 Mr. Stout responded that the application listed in 10.D.4, also had only one person listed for all the positions. To Chair
13 Fairclough, Municipal Attorney Fred Boness responded that one person could be a corporation. Municipal Clerk
14 Barbara Gruenstein responded her office received the applications directly from the Alcohol Beverage Control Board.
15 Chair Fairclough responded that one person could also hold multiple positions on the board of directors for a business.

16
17 Ms. Jennings stated the Fire Marshall had calculated the fire code violations would be corrected by August 26th, but
18 the Planning Department had indicated the zoning violations had not been corrected. Chair Fairclough stated the last
19 day for protest was August 22, 2005.

20
21 Mr. Coffey moved, *to amend* AM 534-2005, by changing [~~APPROVE~~] to
22 Ms. Jennings seconded, [PROTEST] the license,
23 and this was approved without objection.

24
25 and the main motion, as amended, was unanimously approved.

26
27 10.D.2. Assembly Memorandum No. AM 535-2005, **Chepo's Fiesta** #4350 – Transfer of Location for a
28 Beverage Dispensary Liquor License (*NO PREMISE*); Clerk's Office.

29
30 Mr. Stout moved, *to approve* AM 535-2005,
31 Mr. Coffey stated,
32

33 Mr. Coffey stated there was no criminal history with this business, yet the police had listed incidents where Chepo's
34 was listed as the victim.

35
36 To Ms. Jennings, Mr. Coffey responded it was common for licenses to be approved without a location. When a
37 location was obtained, it would require a new transfer and new conditional use. The license could not be used until
38 they secured a location, approved by the Assembly and the Alcohol Beverage Control Board. Mr. Traini responded if
39 there was no location, the license would cease after a time period. Chair Fairclough stated that it appeared the
40 building was not yet up to code, so they had applied for a NO PREMISE until the violations were corrected.

41
42 and this carried without objection, 11-0.

43
44 10.D.3. Assembly Memorandum No. AM 536-2005, 2005/2006 Liquor License Renewal: **Chepo's Fiesta**
45 #4350 – Beverage Dispensary (Downtown Community Council); Clerk's Office.

46
47 Mr. Stout moved, *to approve* AM 536-2005,
48 Mr. Tesche seconded,
49 and this passed without objection, 11-0.

50
51 10.D.4. Assembly Memorandum No. AM 537-2005, **Icons Lounge** #1078 – Transfer of Ownership and Name
52 Change for a Restaurant/Eating Place Liquor License (Northeast Community Council); Clerk's Office.

53
54 Mr. Stout moved, *to approve* AM 537-2005,
55 Mr. Tesche seconded,
56

57 Mr. Coffey stated that there was one person listed as the president, secretary and treasurer of this corporation. Mr.
58 Stout responded that he had the same question when he requested 10.D.1 to 10.D.4 pulled for review. Municipal
59 Attorney Fred Boness responded that he would check if the same person could hold multiple positions.

60
61 Mr. Coffey moved, *to postpone* AM 537-2005 until later that evening, to allow
62 Mr. Tesche seconded, the Department of Law to review the language,
63 and this was approved without objection.
64

65 *(Clerk's Note: The Assembly was returned to continue discussion and action, after completing 13.A to 13.C)*

66
67 Mr. Coffey reported the Municipal Attorney had determined that under Alaska Statutes, a single individual could not be
68 listed as all three officers in a corporation and the application before the Assembly was inappropriate. He proposed to
69 protest the transfer until the corrections were made, including completing a new posting, re-advertising and by adding
70 new individuals to serve in positions of the corporation.

71
72 Mr. Coffey moved, *to amend* AM 537-2005 by changing on Page 1, [~~APPROVE~~]
73 Mr. Stout seconded, to "PROTEST, until the illegalities concerning corporate
74 and this was approved without question. officers are corrected."
75

76 Chair Fairclough called for objections for forwarding this to the Alcohol Beverage Control Board and there were none.

77
78 and the main motion, as amended, was passed without objection.

1
2 10.D.9. Assembly Memorandum No. AM 527-2005, recommendation of award to Hansen Information
3 Technology, Inc. for providing a **code compliance tracking system**, to the Municipality of Anchorage
4 Information Technology Department (RFP 24-P061) (\$927,628); Purchasing. **(Combined with 14.H**
5 **and Carried Over to 8-23-05)**

6
7 Mr. Coffey moved, to combined with Agenda Item 14.H and postpone to
8 Mr. Tesche seconded, August 23, 2005,

9
10 Deputy Municipal Manager Michael Abbott requested that this item be postponed for two weeks, to allow time for the
11 Administration to review issues relating to the bid. Mr. Coffey accepted this as a friendly amendment.

12 and this motion, as amended, was passed.

13
14
15 10.D.10. Assembly Memorandum No. AM 528-2005, recommendation of award to MAKERS Architecture &
16 Urban Design for providing professional engineering services for design & development of the "E"
17 **Street Pedestrian Corridor**, for the Municipality of Anchorage; Project Management & Engineering
18 (RFP 25-P011) (\$495,000); Purchasing.

19
20 Ms. Ossiander moved, to approve AM 528-2005,
21 Mr. Sullivan seconded,

22
23 Ms. Ossiander stated that Assemblymembers had not been shown design diagrams. Deputy Municipal Manager
24 Michael Abbott responded that all of their questions could be answered that evening.

25
26 To Mr. Tesche, Mr. Abbott responded this project was approved last year for \$2.5 million, in association with the 2005
27 Road Bonds for E Street – 9th Avenue. Heritage Land Bank Executive Director Robin Ward responded that she had
28 the original plan and the railroad plan, which she would share with Assemblymembers.

29
30 To Mr. Sullivan, Municipal Purchasing Officer Bart Mauldin responded there were three proposals for this project.

31
32 To Mr. Coffey, Economic and Community Development Director Mary Jane Michael presented diagrams of the
33 pedestrian corridor and responded the E Street Corridor was an economic development project that would help
34 revitalize downtown, accommodating the Town Square, the new convention center and complement the Winter City
35 concept, which called for pedestrian amenities.

36
37 Mr. Tesche stated this had been designed to provide a pedestrian link to a number of facilities, which included the
38 Alaska Railroad Terminal, Ship Creek, City Hall, the Fifth Avenue Mall, the Civic and Convention Center, the
39 Performing Arts Center, the Town Square, the Museum and the Parkstrip. There was no other plan that would better
40 serve downtown.

41
42 Mr. Bauer hesitated to approve the \$2 million dollars before seeing additional information for this project. To his
43 question, Ms. Michael responded the details of the design, including the use of cobblestone, would be discussed with
44 the Assembly.

45
46 Mr. Coffey stated this would accommodate the core area of downtown, but other areas would not be served, such as D
47 Street, and there would be consequences for limiting services to specific areas. Ms. Michael responded they had
48 communicated with the contractor about the future expansion to accommodate additional areas of downtown.

49
50 Mr. Traini requested a review of the proposed heat source for the corridor.

51
52 Mr. Tesche stated this project had received adequate participation from the business community and surrounding
53 neighborhoods. They were considering a grid pattern that would best accommodate downtown. He was satisfied that
54 they were considering the system as a whole for these improvements.

55
56 Mr. Birch stated that the pedestrian corridor would attract more traffic and tourists to the core area of downtown and
57 would benefit other businesses.

58
59 To Chair Fairclough, Ms. Michael responded the proposed contractor was MAKERS Architecture & Urban Design,
60 from Seattle, which would be working with local business CRW Engineering and Artist Julie Decker. To Chair
61 Fairclough, Municipal Engineer Howard Holtan responded the seismic conditions were understood for this zone and
62 they would be designing in accordance with the Code. Chair Fairclough responded that areas which had received
63 federal aid to rebuild, following a seismic disturbance, would not again receive federal assistance. The total
64 responsibility of rebuilding would be upon the Municipality, in the event of a disaster. Mr. Holtan responded that the
65 area to the east had received federal assistance, but he did not know if downtown and E Street had received aid.

66
67 Chair Fairclough called the Question.

68
69 and the main motion passed, 10-1.

70
71 AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.
72 NAYES: Fairclough.

73
74 **10.E. INFORMATION AND REPORTS** None.

75
76 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

77 10.F.11. Resolution No. AR 2005-203, a resolution accepting and appropriating a State of Alaska grant per
78 Senate Bill 46 in the amount of \$10,000,000 to the Municipality of Anchorage Port of Anchorage

1 Capital Fund (571) for the **Port Intermodal Expansion Project**; Port of Anchorage. (*Public Hearing 8-*
2 *23-05*)

3 a. Assembly Memorandum No. AM 548-2005.

4
5 Mr. Birch moved, *to introduce* AR 2005-203 with Public Hearing set
6 Mr. Stout seconded, for August 23, 2005,
7 and Mr. Sullivan was the concurring third.
8

9 Mr. Birch requested a business plan, outlining the improvements being made to the port facilities, prior to Public
10 Hearing. He requested identification of risks in association with the improvements, including earthquakes.

11
12 10.F.13. Ordinance No. AO 2005-108, an ordinance of the Anchorage Municipal Assembly requiring utilization
13 of efficient **combined cycle power generation technology**, together with combined heat and power
14 and best available environmental control technology, in connection with replacement of existing power
15 generation equipment, including Unit #3, Plant #1; Municipal Light & Power; Assemblymember
16 Tesche, Traini, Coffey and Stout. (*Public Hearing set for 8-23-05 9-13-05*) (**Addendum**)

17
18 Mr. Tesche moved, *to introduce* AO 2005-108, with Public Hearing set for
19 Mr. Traini seconded, [~~August 23~~] "September 13," 2005,
20 and Mr. Stout was the concurring third.
21

22 Mr. Traini, Mr. Coffey and Mr. Stout requested to be added as cosponsors.

23
24 To Ms. Ossiander, Mr. Tesche responded that he would supply additional information and would be attaching an
25 Assembly Memorandum to this document.

26
27 Chair Fairclough announced that 14.D, concerning the Rabbit Creek Heights Subdivision, would not be taken up
28 before 9:00 that evening. She also announced that 14.N, concerning the Setter, would be opened for Public Hearing
29 that evening and Carried Over to the Special Assembly Meeting, scheduled for 5:00 p.m. on August 30th.

30
31 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

32 11.A. Assembly Memorandum No. AM 491-2005, recommendation of award to Palmerco Construction, Inc.
33 for the **Creekside Town Center Road Improvements, Phase 1 - 16th Avenue Intersection** for the
34 Project Management and Engineering Department (ITB 25-C042) (\$1,533,015); Purchasing.
35 (*Postponed from 7-26-05*)
36

37 Chair Fairclough stated there was a motion to approve on the floor by Ms. Ossiander, seconded by Mr. Traini.

38
39 To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded the recommended bid award would be for
40 one element of the development, for which there was funding available and he distributed spreadsheets.

41
42 To Mr. Stout, Municipal Engineer Howard Holtan responded this award would cover development of the intersection
43 and 600 feet to the west. The design would be completed and the contracts awarded by early summer of 2006.

44
45 Mr. Sullivan stated this was a needed intersection, with money well spent. It would be supporting accesses to the new
46 middle school, possibly a new recreational center and also the Creekside Town Center.

47
48 To Mr. Bauer and Ms. Ossiander, Mr. Abbott responded the appropriation would be for the northern section of the
49 southern section of the 'wishbone,' which was needed to support the new middle school.

50
51 To Mr. Coffey, Mr. Abbott responded the projected costs were \$4,050,000. All of the funding was in place.

52
53 Mr. Bauer stated the developer had been diligently working with Wal-Mart in coordinating the Town Center concepts.
54 The project would be underway by September.

55
56 Chair Fairclough called the Question.

57
58 and the motion to approve was passed 10-0.

59
60 AYES: Tesche, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

61 NAYES: None.

62 (*Ms. Shamberg was temporarily out of Chambers at the time of the vote.*)
63

64 Mr. Coffey moved to Change the Order of the Day to take up 14.A, AR 2005-162, and there were no objections.
65

66 11.B. Assembly Memorandum No. AM 495-2005, recommendation of award to DOWL Engineers for
67 providing professional engineering services for **Tudor Road/Lake Otis Parkway Intersection**
68 **Improvements**, (Project F), for the Municipality of Anchorage; Project Management & Engineering
69 (RFP 25-P015) (\$944,000); Purchasing. (*Postponed from 7-26-05*)
70

71 Chair Fairclough stated there was a motion to approve on the floor from Mr. Sullivan, seconded by Mr. Bauer.

72
73 Mr. Birch disclosed that he would soon begin working with ASCG, Inc., affiliated with Dowl Engineers. He requested
74 the Assembly address the appearance of a conflict of interest. To Chair Fairclough, Mr. Birch responded he would be
75 receiving no financial remediation from the item before the Assembly. Chair Fairclough ruled that Mr. Birch had no
76 conflict of interest and ordered him to participate with this issue.
77

1 Mr. Sullivan stated the East Transportation Study recommended phasing and timing of projects that would provide the
2 needed traffic congestion relief. He would not support the funding at this time because other projects needed to be
3 developed, which would result in connections that would move traffic efficiently. The phasing of projects was critical
4 and the Tudor and Lake Otis design criteria might change as relief was provided by other Tudor Road projects.
5

6 Mr. Traini, who used the Lake Otis and Tudor intersection daily and understood traffic congestion, stated that relief
7 was needed immediately and the study would provide guidance on where the relief might best be obtained.
8

9 Mr. Coffey stated that while he supported Dowling and Bragaw Extensions, he understood there were many solutions
10 to resolve traffic congestion on Tudor Road. He would support the study, to help determine the best solutions and how
11 the improvements would fit together.
12

13 Mr. Bauer stated the East Transportation Study had studied this subject and Tudor and Lake Otis was never a prime
14 focus of congestion relief. There had already been millions spent on this intersection and he would not support
15 spending additional monies that may end up being \$20 million. He would be a NO-vote.
16

17 To Ms. Ossiander, Municipal Engineer Howard Holtan responded the projects along Tudor were planned in a
18 sequenced order and there would be no two projects under construction at the same time. Boniface Parkway would
19 be considered for future improvements and would be funded through AMATS, federal and state funding.
20

21 Mr. Tesche stated there had not been any new roads constructed in the city since 1983. He urged a YES-vote.
22

23 Mr. Birch supported the study. He stated the Assembly would review a construction plan. Intersection improvements
24 were necessary and they needed to move forward.
25

26 Mr. Traini stated long-range plans were needed to deal with traffic in this town. Tudor and Lake Otis improvements
27 were needed now. He urged support.
28

29 Mr. Bauer stated he also used that intersection twice a day and supported traffic congestion relief. But millions of
30 dollars had already been spent on this intersection and that might continue. He had requested 'turn-counts,' which had
31 not been supplied. He would not support.
32

33 Ms. Jennings wanted to get the project moving and give Anchorage drivers some relief. She would support the study.
34

35 Ms. Shamberg stated the professional engineers working on this project understood the phases and construction.
36 They had reasonably answered all the questions and she would support them.
37

38 Mr. Coffey stated this funding was for the design study and would be preliminary to construction. He would support it.
39

40 Mr. Sullivan stated that the engineers who had completed the East Anchorage Transportation Study had asked the
41 Assembly to trust their study. They had recommended not supporting the intersection improvements because it was
42 important for the other roads to be completed to have data to study. Without that data, it would be difficult to get
43 accurate data on the Lake Otis intersection study. A study completed now would not be valid. This intersection could
44 be completed in the future.
45

46 Mr. Stout stated he had visited other cities which had expanded their major intersections, which had alleviated traffic
47 congestion. He believed the Bragaw extension was imperative and no amount of work on the Lake Otis intersection
48 would alleviate all of the problems until other Tudor improvements were completed. But, he felt so much money had
49 already been spent and it was worthwhile to complete the study. He would support the design expenditure.
50

51 Chair Fairclough stated that she would not support it. She had studied the East Anchorage Transportation Study and
52 the Long Range Transportation Plan, which considered adding turn lanes to existing roads and increase road
53 connections.
54

55 To Mr. Tesche, Municipal Attorney Fred Boness responded the East Anchorage Transportation Study had not been
56 approved by ordinance. Mr. Tesche responded that members should not rely on this unapproved study.
57

58 Mr. Sullivan stated the parameters of the study had a defined area, which was also defined and accepted by
59 memorandum by the Assembly.
60

61 Chair Fairclough called the Question.
62

63 and this motion passed 7-4.
64

65 AYES: Tesche, Shamberg, Coffey, Birch, Stout, Traini and Jennings.
66

67 NAYES: Ossiander, Sullivan, Fairclough and Bauer.
68

69 Mr. Coffey moved, *for immediate reconsideration of AM 495-2005,*
70 Ms. Jennings seconded,
71 and this motion was passed 6-5[;].
72 [~~and was later withdrawn.~~]

73 AYES: Shamberg, Ossiander, Sullivan, Fairclough, Stout and Bauer.
74

75 NAYES: Tesche, Coffey, Birch, Traini and Jennings.
76

77 Ms. Shamberg stated her cast of a YES-vote was in protest of overuse and misuse of the motion for immediate
reconsideration. It was her intent for the Lake Otis and Tudor study to be passed, without reconsideration. Her intent

1 was not to delay the project or delay the vote and she requested her vote to be changed to a NO-vote. Chair
2 Fairclough acknowledged Ms. Shamberg's request of changing her vote and requested the record show the change.

3
4 With a recount, the motion **failed** 5-6.

5
6 AYES: Ossiander, Sullivan, Fairclough, Stout and Bauer.
7 NAYES: Tesche, Shamberg, Coffey, Birch, Traini and Jennings.

8
9 11.C. Resolution No. AR 2005-136, a resolution of the Anchorage Assembly approving the **Heritage Land**
10 **Bank 2005 Work Program** and 2006-2010 Five-Year Management Plan; Heritage Land Bank.

11 1. Assembly Memorandum No. AM 386-2005.
12 (*Public Hearing was Closed 6-28-05; Postponed from 6-28-05*)

13
14 Mr. Coffey moved, *to postpone indefinitely* AR 2005-136,
15 Ms. Jennings seconded,
16 and this was approved without objection.

17
18 Mr. Coffey stated the 2005-2006 Work Program would be resubmitted by ordinance on August 30th.

19
20 **12. APPEARANCE REQUESTS** None.

21
22 **13. CONTINUED PUBLIC HEARINGS**

23 13.A. Resolution No. AR 2005-171, a resolution of the Municipality of Anchorage, Alaska, confirming and
24 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**
25 **05-S-3**, setting date of payment and providing for penalties and interest in the event of delinquency;
26 Anchorage Water & Wastewater Utility. (*Carried Over from 7-26-05*)

27 1. Assembly Memorandum No. AM 474-2005.

28
29 Chair Fairclough opened Public Hearing. With no one to testify, she closed Public Hearing and called the Question.

30
31 Mr. Coffey moved, *to approve* AR 2005-171,
32 Ms. Ossiander seconded,

33
34 Deputy Municipal Manager Michael Abbott requested that corrections of dates be made.

35
36 Mr. Coffey moved, *to amend* AR 2005-171 on Page 1, Lines 27 and 28 *by*
37 *changing* [~~October 31,~~ November 30, 2005 and *by*
38 *changing* on Line 29 [~~October 1,~~ November 1, 2005,

39
40 and the main motion, as amended, was passed.

41
42 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
43 NAYES: None.

44
45 13.B. Resolution No. AR 2005-172, a resolution confirming and levying special assessments for **Special**
46 **Assessment District 4SR00** which reconstructed streets within the Windsor Village Subdivision Area,
47 and setting the date of assessment installment payments, interest on unpaid assessments, and
48 providing for penalties and interest in the event of delinquency; Project Management & Engineering.
49 1. Assembly Memorandum No. AM 475-2005. (*Carried Over from 7-26-05*)

50
51 Chair Fairclough read the resolution title and opened Public Hearing.

52
53 JACQUELINE DUHART opposed the assessment. She was being charged over \$4000 and the benefits included a
54 slightly improved curve and a damaged yard. She had opposed any improvements. She had been told the
55 improvements were needed because of a drainage problem, yet she had lived there for 13 years and had never
56 experienced a problem. The project supervisor told her that she would not be charged.

57
58 To Chair Fairclough, Ms. Duhart responded she owned Lot 4, Block 12, 7101 Altoona Drive in Windsor Village.

59
60 With no additional public testimony, Chair Fairclough closed Public Hearing and called for a motion.

61
62 Mr. Coffey moved, *to approve* AR 2005-172,
63 Ms. Jennings seconded,

64
65 Mr. Coffey stated that the basis of the assessment was frontage on Altoona and 71st. Public Works CIP Coordinator
66 Jim Lamson responded that all properties that abut a road being improved were found to be benefiting and would be
67 assessed. Full frontage on Altoona was being reconstructed and this property was included.

68
69 To Mr. Traini, Mr. Lamson responded the polling was 18 in favor and 14 opposed, with 4 no response.

70
71 To Mr. Birch, Mr. Lamson responded the full construction costs had been presented to property owners.

72
73 Ms. Ossiander stated this assessment was proportionate to the lot size, rather than the benefit received. Mr. Boness
74 responded the assessment method had been approved by ordinance. Ms. Ossiander stated the decision had already
75 been made on this assessment and there was no opportunity for change. Mr. Boness concurred.

76
77 To Mr. Sullivan, Ms. Duhart responded that when this project had been presented to homeowners, it was very unclear
78 and many questions were asked about costs. They were not told of the construction costs. She stated she was

1 receiving minimal benefit from this project and her yard was in sad shape. Mr. Sullivan responded that there was a
2 method in the assessing and eventually 71st and 72nd would be improved and she would not be assessed, but she
3 would receive benefit from those improvements. He would communicate with Public Works, to address her yard, to
4 discern if the damaged area involved right of way.

5
6 To Mr. Coffey, Mr. Lamson concurred that when 71st and 72nd were improved, Ms. Duhart would not be charged.

7
8 Mr. Bauer stated that yards damaged during construction were a common problem. Municipal Engineer Howard
9 Holtan responded that if Public Works was informed of the locations, the damage would be fixed. Chair Fairclough
10 requested that Ms. Duhart leave her address and phone number, to make sure the lawn repairs were completed.

11
12 Mr. Coffey moved, to amend AR 2005-172 on Page 1, Line 23 by adding "August
13 Ms. Jennings seconded, 9, 2005" and on Line 33 by adding to the blanks "1st" and
14 and this was approved without objection. "October" and by adding on Line 34 "October 1,"

15
16 Mr. Coffey moved, to amend AR 2005-172 on Line 36 of the final assessment
17 Ms. Jennings seconded, roll to reflect tax record information, by inserting "Tax ID
18 and this was approved without objection. Number #01215158 Gladys Wood Park," and by deleting
19 [Block] and by referencing the lot as "Tract 1,"

20
21 Chair Fairclough called the Question.

22
23 and the main motion, as amended, was passed.

24
25 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
26 NAYES: None.

27
28 13.C. Resolution No. AR 2005-173, a resolution confirming and levying special assessments for **Special**
29 **Assessment District 1SR02** which reconstructed Warwick Drive, and setting the date of assessment
30 installment payments, interest on unpaid assessments, and providing for penalties and interest in the
31 event of delinquency; Project Management & Engineering.

32 1. Assembly Memorandum No. AM 476-2005. *(Carried Over from 7-26-05) (Carried Over to 8-*
33 **23-05)**

34 13.D. Resolution No. AR 2005-174, a resolution confirming and levying special assessments for **Special**
35 **Assessment District 2R02** which provided gravel street upgrade improvements to Falling Water
36 Drive and White Water Circle, and setting the date of assessment installment payments, interest on
37 unpaid assessments, and providing for penalties and interest in the event of delinquency; Project
38 Management & Engineering. *(Carried Over from 7-26-05)*

39 1. Assembly Memorandum No. AM 477-2005.

40
41 Chair Fairclough opened Public Hearing.

42
43 ALEXANDER ZLATKOLVSKI opposed the assessment because he received no benefit from the improvement. He
44 had attempted to fight it, but could not change it and urged the Assembly to help him.

45
46 With no additional testimony, Chair Fairclough closed Public Hearing and called for a motion.

47
48 Mr. Sullivan moved, to approve AR 2005-174,
49 Ms. Jennings seconded,

50
51 Ms. Ossiander stated that Mr. Zlatkolvski's property was on a portion of the road that had already received
52 improvements. She had reviewed Code and benefits did play some role in assessing improvements. While it was too
53 late for the Assembly to correct this issue, she urged future situations be examined for basic fairness.

54
55 Mr. Coffey moved, to amend AR 2005-174 on Page 1, Line 23 by adding "August
56 Ms. Jennings seconded, 9" on line 34 by adding to the blanks "1st" and "October" and
57 and this was approved without objection. on Line 34 "October 1,"

58
59 Chair Fairclough called the Question on the main motion.

60
61 and the motion, as amended, passed 9-2.

62
63 AYES: Tesche, Shamberg, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.
64 NAYES: Fairclough and Ossiander.

65
66 13.E. Ordinance No. AO 2005-80, an ordinance amending Anchorage Municipal Code Section 4.60.275 to
67 increase the membership of the **Youth Advisory Commission**; Mayor's Office.
68 1. Assembly Memorandum No. AM 479-2005. *(Carried Over from 7-26-05) (Carried Over to 8-*
69 **23-05)**

70 13.F. Ordinance No. AO 2005-88, an ordinance amending Anchorage Municipal Code Section 3.30.127,
71 *Length of Service*, regarding **service recognition pay**; Employee Relations. *(Carried Over from 7-26-*
72 **05) (Carried Over to 8-23-05)**

73 1. Assembly Memorandum No. AM 481-2005.

74 2. Ordinance No. AO 2005-88(S), an ordinance amending Anchorage Municipal Code Section
75 3.30.127, *Length of Service*, regarding service recognition pay; Employee Relations.

76 **(Addendum)**

77 3. Assembly Memorandum No. AM 551-2005. **(Addendum)**

- 1 13.G. Ordinance No. AO 2005-83, an ordinance amending Title 10 to add a new Chapter for **licensing of**
2 **towing operators** in the Municipality, amending Section 10.05.025 to add a fine, and other matters;
3 Legal Department. *(Continued from 7-12-05) (Public Hearing scheduled at 8:00 on 8-09-05)*
4 1. Assembly Memorandum No. AM 442-2005. **(Carried Over to 8-30-05, Special Meeting)**
5

6 Mr. Coffey moved, Ms. Jennings seconded, to combine Public Hearing on AO 2005-83 and AO 2005-84 and there
7 were no objections.
8

9 Chair Fairclough opened combined Public Hearing.

10
11 EDNA STAUBER was concerned with the rights of private property owner, who were now required to use a
12 commercial vehicle and post an expensive 30x30" sign to remove an abandoned car from their private property. If
13 clarity was not made, private property owners would be subjected to legal action.
14

15 TERRANCE JOHNSON thought the ordinance needed more work and made suggestions of new language and fee
16 descriptions.
17

18 ALICIA FELICIANO had been charged \$350 to get her car out of impound following an illegal tow and she was
19 pursuing it in small claims court. She had been told the tow fee was \$250.
20

21 WILL WEBB stated that this issue would turn into a licensing issue, which was not necessary. It would not change
22 anything, except to cause a burden to the tow operators.
23

24 BARRY KAHN, with Action Towing, disagreed with the new requirements. It would triple his insurance cost and the
25 new requirements for signs were unfair. He would not be able to operate any longer with the additional costs. To Mr.
26 Sullivan, Mr. Kahn responded he would be required to replace his 6000 signs, at \$60 each, to post his fees. He
27 responded that his tow rates were posted at the Municipal Clerk's Office. Enforcement was needed for operators to
28 charge the fees they posted. To Ms. Jennings, Mr. Kahn responded the towing company supplied the signs. To Mr.
29 Coffey, Mr. Kahn responded his signs included his company name and phone number.
30

31 GARY JACOBSON, a Valley tow operator, asked if this new ordinance would affect him. He catered to only to Valley
32 residents, retrieving their vehicles and often coming into Anchorage. Chair Fairclough responded that the new
33 ordinance would apply to his operating within the city limits.
34

35 DUANE BANNOCK, with the Division of Motor Vehicles, thanked Ms. McCulley and the Administration for their work
36 with this effort. A state statute, known as the 'Municipal Abandoned Motor Vehicle Fund,' which collected fees from
37 confiscated cars, would be available for city use.
38

39 WADE, with Happy Hooker Towing in Wasilla, opposed. Towing businesses from outside of town never got
40 complaints, because they only did business incidentally in Anchorage for Valley customers. To Mr. Coffey, he
41 responded he did not do business with Anchorage people.
42

43 MONTGOMERY ELLIOT opposed the ordinance. It would cost him \$300,000 to change out all his 5000 signs at \$60
44 per sign. To Mr. Coffey, he responded that his rates were posted with the Clerk's Office.
45

46 With no additional testimony, Chair Fairclough closed combined Public Hearing and called the Question on AO 2005-
47 83.
48

49 Mr. Coffey moved, to approve AO 2005-83,
50 Ms. Jennings seconded,

51
52 To Chair Fairclough, Anchorage Police Department (APD) Impound Supervisor Melinda McCulley responded some
53 tow operators offered their signs for free to property owners in exchange for their business. But there were others who
54 opposed the change because of the cost. Her office received many complaints from people who had been towed. It
55 was fair to request that signs include impound rates and storage fees.
56

57 To Ms. Ossiander, Ms. McCulley responded local sign companies made recommendations for sign composition, which
58 she considered. To Ms. Ossiander, Deputy Municipal Manager and Ms. McCulley responded the requested
59 information for the signs included the name and phone number of the towing company. They were proposing to
60 require adding the tow and storage costs. There were some lots which did not have any postings at all.
61

62 Mr. Sullivan stated that patrons who left their cars in a closed lot could assume they were in violation and there would
63 be an economic cost, which could be accessed by calling the posted phone number.
64

65 To Mr. Birch, Ms. McCulley responded this applied only to commercial towing companies.
66

67 Ms. Jennings concurred with Mr. Sullivan. Because of inflation and rising gas prices, towing rates may continue to
68 increase in a short amount of time and it would be difficult for operators to continually change out their signs.
69

70 Mr. Coffey moved, to continue items 13.G and 13.H, AO 2005-83 and AO 2005-
71 Ms. Jennings seconded, 84 to the Special Meeting on August 30, 2005,
72 and this was passed without objection.
73

74 Mr. Coffey recommended that Assemblymembers prepare amendments ahead of time.
75

76 Mr. Traini requested the Clerk's Office make certain all current rates for all the towing companies were posted.
77

- 1 13.H. Ordinance No. AO 2005-84, an ordinance amending Anchorage Municipal Code Sections 9.54.030,
2 9.54.050, and 14.60.030 to add new sections regarding **tow operator fees**, rate changes, signage,
3 setting a fine for failure to publish towing fees, and other matters; Anchorage Police Department.
4 1. Assembly Memorandum No. AM 443-2005. *(Continued from 7-12-05) (Public Hearing*
5 *scheduled at 8:00 on 8-09-05) (Postponed to 8-30-05, Special Meeting)*
6 13.I. Ordinance No. AO 2005-90, an ordinance repealing Assembly Ordinance 2005-63 and amending
7 Anchorage Municipal Code Chapter 9.54 to clarify applicability to **Tow Operators**, to add definitions,
8 and for tow operator participation in the Anchorage Police Department Rotational Tow Program,
9 retroactive to January 1, 2005; Legal Department. *(Carried Over from 7-26-05)*
10 1. Assembly Memorandum No. AM 438-2005.
11

12 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
13 and called the Question.

14
15 Mr. Coffey moved, to approve AO 2005-90,
16 Ms. Jennings seconded,
17

18 Deputy Municipal Manager Michael Abbott urged a YES-vote.

19
20 and this motion was passed 10-0.
21

22 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

23 NAYES: None.

24 *(Clerk's Note: Mr. Sullivan temporarily out of Chambers at the time of the vote.)*
25

- 26 13.J. Ordinance No. AO 2005-73, an ordinance amending Anchorage Municipal Code Chapter 21.05 to add
27 a new section for creating and adopting a **neighborhood or district plan**; Planning Department.
28 1. Assembly Memorandum No. AM 369-2005. *(Continued from 7-12-05) (Carried Over to 8-23-*
29 *05)*
30

31 14. NEW PUBLIC HEARINGS

- 32 14.A. Resolution No. AR 2005-162, a resolution of the Municipality of Anchorage providing for a **revision of**
33 **the Anchorage School District Financial Plan for FY 2005-2006**; Anchorage School District.
34 1. Assembly Memorandum No. AM 450-2005.
35

36 Chair Fairclough opened Public Hearing.

37
38 JEFF FRIEDMAN, Anchorage School Board President, and Anchorage Schools Superintendent CAROL COMEAU
39 urged approval of the resolution.
40

41 Chair Fairclough closed Public Hearing and called the Question.

42
43 Ms. Jennings moved, to approve AR 2005-162,
44 Ms. Shamberg seconded,
45 and this motion was passed 11-0.
46

47 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

48 NAYES: None.
49

- 50 14.B. Resolution No. AR 2005-188, a resolution of the Municipality of Anchorage accepting and appropriating
51 **2005 State of Alaska Legislative Grants** per Senate Bill 46 (\$45,450,500); Office of Management &
52 Budget.
53 1. Assembly Memorandum No. AM 507-2005.
54

55 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
56 and called the Question.

57
58 Mr. Coffey moved, to approve AR 2005-168,
59 Mr. Birch seconded,
60 and this was passed 10-0.
61

62 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

63 NAYES: None.

64 *(Clerk's Note: Mr. Sullivan temporarily out of Chambers at the time of the vote.)*
65

- 66 14.C. Resolution No. AR 2005-156, a resolution confirming the assessment roll and levying special
67 assessments for services on property specially benefited in the **Downtown Business Improvement**
68 **District**, Special Assessment District 1SD97, setting the dates of assessment, and providing for
69 assessment billing, payment due dates, application of payments, delinquency, penalties, interest and
70 costs for delinquency and enforcement and appropriating the sum of \$625,120 in assessment
71 revenues when tendered to Special Assessment Fund 271 for services benefiting the property owners
72 in Special Assessment District 1SD97; Office of Management & Budget.
73 1. Assembly Memorandum No. AM 508-2005.
74

75 Chair Fairclough read the resolution title and opened Public Hearing.

76
77 BRAD JOURIER opposed the Downtown Partnership. He wanted to opt out of all services of the Partnership. The
78 Charter needed amending and businesses east of A Street should be exempt. The Captain Cook and many other

1 businesses did not pay, but still received all the services. To Mr. Birch, he made recommendations for boundary
2 changes. He had not received a budget summary, or review of assessments or benefits.

3
4 CHRIS SCHUTTE, Anchorage Downtown Partnership Policy and Communications Director, stated that municipal and
5 state-owned properties were tax exempt, but paid a fee in lieu of taxes, which was about the same. They had tried to
6 deliver services to all members in the boundaries. Reports, newsletters and annual reports were readily available.

7
8 Mr. Tesche stated the ordinance did not include the assessment roll, which typically accompanies documents such as
9 this, and was referenced in the ordinance. Municipal Attorney Fred Boness responded the assessment roll did need to
10 be included. Deputy Municipal Manager Michael Abbott responded it was their intent to have that information for the
11 Assembly and they would support postponement.

12
13 Mr. Tesche moved, *to continue Public Hearing AO 2005-156 to August 23, 2005,*
14 Ms. Jennings seconded, *and include the applicable assessment roll,*

15
16 Ms. Ossiander requested information on the defined boundaries. Mr. Abbott responded that the process of changing
17 the boundaries would be explained.

18
19 To Mr. Coffey, Mr. Abbott responded the requested assessment was a summary for 2005, to be paid in 2006.

20
21 To Mr. Birch, Mr. Abbott responded it involved special assessments, which were calculated, based on property
22 ownership. Chair Fairclough recommended scheduling a worksession.

23
24 Mr. Traini requested a defined map, showing properties and boundary lines.

25
26 and the motion, as amended, was unanimously passed.

27
28 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

29 NAYES: None.

- 30
31 14.D. Resolution No. AR 2005-175, a resolution confirming and levying special assessments for **Special**
32 **Assessment District No. 1V96**, which provided for resurvey and replatting of Rabbit Creek Heights
33 Subdivision and Rabbit Creek View Subdivision, and to set the date of assessment installment
34 payments, interest on unpaid assessments, and provide for penalties and interest in the event of
35 delinquency; Project Management & Engineering.
36 1. Assembly Memorandum No. AM 478-2005.

37
38 Chair Fairclough read the resolution title and opened Public Hearing.

39
40 JEFFERY TODD BROWN opposed. The property had already been inaccurately assessed and the property owners
41 had not been informed. He cited state statutes and the Defective Surveys Act in support of his argument.

42
43 LEONARD STANLEY opposed. They had not been informed by the city. To Ms. Shamberg, he responded they were
44 not notified the assessment costs were going as high as they were. To Ms. Jennings, Mr. Stanley responded that he
45 had not received a letter with information of dates and costs from the Municipal Surveyor Thomas Knox.

46
47 ALFFIE McCULLOUGH, 35-year resident of the subdivision, opposed. The taxes were too high. They had been told
48 in the past that half-acre lots were too small to accommodate a septic system. They had been given misinformation,
49 the survey was incorrect and they were being charged for it anyway.

50
51 ARIEL STRAIT, 30-year resident of the subdivision, opposed. Property owners were led to believe the costs were to
52 be about \$1100 maximum, per lot.

53
54 GAIL FUNK, property owner, opposed. To Mr. Stout, she responded that she had tried to sell the lots, but the sale
55 was contingent on perk tests, pond water use and utilities available. To Mr. Birch, she responded the lots were not
56 marketable as they were, without improvements.

57
58 PAUL RICHARDSON, former Bear Valley Community Council Committee Chair for the replat and real estate values,
59 opposed. The council had originally approved an assessment, with the agreement that, in the case of cost overruns,
60 they would be involved with the matter, which had not happened. The council had sent a resolution to the Assembly,
61 requesting that no additional money be spent on the survey. None of the rules had been followed and it was unfair.
62 He responded that lots in the subdivision were finally being approved for loans, which would make them marketable.
63 He urged Assembly assistance to make it fair. To Ms. Jennings, Mr. Richardson responded the council had sent
64 resolutions to the Municipality three times, over the past twelve years. Ms. Shamberg agreed that property owners
65 had been given the impression that they would be in control of cost overruns. He responded that they had been
66 advised to form an assessment district. To Mr. Coffey, Mr. Richardson responded the property owners should not be
67 responsible for the additional costs. To Mr. Birch, he responded the value of the lots had increased, but there were
68 many factors which were increasing property values in the city.

69
70 PENNY HELGESON provided history, including Assembly promises that the lot assessments would remain at \$1100
71 each and that they would be given the opportunity to vote on additional costs. They were taxed on properties that
72 were not developable and it was unfair. To Mr. Tesche, she responded they had received Assembly assurances that
73 city would help correct the situation, including paying down the assessment or forgiven of the costs.

74
75 MAGGIE LINDSEY stated property owners were promised the lots would be assessed at \$1100. Many lots, including
76 hers, were not marketable. She was not informed by the city, but was told about the assessment by a title company.
77 To Chair Fairclough, Municipal Engineer Howard Holtan responded when assessment districts were formed, there was
78 an assessment estimate for each lot, which was recorded and would show up in a title report.

1
2 WALT (*No last name was given*) stated the cost of the survey did not add up, with the modern technology available.
3 They were told the assessment would only be \$1100 and it had doubled.
4

5 ROSEMARY RULOWE opposed the additional costs. She offered additional history, supporting their opposition. She
6 urged the Assembly to help make this a fair process.
7

8 KEITH LINDSEY opposed the assessment. They had no improvements on the lots. They had never been informed of
9 the additional assessment. Costs of the survey for 330 lots had been over \$2 million, which was exorbitant. The lots
10 were still not marketable. To Mr. Birch, Mr. Lindsey responded they had recently learned that payments had been
11 extended to a ten-year period.
12

13 LYNN WHITEBERRY opposed the assessment and stated that many people were discouraged about the unfairness of
14 the situation.
15

16 CRAIG DUKART stated that Paul Richardson had made an accurate summary of the situation.
17

18 SCOT PAXTON opposed the process that had been used and opposed the land owners being responsible for the
19 additional costs. There were additional disputes concerning boundary lines. He recommended the additional costs
20 could be paid from the Public Works Department budget.
21

22 ANNA SCOTT thanked Assemblymember Shamberg for her efforts and Chair Fairclough for allowing everyone to
23 testify. She stated that the property values would eventually rise and owners would eventually be able to sell them.
24

25 DENNIS STRAIT, owner of four lots, opposed the costs of the assessment. The original survey was incorrect, but had
26 been approved by the city. It had caused additional costs and thought the city should be responsible.
27

28 DAVID STUBBLE testified the Assembly had a moral responsibility to uphold the integrity of the city. There was such
29 an apparent disregard of the law. The Bear Valley residents deserved due compensation for the years they were
30 taxed on property that was not marketable. Actions should rest on integrity, fairness and law.
31

32 JIM STEELE, four-year resident and Bear Valley Community Council Chair, testified that the city should be held
33 accountable. He urged the Assembly to do the right thing to make this problem fair.
34

35 With no additional public testimony, Chair Fairclough closed Public hearing and called the Question
36

37 Ms. Shamberg moved, to approve AR 2005-175,
38 Mr. Birch seconded,

39
40 To Chair Fairclough, Ms. Shamberg and Mr. Birch responded that they wanted to resolve the matter that evening. Mr.
41 Birch responded there was an opportunity before the Assembly to set things right and after listening to the testimony,
42 he moved to reduce the total final assessment by the amount of legal costs of the associated litigation.
43

44 Mr. Birch moved, to amend AR 2005-175 on the last page of the attached
45 Mr. Coffey seconded, assessment roll *by reducing* the aggregate assessment value
46 and this was later amended, total by [~~\$400,000~~], \$450,000,
47

48 To Ms. Ossiander, Municipal Engineer Howard Holtan responded the other litigation concerning this neighborhood
49 involved Chugach Electric questioning the boundary lines. That legal issue costs were \$143,000.
50

51 Ms. Ossiander moved, to amend the Birch Amendment, *by changing* the requested
52 Mr. Tesche seconded, aggregate assessment value, in the amount of \$143,000,
53 and this motion was later withdrawn.
54

55 Upon recommendation, Ms. Ossiander with drew her amendment and the second concurred.
56

57 Following a five-minute at-ease, called by Chair Fairclough, Mr. Birch stated that after consulting with Ms. Shamberg
58 and others familiar with this issue, a more accurate amount of the aggregate assessment value was \$450,000. He
59 amended his amendment, and the second concurred.
60

61 To Chair Fairclough, Mr. Birch responded the money to offset these costs should come from the 101 Areawide Fund
62 Balance.
63

64 Mr. Sullivan supported the Birch Amendment. He thought the proposed reduction represented a good compromise.
65

66 Mayor Begich supported the Birch Amendment. There were two technical components that needed correcting. He
67 recommended the Assembly approve the resolution that evening, and vote YES for immediate reconsideration, and
68 postpone action for two weeks, to allow the Administration time to complete a new document. It would also allow time
69 for the Administration to figure out where this money would come from the Areawide Budget. Municipal Attorney Fred
70 Boness concurred and stated a date needed to be included.
71

72 Mr. Traini supported the Birch Amendment and thanked the Hillside Assemblymembers who were taking care of
73 constituents and helping to resolve a problem that was years old.
74

75 Ms. Shamberg stated that while she had hoped to further reduce the amount, she understood there was a fund
76 balance issue that would have to be dealt with in the future. She stated this was a substantial reduction and only had
77 wished to do better. She supported the Birch Amendment.
78

1 To Ms. Ossiander, Mr. Birch responded his proposed reduction of \$450,000 was a total amount of the legal fees and
2 interest costs from the surveying. Mayor Begich concurred and stated it was fair.

3
4 Mr. Coffey stated that the interest had been charged to these people since 1996, some based on delays because of
5 litigation and it was a fair adjustment.

6
7 Mr. Tesche supported the Birch Amendment. He had reviewed the lawsuit with Chugach Electric and it had no merit
8 and had been a waste of money and the homeowners in Bear Valley should not bear that burden.

9
10 Chair Fairclough called the Question on the Birch Amendment.

11
12 and the motion was passed, 11-0.

13
14 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

15 NAYES: None.

16
17 Mayor Begich moved to amend AR 2005-175, and urged first approving the amended document, then voting YES for
18 immediate reconsideration and then postponing for two weeks. Mr. Tesche seconded, and there were no objections.

19
20 Mr. Coffey moved, to amend AR 2005-175 on Page 2, by adding on Line 5,
21 Mr. Bauer seconded, "August 9," and on Line 15 "1st," and "October," and on Line
22 and this was approved without objection. 16, "October 1st,"

23
24 Question was called on the main motion.

25
26 and the main motion, as amended, was passed.

27
28 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

29 NAYES: None.

30
31 Mr. Traini moved, for immediate reconsideration of AR 2005-175,
32 Ms. Jennings seconded,

33
34 Mayor Begich urged a YES-vote.

35
36 and this motion was unanimously passed.

37
38 Mr. Coffey moved, to Continue AR 2005-175 to August 23rd to make corrections
39 Ms. Jennings seconded, to the document,
40 and this was approved without objection.

41
42 Chair Fairclough called for a motion to adjourn. (Clerk's Note: See Agenda item 20 for details of that action.)

43
44 14.E. Ordinance No. AO 2005-89, an ordinance amending Anchorage Municipal Code Section 12.20.020 to
45 implement Ballot Proposition 2 approved April 5, 2005 authorizing a four percent (4%) increase in the
46 room tax; Legal Department.

47 1. Assembly Memorandum No. AM 482-2005.

48
49 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
50 and called the Question.

51
52 Mr. Traini moved, to approve AO 2005-89,
53 Ms. Jennings seconded,

54
55 To Mr. Coffey, Mr. Tesche responded this merely implements things that have already happened.

56
57 Mr. Sullivan questioned the language used, and wondered if the title should indicate this would be a 50% tax increase.
58 Municipal Attorney stated the document language had been changed to reflect that, but the title had not changed, but it
59 was not problematic.

60
61 and this motion was passed,

62
63 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

64 NAYES: None.

65
66 14.F. Resolution No. AR 2005-182, a resolution of the Municipality of Anchorage appropriating an amount
67 not to exceed \$160,000, as a contribution from the Chugiak Fire Service Area Fund (104) Balance, to
68 the Chugiak Fire Service Area Capital Improvement Fund (404) to provide for the purchase of a new
69 emergency response fire apparatus for use by the Chugiak Volunteer Fire Department; Anchorage
70 Fire Department.

71 1. Assembly Memorandum No. AM 501-2005.

72
73 Chair Fairclough read this resolution title and opened Public Hearing. With no one to testify, she closed Public hearing
74 and called for a motion.

75
76 Ms. Ossiander moved, to approve AR 2005-182,
77 Mr. Stout seconded,
78 and this motion was passed.

1
2 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
3 NAYES: None.
4

- 5 14.G. Resolution No. AR 2005-183, a resolution adopting the Amended 2005 Action Plan and awarding a
6 grant of \$500,000 to the Anchorage Community Land Trust for the **Mountain View Arts and Cultural**
7 **Building**, Community Development Division.
8 1. Assembly Memorandum No. AM 502-2005.
9 2. Assembly Memorandum No. AM 561-2005, approval of a bridge loan in the amount of
10 \$240,000 to the Anchorage Community Land Trust to complete the acquisition of 3130, 3142
11 and 3150 Mountain View Drive; Community Development Division. **(Addendum)**
12

13 Ms. Ossiander requested item 9.D.19 be combined with 14.G and there were no objections.
14

15 Chair Fairclough read the resolution title and opened Public Hearing. Chair Fairclough stated there was no Public
16 Hearing required for AM 561-2005. With no public testimony, she closed Public Hearing and called the Question.
17

18 Mr. Tesche moved, to approve AR 2005-183,
19 Ms. Shamberg seconded,
20

21 Ms. Ossiander did not see how purchasing a building to provide housing for artists met the goals and priorities of the
22 Consolidated Plan and asked where the funding was coming from.
23

24 Ms. Jennings stated the Mountain View Arts and Cultural District was a revitalization of the whole neighborhood. The
25 artists' building would be the heart of the revitalization and she would be supporting it.
26

27 To Mr. Tesche, Economic and Community Development Director Mary Jane Michael responded the Arts Building was
28 in the original Consolidated Plan and they had formed partnerships and found new resources to pay for the facility.
29 The Administration was pleased with the effort. To Mr. Tesche, Merten Bangemann-Johnson responded that failure to
30 receive Assembly approval may jeopardize the project including the financing, the site and might have a detrimental
31 effect on the Mountain View Redevelopment. Mr. Tesche stated the development of this neighborhood had been
32 approved by the Assembly and the community was expecting the city to move forward on this effort.
33

34 To Mr. Sullivan, Mr. Bangemann-Johnson responded the Community Land Trust was a not-for-profit corporation
35 established in 2003 by the Rasmuson Foundation and was well supported by the community. Subsidized rent for
36 space in the facility would be available to artists.
37

38 To Mr. Bauer, Mr. Bangemann-Johnson responded that the local community councils were very supportive. He could
39 not make a comparison of this facility with the Out North facility.
40

41 To Ms. Jennings, Mr. Bangemann-Johnson responded the facility would share common-use space and equipment,
42 and would also include community involvement. 38 artists were hosting a display of their work on Friday.
43

44 To Mr. Coffey, Mr. Bangemann-Johnson explained details of the loans.
45

46 Ms. Ossiander stated she would not approve government funding. With very scarce dollars available, there were
47 profound needs in the community for affordable housing, homelessness and assisting the special needs population.
48

49 To Mr. Coffey, Mr. Bangemann-Johnson responded they predicted there would be ten new jobs created with this effort,
50 including staff for a coffee shop and other commercial, art-related businesses.
51

52 Mayor Begich stated this effort would be an incubator for art and other businesses. The city received federal funding
53 for supporting economic development in the community.
54

55 and this motion to approve AR 2005-183 was passed 7-4.
56

57 AYES: Tesche, Shamberg, Coffey, Birch, Bauer, Traini and Jennings.
58 NAYES: Ossiander, Sullivan, Fairclough and Stout.
59

60 Chair Fairclough called for a motion on AM 561-2005.
61

62 Mr. Coffey moved, to approve AM 561-2005,
63 Ms. Jennings seconded,
64

65 Mr. Coffey would support the issue, although he did not view this as job creation, but city subsidy for the community.
66

67 Mr. Sullivan stated that this, in essence, would be paid for by private sector money.
68

69 and this motion was passed 10-1.
70

71 AYES: Tesche, Shamberg, Sullivan, Fairclough, Coffey, Birch, Stout, Traini and Jennings.
72 NAYES: Ossiander.
73

- 74 14.H. Resolution No. AR 2005-184, a resolution of the Municipality of Anchorage appropriating \$835,000
75 from the Building Safety Fund 181 Fund Balance to the Development Services Department Building
76 Safety Fund 181 for implementation of the **Code Enforcement Tracking System Project**.
77 1. Assembly Memorandum No. AM 503-2005.

2. Assembly Memorandum No. AM 527-2005, recommendation of award to Hansen Information Technology, Inc. for providing a code compliance tracking system, to the Municipality of Anchorage Information Technology Department (RFP 24-P061) (\$927,628); Purchasing. **(Combined with 10.D.9 and Carried Over to 8-23-05)**

14.I. Resolution No. AR 2005-185, a resolution accepting a grant from the State of Alaska, Division of Homeland Security and Emergency Management in the amount of \$126,079 to the Port of Anchorage for **surveillance and access control equipment**; Port of Anchorage.

1. Assembly Memorandum No. AM 504-2005.

Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing and called the Question.

Mr. Coffey moved, to approve AR 2005-185,
Ms. Jennings seconded,
and this was passed 11-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

14.J. Resolution No. AR 2005-186, a resolution of the Municipality of Anchorage authorizing the acceptance of a Federal Highway Administration Congestion Mitigation and Air Quality (CMAQ) grant and appropriating \$262,666 from the Federal Highway Administration through State of Alaska, Department of Transportation and Public Facilities, to the Public Capital Improvement Fund (485) for the purchase of **vanpool vehicles**; Public Transportation Department.

1. Assembly Memorandum No. AM 505-2005.

Chair Fairclough opened Public Hearing. With no one to testify, she closed Public Hearing and called the Question.

Mr. Coffey moved, to approve AR 2005-186,
Ms. Jennings seconded,

To Ms. Ossiander, Mayor Begich responded this resolution and Agenda item 14.K, AR 2005-187 were both on the Federal Highway Administration Congestion Mitigation and Air Quality (CMAQ) list, to be addressed.

and this was motion passed 11-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

14.K. Resolution No. AR 2005-187, a resolution of the Municipality of Anchorage authorizing the acceptance of a Federal Highway Administration (FHWA) Congestion Mitigation and Air Quality (CMAQ) grant and appropriating \$166,355 from the Federal Highway Administration through State of Alaska, Department of Transportation and Public Facilities, to the Public Transportation Capital Improvement Fund (485) for the purchase of **intelligent transit systems and automated operating systems**; Public Transportation Department.

1. Assembly Memorandum No. AM 506-2005.

Chair Fairclough opened Public Hearing. With no one to testify, she closed Public Hearing and called the Question.

Mr. Traini moved, to approve AR 2005-187,
Mr. Coffey seconded,
and this was passed 11-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

14.L. Ordinance No. AO 2005-94, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 3.88.030 to designate the Municipal Treasurer as the Program Administrator of the **Prefunding Investment Board**; Employee Relations.

1. Assembly Memorandum No. AM 509-2005. **(Carried Over to 8-23-05)**

14.M. Resolution No. AR 2005-192, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (restaurant/eating place liquor license) located on W.D. McKinney Second Addition, Lot 7A generally located on the east side of "C" Street and north of West Fireweed Lane (Jose Hernandez, d.b.a. "**Simon's Taco Rico**") (Case 2005-101); Planning Department.

1. Assembly Memorandum No. AM 518-2005.

Chair Fairclough read the resolution title and opened Public Hearing.

SERGIO HERNANDEZ, representing the applicant, testified they were asking for a beer and wine license for their family-oriented restaurant. They had no intention of expanding further.

Mr. Coffey stated that this business was delinquent on property taxes in the amount of \$1,311.33. Mr. Hernandez stated they had just moved into the premises and were not aware of the taxes owed by the owner.

To Mr. Sullivan, Mr. Hernandez responded their pit bull dogs had been chained up in the back of their shop and someone who walked in unexpectedly had been bitten. They had a 'beware of dog' sign posted. They had been vandalized in the past and the dogs had protected them and their property. They were no longer using the dogs.

1
2 With no additional public testimony, Chair Fairclough closed Public Hearing and called the Question.

3
4 Mr. Bauer moved, to approve AR 2005-192,
5 Ms. Jennings seconded,

6
7 Mr. Coffey stated approval needed to be contingent upon delinquent taxes being paid.

8
9 Ms. Fairclough stated this business had previously had a conditional use (*permit*) and she did not think it should be
10 necessary to repeat the process, with more financial hurdles. The parking lot had adequate parking spaces. Deputy
11 Municipal Manager Michael Abbott responded the Administration was committed to finding a way to seek resolution.

12
13 and the motion was passed.

14
15 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
16 NAYES: None.

17
18 14.N. Resolution No. AR 2005-193, a resolution of the Anchorage Municipal Assembly approving an
19 amendment to an alcoholic beverages conditional use in the B-3 District for a beverage dispensary
20 use per AMC 21.40.180 D.8 for **The Setter**, located on Lot 1, Fantasies Subdivision and Lots 4, 5 and
21 6, Block 26C, Fourth Addition Subdivision; site address being 1911 East 5th Avenue, generally located
22 between East 4th and East 5th Avenues, on the east side of Sitka Street (Mountain View Community
23 Council) (Case 2005-103); Planning Department. (**Carried Over to 8-30-05, Special Meeting**)
24 1. Assembly Memorandum No. AM 519-2005.

25 14.O. Ordinance No. AO 2005-93, an ordinance of the Anchorage Municipal Assembly amending Chapter
26 9.38, relating to licensing of bicycles, to provide for the transfer of **bicycle licensing** from the
27 Anchorage Police Department to the Parks and Recreation Department, to establish a maximum
28 licensing fee, and to provide for the adoption of a bicycle registration program by the Parks and
29 Recreation Department for review and approval by the Assembly; Assemblymember Coffey. (**Carried**
30 **Over to 8-23-05**)

31 14.P. Ordinance No. AO 2005-98, an ordinance of the Anchorage Municipal Assembly amending Anchorage
32 Municipal Code by adding a new Chapter 8.90 regarding the **Sale of Methamphetamine Precursor**
33 **Drugs** within the Municipality of Anchorage; Mayor Begich; Assemblymembers Tesche, Traini,
34 Shamberg and Jennings.
35 1. Assembly Memorandum No. 517-2005. (**Carried Over to 8-23-05**)

36
37 15. **SPECIAL ORDERS** None.

38
39 16. **UNFINISHED AGENDA** None.

40
41 17. **AUDIENCE PARTICIPATION** None.

42
43 18. **ASSEMBLY COMMENTS**

44
45 Ms. Jennings called a Point of Personal Privilege to recognize Regan Pfeifer in the audience, who had just become
46 an Eagle Scout. To her questions, Mr. Pfeifer responded his Eagle Scout project had been constructing a traditional
47 Japanese Taiko drum, which he had donated to Sand Lake Elementary School. He was heading to the University of
48 Northern Colorado and would be studying Secondary Education, with an emphasis in Social Sciences. To Mr. Tesche,
49 Mr. Pfeifer responded that the drum was very large and difficult to transport. Mr. Tesche congratulated him on his
50 achievement. To Ms. Ossiander, Mr. Pfeifer responded he had made the drum specifically for Sand Lake Elementary
51 School. Ms. Ossiander thanked him for supporting education in the community and congratulated him on his
52 achievement. To Chair Fairclough, he responded he had been a Boy Scout since he was in elementary school, had
53 completed 21 merit badges, had completed 100 hours of labor for his project and had maintained a leadership position
54 in the troop. Chair Fairclough and Ms. Jennings congratulated him.

55
56 19. **EXECUTIVE SESSIONS** None.

57
58 20. **ADJOURNMENT**

59
60 Mr. Traini moved, to adjourn the Regular Assembly Meeting,
61 Mr. Stout seconded,
62 and this motion was passed without objection.

63
64 The Regular Assembly Meeting was adjourned at 11:59 p.m.

65
66
67
68
69 _____
70 ANNA FAIRCLOUGH, Assembly Chair

71 ATTEST:

72
73
74 _____
75 BARBARA GRUENSTEIN, Municipal Clerk

76 Date Minutes Approved: October 18, 2005.

77 MC/BG

78 (*Approved Documents & Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4511, and found on the Municipal Web Site at www.Muni.org~Assembly~Minutes~year~month/day*)