

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of December 19, 2006

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Sullivan 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, Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Chris Birch, Dan Coffey, Ken Stout, Dick Traini and Pamela Jennings.

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Jennings led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – October 31, 2006.

Mr. Traini moved,

to approve the Regular Meeting Minutes of
October 31, 2006,

Ms. Fairclough seconded,

Ms. Jennings moved to amend a sentence on Page 10, 'Ms. Fairclough moved, seconded by Mr. Traini, to Change the Order of the Day to take up the Fur Rendezvous matter, which was approved without objection,' which implied that the ordinance was approved, which was not the case. Chair Sullivan responded that the intent was clear, that the motion to Change the order of the Day was approved. Ms. Jennings concurred.

Chair Sullivan moved,

to amend the Minutes of October 31, 2006, on Page 7,
Line 56, by including his statement concerning the budget
and his reference to the city's being able to afford
defibrillators in the future,

Ms. Ossiander seconded,

and this was approved without objection.

To Mr. Coffey, Mr. Tesche responded that he had requested copies of the deteriorated properties be included with the Meeting Minutes, as part of the permanent record. Municipal Clerk Barbara Gruenstein responded this request was accommodated, but materials could be kept in the Presentation File in the future, which was also permanent record. Mr. Coffey responded that saving to the Presentation File would save paper and trees. Chair Sullivan concurred.

and the motion, as amended, was passed unanimously,

with Ms. Shamberg abstaining, as she had an excused absence on that date.

5. MAYOR'S REPORT

Mayor Begich introduced newly appointed members to the Senior Citizens Advisory Commission who were present that evening, including Margaret Lowe, Eva Kopacz, Theresa Panchot and Amanda Stenger. Mayor Begich and Chair Sullivan thanked them for serving.

6. ASSEMBLY CHAIR'S REPORT

Chair Sullivan announced that among items Laid on the Table that evening was a resolution of the Assembly Chair, recommending approval of Kristi Cada as Municipal Ombudsman. Also included was a resolution proposing procedures by which the Assembly would appoint a replacement for departing Assemblymember Anna Fairclough.

7. COMMITTEE REPORTS

Mr. Bauer reported the Public Safety Committee had begun the first of a series of meetings with the Anchorage Police Department, which would include the Fire Department in the future. The meeting included a presentation about police recruitment. Copies of the presentation would be public record in the Municipal Clerk's Office and would include a summary brief of the recruiting process when it was completed.

Mr. Coffey announced that the Anchorage Community Development Authority (ACDA) was looking for a new Chief Operating Officer and he urged interested persons to seek information on the position. He announced there would be an ACDA worksession on January 5th, to discuss the Government Hollywood Vista Project. He and Mr. Stout had requested that the Assembly be briefed on city projects on a regular basis, to better understand the ACDA.

Mr. Traini requested a worksession be scheduled for Fur Rendezvous, because there were other ways to help resolve the matter. Chair Sullivan responded that setting a worksession could be made after discussion and action were completed on the matter that evening.

8. ADDENDUM TO AGENDA

Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AR 2006-326(S), 2006-330, AR 2006-329, AR 2006-331 and AO 2006-173(S) with AM 931-2006, were added and assigned Agenda Numbers 9.A.1.A, 9.A.3, 9.B.8, 9.B.9 and 13.A.1 and 13.A.2, respectively. With no additional items, he called for a vote to incorporate the Addendum items into the Consent Agenda.

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

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

Chair Sullivan called for a motion on the Consent Agenda.

Mr. Traini moved, to approve the Consent Agenda,
Mr. Stout seconded,

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

9. CONSENT AGENDA

9A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

- 9.A.1. Resolution No. AR 2006-326, a resolution of the Anchorage Municipal Assembly honoring and remembering the life of **Carolyn "Linny" Pacillo** and the contributions she made toward the betterment of the Municipality of Anchorage, Mayor Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini.
1. Resolution No. AR 2006-326(S), a resolution of the Anchorage Municipal Assembly honoring and remembering the life of Carolyn "Linny" Pacillo and the contributions she made toward the betterment of the Municipality of Anchorage, Mayor Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. **(Laid on the Table)**

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

- 9.A.2. Resolution No. AR 2006-317, a resolution of the Anchorage Municipal Assembly honoring and congratulating **Barbara Gruenstein**, Anchorage Municipal Clerk, for being named the Municipal Employee of the Year; Mayor Begich and Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

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

- 9.A.3. Resolution No. AR 2006-330, a resolution of the Anchorage Municipal Assembly remembering the life and contributions of **Ruth Moulton** to the City of Anchorage and requesting that her name be submitted to the Public Facilities Advisory Commission with a recommendation to designate Anchorage's Town Square or a significant integral feature thereof in her memory; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. **(Laid on the Table)**

Mr. Tesche requested this item be pulled for review on the Regular Agenda. (See item 10.A.3)

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2006-314, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design for the **Clark Middle School Renewal Project**; Anchorage School District.
a. Assembly Memorandum No. AM 877-2006.

Ms. Jennings requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

- 9.B.2. Resolution No. AR 2006-318, a resolution appropriating \$80,000 of Police and Fire Retiree Medical Liability Fund Balance to the Police and Fire Retiree Medical Liability Fund (313), Employee Relations Department 2006 General Government Operating Budget, as a contribution to the Police and Fire Medical Expenditure Trust Fund (713) to make the 2006 required payments to retirees covered by **Medical Trust Program**; Employee Relations Department.
a. Assembly Memorandum No. AM 886-2006.
- 9.B.3. Resolution No. AR 2006-319, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling \$37,500 from the State of Alaska, Department of Education and \$42,000 as a contribution from the Library 2006 Operating Budget within the Areawide General Fund (101), to the State Categorical Grant Fund (231) for the **Public Library Assistance Grant** under the Office of Economic & Community Development Department/Library.
a. Assembly Memorandum No. AM 887-2006.
- 9.B.4. Resolution No. AR 2006-320, a resolution of the Municipality of Anchorage appropriating to the Misc Capital Project/Pass-Thru Fund (409) a \$40,000 contribution of tax revenues approved in the 2006 Glen Alps Service Area General Government Operating Budget (Fund 105) for road and drainage

capital improvement projects within the **Glen Alps Service Area**; Maintenance & Operations Department.

a. Assembly Memorandum No. AM 888-2006.

9.B.5. Resolution No. AR 2006-325, a resolution of the Municipality of Anchorage appropriating \$6,000 from the Girdwood Valley Service Area Fund Balance (106) to the Girdwood Valley Parks and Recreation 2006 Operating Budget (Fund 106) for the purpose of providing sufficient funds to match the National Park Service grant to pay the **Southeast Alaska Guidance Association** for trail maintenance services performed in 2006; Anchorage Parks & Recreation Department.

a. Assembly Memorandum No. AM 913-2006.

9.B.6. Resolution No. AR 2006-327, a resolution approving an **amendment to Port of Anchorage Terminal Tariff No. 6**, reducing the number of advance days required to reserve a berth at the Port from fourteen business days to four business days; Port of Anchorage. **(Addendum)**

a. Assembly Memorandum No. AM 919-2006.

9.B.7. Resolution No. AR 2006-328, a resolution adopting the **2007 Legislative Program** for the Municipality of Anchorage; Mayor's Office.

a. Assembly Memorandum No. AM 920-2006. **(Addendum)**

Ms. Shamberg requested this item be pulled for review on the Regular Agenda. *(See item 10.B.7)*

9.B.8. Resolution No. AR 2006-329, a resolution of the Anchorage Municipal Assembly appointing **Kristi Cada** as Ombudsman; Assembly Chair Sullivan. **(Laid on the Table)**

Following approval of the Consent Agenda, Mr. Traini announced that the Assembly had approved the appointment of Kristi Cada as Municipal Ombudsman. Ms. Cada thanked the Assembly and stated that she was honored to be able to continue serving the public and working with the Assembly. Chair Sullivan stated he looked forward to working with Ms. Cada and he would meet with her that week to discuss advertising for the Deputy position. Mr. Traini, Ms. Ossiander, Ms. Jennings and Ms. Fairclough congratulated Ms. Cada, thanked her for her service and looked forward to Ms. Cada serving as Ombudsman.

9.B.9. Resolution No. AR 2006-331, a resolution of the Anchorage Municipal Assembly establishing a process for the Assembly's appointment of a new member to temporarily fill **Assembly Seat 2C** upon the resignation of Assembly Member and State Representative-Elect Anna I. Fairclough until a successor can be elected by the voters at the Regular Municipal Election of April 3, 2007 to complete the term; Assembly Chair Sullivan. **(Laid on the Table)**

Mr. Tesche requested this item be pulled for review on the Regular Agenda. *(See item 10.B.9)*

9.C. BID AWARDS

9.C.1. Assembly Memorandum No. AM 889-2006, recommendation of award to VCA Animal Hospitals of Alaska to provide **spay/neuter surgeries and microchip implants** to the Municipality of Anchorage, Department of Health and Human Services (ITB 26-B080) (\$110,000); Purchasing.

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

9.C.2. Assembly Memorandum No. AM 890-2006, recommendation of award to Sterling & Western Star of Alaska and HME Alaska for furnishing **transfer trailers and tractors** to the Municipality of Anchorage, Solid Waste Services (SWS) (ITB 26-B076) (\$522,327); Purchasing.

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

9.C.3. Assembly Memorandum No. AM 891-2006, recommendation of award to Sterling & Western Star of Alaska and Yukon Equipment for furnishing **miscellaneous heavy equipment** to the Municipality of Anchorage, Maintenance & Operations Department (M&O), Fleet Services Division (ITB 26-B077) (\$511,125); Purchasing.

9.C.4. Assembly Memorandum No. AM 921-2006, recommendation of award to Alaska Safety Inc. for providing **police vehicle accessories** to the Municipality of Anchorage, Maintenance & Operations Department, Fleet Services Division (ITB 26-B084) (\$191,077); Purchasing. **(Addendum)**

9.C.5. Assembly Memorandum No. AM 922-2006, recommendation of award to Watson & Son General Construction, Inc. for the **Anchorage Police Department Chiller Replacement** for the Municipality of Anchorage, Operations and Maintenance Department (ITB 26-C078) (\$168,916); Purchasing. **(Addendum)**

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

9.C.6. Assembly Memorandum No. AM 923-2006, recommendation of award to Western Construction & Equipment for providing year round road maintenance services in the **Birchtree/Elmore Limited Road Service Area** for the Municipality of Anchorage; Maintenance & Operations Department (ITB 26-C085) (\$175,000); Purchasing. **(Addendum)**

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 909-2006, **Military and Veterans Affairs Commission** reappointment (Ric Davidge); Mayor's Office.

9.D.2. Assembly Memorandum No. AM 910-2006, **Senior Citizens Advisory Commission** appointments (Eva Kopacz, Margaret Lowe, Theresa Panchot, Amanda Stenger); Mayor's Office.

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

- 1 9.D.3. Assembly Memorandum No. AM 892-2006, **Maxine's Glacier City Bistro #4431** – Transfer of a
2 Restaurant/Eating Place Liquor License (Girdwood Board of Supervisors); Clerk's Office.
3 9.D.4. Assembly Memorandum No. AM 893-2006, **2007/2008 Liquor License Renewals**: The Bradley
4 House #814 – Beverage Dispensary; O'Brady's Burgers & Brew #1 (#83), Simon's Taco Rico #4523 –
5 Restaurant/Eating Place; Party Time/Boniface Liquor #834, Peter's Creek Liquor #855 – Package
6 Store (Taku/Campbell, Russian Jack, Northeast, Bayshore/Klatt, Chugiak); Clerk's Office.
7

8 Mr. Bauer requested this item be pulled for review on the Regular Agenda. (See item 10.D.4)
9

- 10 9.D.5. Assembly Memorandum No. AM 914-2006, **Muldoon Pizza #761** – Restaurant Designation for a
11 Restaurant/Eating Place License (Northeast Community Council); Clerk's Office.
12 9.D.6. Assembly Memorandum No. AM 915-2006, recommendation of award to CH2M Hill, Inc. for providing
13 inspection services for **Asplund Interceptor Project** for the Municipality of Anchorage, Anchorage
14 Water and Wastewater Utility (RFP 26-P035) (\$390,000); Purchasing.
15 9.D.7. Assembly Memorandum No. AM 894-2006, recommendation of award to MWH Americas, Inc. to
16 provide professional design and engineering services for the **Onsite Well Disinfection Upgrade**
17 **Project** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 26-P036)
18 (\$250,000); Purchasing.
19 9.D.8. Assembly Memorandum No. AM 895-2006, recommendation of award to Preston, Gates & Ellis, LLP
20 for providing **bond counsel services** to the Municipality of Anchorage, Finance Department (RFP 26-
21 P041DC) (\$750,000); Purchasing.
22

23 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.8)
24

- 25 9.D.9. Assembly Memorandum No. AM 896-2006, Change Order No. 1 to Purchase Order 260880, Grant
26 Agreement with Alaska Addiction Rehabilitation Services, Inc (AARS)/Nugen's Ranch for the
27 **Pathways to Sobriety Program** for the Municipality of Anchorage, Department of Health and Human
28 Services (DHHS) (\$50,000); Purchasing.
29

30 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.9)
31

- 32 9.D.10. Assembly Memorandum No. AM 897-2006, Change Order No. 1 to the Purchase Order 261165 with
33 Proofpoint, Inc. for **Proofpoint software license renewal** for the Municipality of Anchorage,
34 Information Technology Department (IT) (\$6,000); Purchasing.
35 9.D.11. Assembly Memorandum No. AM 898-2006, Amendment No. 2 to **Memorandum of Understanding**
36 (MOU) between the Anchorage Economic Development Corporation (AEDC), the Anchorage
37 Convention and Visitors' Bureau (ACVB) and the Municipality of Anchorage (MOA), Office of
38 Economic & Community Development (\$33,000); Purchasing.
39

40 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.11)
41

- 42 9.D.12. Assembly Memorandum No. AM 899-2006, Change Order No. 3 to PO 264116 with City Electric, Inc.
43 for **Substation No. 6 Upgrade Project** for the Municipality of Anchorage, Municipal Light & Power
44 (\$106,289.11); Purchasing.
45 9.D.13. Assembly Memorandum No. AM 900-2006, Change Order No. 1 to Contract 26MLP224 with Jaffa
46 Construction for **mechanical service crews** on an "as needed" basis for the Municipality of
47 Anchorage, Municipal Light and Power (\$100,000); Purchasing.
48 9.D.14. Assembly Memorandum No. AM 901-2006, proprietary purchase from Watthour Engineering Co. Inc.
49 for a **WECO Electric Test System** for the Municipality of Anchorage, Municipal Light and Power
50 (\$46,395); Purchasing.
51 9.D.15. Assembly Memorandum No. AM 902-2006, proprietary purchase of a **KIP Wide format copier** from
52 Frontier Business Systems, Inc. for the Municipality of Anchorage, Municipal Light & Power (\$33,539);
53 Purchasing.
54 9.D.16. Assembly Memorandum No. AM 903-2006, Amendment No. 3 to professional services contract with
55 USKH, Inc., **9th Avenue Upgrade**, Project No. 01-01(\$499,112); Project Management & Engineering.
56 9.D.17. Assembly Memorandum No. AM 904-2006, Amendment No. 1 to professional engineering services
57 contract with R&M Consultants, Inc., for the **Arctic Boulevard Surface Rehabilitation Project** (Tudor
58 9.D.Road to Raspberry Road), Project No. 05-04 (\$466,733); Project Management & Engineering.
59

60 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.17)
61

- 62 9.D.18. Assembly Memorandum No. AM 905-2006, Change Order Authority for Purchase Order (PO) 251138
63 with Construction Unlimited for **Kincaid Park Trail Connection** for the Municipality of Anchorage,
64 Project 9.D.Management & Engineering (PM&E) (\$250,000); Purchasing.
65

66 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.D.18)
67

- 68 9.D.19. Assembly Memorandum No. AM 906-2006, increase to the vendor contract with **Anchorage Permit**
69 **and Development Center, LLC**, for additional work at the Permit & Development Center (\$29,601);
70 Project Management & Engineering.
71 9.D.20. Assembly Memorandum No. AM 907-2006, proprietary purchase with NC Machinery Company to
72 **rebuild a Cat D9R Dozer** for the Municipality of Anchorage, Solid Waste Services (\$808,645);
73 Purchasing.
74

75 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (See item 10.D.20)
76

- 1 9.D.21. Assembly Memorandum No. AM 908-2006, Change Order No. 2 to Purchase Order 260422 with SCS
2 Engineers for providing professional services to conduct a **Landfill Gas Monitoring and Compliance**
3 **Support Program** for the Municipality of Anchorage, Solid Waste Services (\$9,500); Purchasing.
4 9.D.22. Assembly Memorandum No. AM 916-2006, recommendation of award to L&B Rentals for the **lease of**
5 **office and warehouse space** for the Municipality of Anchorage, Department of Neighborhoods, Real
6 Estate Services (RFP 26-P052WW) (\$712,860); Purchasing.
7

8 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.22)
9

- 10 9.D.23. Assembly Memorandum No. AM 924-2006, **2007/2008 Liquor License Renewals**: Chilkoot Charlies
11 #1724, Chilkoot Charlies #2107, Chilkoot Charlies #3003, Chilkoot Charlies #225 - Beverage
12 Dispensary; Fred Meyers #2884 – NO PREMISE (Spenard Community Council); Clerk's Office.
13 **(Addendum)**
14

15 Ms. Jennings requested this item be pulled for review on the Regular Agenda. (See item 10.D.23)
16

- 17 9.D.24. Assembly Memorandum No. AM 925-2006, proprietary purchase of **Oracle software license updates**
18 **and support renewal** from Oracle Corporation for the Municipality of Anchorage, Information
19 Technology Department (ITD) (\$60,149.20); Purchasing. **(Addendum)**
20 9.D.25. Assembly Memorandum No. AM 926-2006, proprietary purchase with Dataradio Corporation for
21 providing **mobile radios** to the Municipality of Anchorage, Maintenance & Operations Department,
22 Fleet Services Division (\$154,350); Purchasing. **(Addendum)**
23

24 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.25)
25

- 26 9.D.26. Assembly Memorandum No. AM 929-2006, Change Order No. 3 to Purchase Order No. 251391 with
27 Alcan Electrical & Engineering, Inc. for additional work on the **Anchorage Police Department**
28 **Security System Project** for the Municipality of Anchorage, Maintenance and Operations Department
29 (\$36,988); Purchasing. **(Addendum)**
30 9.D.27. Assembly Memorandum No. AM 927-2006, Amendment Number 1 to Vendor Contract No. 25HLB015
31 providing for the continuation of a lease for the **Bering Street Fleet Maintenance Facility** with JLS
32 Properties LLC. for the Municipality of Anchorage, Real Estate Services (\$555,181.20); Purchasing.
33 **(Addendum)**
34 9.D.28. Assembly Memorandum No. AM 928-2006, proprietary purchase to Motorola, Inc. for providing a
35 **"Turn Key" Motorola Radio 700 MHz Infrastructure System** to the Municipality of Anchorage,
36 Traffic Department, Communications Division (\$7,500,000); Purchasing. **(Addendum)**
37

38 **9.E. INFORMATION AND REPORTS**

- 39 9.E.1. Information Memorandum No. AIM 129-2006, **Utility-Wide SCADA System Water Distribution**
40 **Facilities Group 3** Swanson General Contractors, Inc., Contract #C-256125 report of construction
41 contract change orders (\$25,694); Anchorage Water & Wastewater Utility.
42 9.E.2. Information Memorandum No. AIM 130-2006, Notice of Awards to Argon Security Technologies, Inc.
43 for a **Tactical Wireless Video Surveillance System** and to Gentex Corporation for Ballistic Tactical
44 Helmets for the Municipality of Anchorage, Anchorage Police Department; Purchasing.
45

46 (Clerk's Note: Mr. Coffey requested this item be pulled for review. He later acknowledged an error and instead
47 requested to speak to item 9.E.3. Chair Sullivan ruled that this item, AIM 130-2006, would be considered approved on
48 the Consent Agenda, and allowed Mr. Coffey to speak to item 9.E.3. There were no objections.)
49

- 50 9.E.3. Information Memorandum No. AIM 131-2006, **Central Transfer Station**; Solid Waste Services.
51

52 Mr. Coffey requested that the Administration provide a map or drawing, showing where this facility would be on the
53 property. He stated it was intended that a portion of the purchased property be restored to the private sector and tax
54 base. Deputy Municipal Manager Michael Abbott responded that he would provide the conceptual site design.
55

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

- 57 9.F.1. Ordinance No. AO 2006-179, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
58 providing for the issuance of not to exceed \$100,000,000 in aggregate principal amount of **Tax**
59 **Anticipation Notes** of the Municipality; fixing certain details of said notes; providing for the form and
60 manner of sale of said notes; pledging the receipts from ad valorem property taxes to be collected
61 during year 2007 and the full faith and credit of the Municipality to the payment thereof; delegating
62 certain matters to the Chief Fiscal Officer in connection with the sale of the notes and appropriating
63 \$3,633,483 of interest earnings to pay interest expense and issuing costs for the notes; Finance.
64 **(Public Hearing 1-9-07)**
65 a. Assembly Memorandum No. AM 884-2006.
66 9.F.2. Resolution No. AR 2006-321, a resolution of the Municipality of Anchorage appropriating additional
67 **room tax revenue** of \$332,500 to the Convention Center Operating Reserve Fund (202) and \$67,500
68 to the Office of Economic and Community Development Areawide General Fund (101) to provide for
69 payments under the professional services contract with the Anchorage Convention & Visitors Bureau
70 (ACVB) and the Use Agreement with CivicVentures; Office of Management & Budget. **(Public Hearing**
71 **1-9-07)**
72 a. Assembly Memorandum No. AM 889-2006.
73 9.F.3. Resolution No. AR 2006-322, a resolution of the Municipality of Anchorage appropriating \$2,492,175
74 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the
75 Project Management & Engineering Department within the Areawide General CIP Fund 401, for the
76 **Chester Creek Aquatic Ecosystem Restoration, Westchester Lagoon to Cook Inlet**; Project
77 Management & Engineering. **(Public Hearing 1-9-07)**
78 a. Assembly Memorandum No. AM 890-2006.

- 1 9.F.4. Resolution No. AR 2006-323, a resolution of the Municipality of Anchorage appropriating \$1,596,367
2 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the
3 Project Management & Engineering Department within the Areawide General CIP Fund 401, for the
4 **Chester Creek Aquatic Ecosystem Restoration, Westchester Lagoon to Cook Inlet**; Project
5 Management & Engineering. (*Public Hearing 1-9-07*)
6 a. Assembly Memorandum No. AM 911-2006.
- 7 9.F.5. Resolution No. AR 2006-324, a resolution appropriating \$865,110 of Heritage Land Bank Fund
8 Balance (221) to the Heritage Land Bank Fund (221), Heritage Land Bank Department 2006 General
9 Government Operating Budget as a contribution to the Heritage Land Bank Capital Improvement Fund
10 (421) for land acquisition expense and appropriating \$1,635,320 of land sales proceeds revenue to the
11 Areawide General Fund (101), Heritage Land Bank Department 2006 Operating Budget for **land**
12 **acquisition expense**; Heritage Land Bank. (*Public Hearing 1-23-07*)
13 a. Assembly Memorandum No. AM 912-2006.
- 14 9.F.6. Ordinance No. AO 2006-180, an ordinance providing for the submission to the qualified voters of
15 Anchorage, Alaska, the question of the issuance of not to exceed \$65,000,000 of General Obligation
16 Bonds of the Municipality of Anchorage to pay the costs of the **Clark Middle School Renewal and**
17 **Replacement** and the question of an increase in the municipal tax cap limitation to pay associated
18 operations and maintenance costs at the election to be held in the Municipality on April 3, 2007;
19 Anchorage School District. (*Public Hearing 2-13-07*)
20 a. Assembly Memorandum No. AM 918-2006. (**Addendum**)
- 21 9.F.7. Ordinance No. AO 2006-181, a an ordinance providing for the submission to the qualified voters of
22 Anchorage, Alaska, the question of the issuance of not to exceed \$20,000,000 of General Obligation
23 Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements for
24 **Districtwide Major Building Systems Renewal** at the election to be held in the Municipality on
25 April 3, 2007; Anchorage School District. (*Public Hearing 2-13-07*)
26 a. Assembly Memorandum No. AM 918-2006. (**Addendum**)
- 27 9.F.8. Ordinance No. AO 2006-182, an ordinance formally dedicating municipal land located in the Northwest
28 One-Quarter of Section 25, Township 15 North, Range 2 West, Seward Meridian, as municipal park
29 land, subject to certain exceptions, and adding the dedicated park land to **Beach Lake Regional**
30 **Park**; Assemblymembers Fairclough and Ossiander. (*Public Hearing 1-5-0, Special Meeting*)
31 (**Addendum**)
32

33 Chair Sullivan called the Question on the remainder of the Consent Agenda.

34
35 and this motion, as amended, was passed.

36
37 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

38 NAYES: None.

39
40 The amended Consent Agenda was approved and Chair Sullivan led the body into discussion of the pulled items.

41 42 **END OF CONSENT AGENDA**

43 44 **10. REGULAR AGENDA**

- 45 10.A.1. Resolution No. AR 2006-326, a resolution of the Anchorage Municipal Assembly honoring and
46 remembering the life of **Carolyn "Linny" Pacillo** and the contributions she made toward the
47 betterment of the Municipality of Anchorage, Mayor Begich; Assemblymembers Sullivan, Fairclough,
48 Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini.
49 1. Resolution No. AR 2006-326(S), a resolution of the Anchorage Municipal Assembly honoring
50 and remembering the life of Carolyn "Linny" Pacillo and the contributions she made toward the
51 betterment of the Municipality of Anchorage; Mayor Begich; Assemblymembers Sullivan, Fairclough,
52 Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. (**Laid on the Table**)

53
54 Ms. Ossiander moved, to approve AR 2006-326(S),
55 Mr. Coffey seconded,
56 and this was passed without objection, 11-0.

57
58 Chair Sullivan read and Ms. Ossiander presented the resolution, honoring and remembering Carolyn "Linny" Pacillo for
59 her contributions to the Anchorage community. Accepting the resolution on behalf of her sister, Susan Pacillo thanked
60 the Assembly for the honor. Mr. Traini stated that the Assembly had appreciated both sisters when they had appeared
61 before the Assembly, representing the people. Mr. Traini recommended the new parking garage be named in honor of
62 Linny Pacillo.

- 63
64 10.A.2. Resolution No. AR 2006-317, a resolution of the Anchorage Municipal Assembly honoring and
65 congratulating **Barbara Gruenstein**, Anchorage Municipal Clerk, for being named the Municipal
66 Employee of the Year; Mayor Begich and Assemblymembers Sullivan, Fairclough, Bauer, Birch,
67 Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

68
69 Ms. Ossiander moved, to approve AR 2006-317,
70 Ms. Jennings seconded,
71 and this was approved unanimously, 11-0.

72
73 Ms. Ossiander read and Chair Sullivan and Mayor Begich presented the resolution to Municipal Clerk Barbara
74 Gruenstein, honoring and congratulating her for being named the Municipal Employee of the Year. Ms. Gruenstein
75 thanked the Assembly and the Board of the Municipal League for the award. She was honored to have the
76 Assembly's trust and stated that she and her office served the public and she readily took suggestions on how to
77 improve service. Mr. Traini thanked her for making the Clerk's Office what it was. Mayor Begich stated that Ms.
78 Gruenstein set a good example as an incredible clerk and employee. Chair Sullivan concurred and thanked her for all

her help. Ms. Jennings stated that a City Clerk in Bethel had commented that Ms. Gruenstein was known as a legend. Ms. Fairclough stated that Anchorage had had a history of outstanding Municipal Clerks serving the Municipality for the years that she had served on the Assembly. She thanked Ms. Gruenstein for her professionalism and stated that she looked forward to her continued excellence in service.

10.A.3. Resolution No. AR 2006-330, a resolution of the Anchorage Municipal Assembly remembering the life and contributions of **Ruth Moulton** to the City of Anchorage and requesting that her name be submitted to the Public Facilities Advisory Commission with a recommendation to designate Anchorage's Town Square or a significant integral feature thereof in her memory; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. **(Laid on the Table)**

Mr. Tesche moved, to approve AR 2006-330,
Ms. Ossiander seconded,

Mr. Tesche stated that this was a recommendation to the Public Facilities Advisory Commission that Ruth Moulton's name be submitted and designated for naming all or part of the Anchorage Town Square. To his question, Assembly Counsel Julia Tucker responded that this resolution comports with the naming process, previously approved by the Assembly. Mr. Tesche stated that there would be a memorial event for Ms. Moulton in January. He urged approval.

Ms. Ossiander supported the resolution. Town Square was already engraved in people's mind as Town Square. She stated there would still be an opportunity to address this matter again when it came before the Assembly for approval. Mr. Tesche concurred and stated the intent of the resolution was to follow the process and refer the matter to the commission for their recommendations.

and this motion passed unanimously, 11-0.

10.B.1. Resolution No. AR 2006-314, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design for the **Clark Middle School Renewal Project**; Anchorage School District.
a. Assembly Memorandum No. AM 877-2006.

Ms. Jennings moved, to approve AR 2006-314,
Ms. Fairclough seconded,

To Ms. Jennings, Assistant Superintendent of Anchorage School District George Vakalis responded that the development project was very worthwhile for the community. The study would create design features to ensure student safety. He responded that the site would not be large enough for the buffer requirements. To Mr. Stout, he responded that the estimated cost of the school was \$65 million, which was similar to the middle school in Muldoon.

To Mr. Coffey, Mr. Vakalis responded the total construction cost of Begich Middle School was \$55 million, which had not included the land. Mr. Vakalis responded that the Clark Middle School qualified for 60% debt reimbursement from the State.

To Chair Sullivan, Mr. Vakalis responded the \$65 million for Clark Middle School included equipment.

Ms. Ossiander stated that the attached memorandum included the Anchorage School District (ASD) eliminating the requirement for on-site surface drainage, which was a concern, considering the drainage complications at Eagle River High School. Mr. Vakalis responded the ASD and the Administration had discussed this matter and the ASD requested this matter be postponed until a solution was found for the drainage issue.

Ms. Fairclough concurred with Ms. Ossiander's concerns about drainage.

To Mr. Bauer, Mr. Vakalis responded the landscaping was similar to other, similar schools. This school would include soundproofing, which would help mitigate highway noise.

To Chair Sullivan, Deputy Municipal Manager Michael Abbott requested postponement to January 23rd to allow time for the Administration to work with the ASD to address drainage, buffering and landscaping.

Ms. Ossiander moved, to postpone AR 2006-314 to January 23, 2007,
Ms. Jennings seconded,
and this was passed without objection, 11-0.

10.B.7. Resolution No. AR 2006-328, a resolution adopting the **2007 Legislative Program** for the Municipality of Anchorage; Mayor's Office.
a. Assembly Memorandum No. AM 920-2006. **(Addendum)**

Ms. Shamberg moved, to postpone AR 2006-328 January 9, 2007,
Mr. Coffey seconded,

Mr. Birch stated that he had requested a worksession to discuss cost estimates for some vital roads, listed in the Long Range Transportation Plan, which would affect public and private properties at the proposed connection of Goldenvue Drive and the Seward Highway in South Anchorage. Chair Sullivan responded a worksession on this matter scheduled for January 5th.

Chair Sullivan urged Assemblymembers to get their amendments to the Administration. Mr. Abbott requested Assembly proposals by the worksession date, to allow the Administration time to prepare a substitute version.

Mr. Stout stated that he was preparing proposals on a fire station and the Creekside redevelopment project.

and this was passed without objection, 11-0.

10.B.9. Resolution No. AR 2006-331, a resolution of the Anchorage Municipal Assembly establishing a process for the Assembly's appointment of a new member to temporarily fill **Assembly Seat 2C** upon the resignation of Assembly Member and State Representative-Elect Anna I. Fairclough until a successor can be elected by the voters at the Regular Municipal Election of April 3, 2007 to complete the term; Assembly Chair Sullivan. **(Laid on the Table)**

Mr. Tesche moved, to approve AR 2006-331,
Mr. Coffey seconded,

Mr. Tesche moved to amend, to clarify that the Assembly decision would be based on submitted materials and would include interaction among Assemblymembers, constituents and applicants.

Mr. Tesche moved, to amend AR 2006-331 on page 2, Line 10, *by deleting*
Mr. Traini seconded, to read: Section 4. That applicants will be evaluated
and this was approved without objection. [~~solely~~] on the basis of written materials submitted,

Ms. Ossiander stated that the timing on filling the vacancy was contrary to what had been discussed. Many people had expressed interest in applying for the position, including someone who would be out of town until January 5th. Chair Sullivan responded that Chugiak-Eagle River constituents had requested there be no gap in representation.

Mr. Coffey supported the absence of a gap. Anyone interested in becoming an Assemblymember should be able to get the materials in by the January 3rd deadline.

Mr. Traini supported the resolution and stated there should be no gap in representation.

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

10.C.1. Assembly Memorandum No. AM 889-2006, recommendation of award to VCA Animal Hospitals of Alaska to provide **spay/neuter surgeries and microchip implants** to the Municipality of Anchorage, Department of Health and Human Services (ITB 26-B080) (\$110,000); Purchasing.

Mr. Stout moved, to approve AM 889-2006,
Ms. Jennings seconded,

Mr. Stout stated that spay and neuter surgery costs were recovered when animals were adopted. Deputy Municipal Manager Michael Abbott concurred and stated the program was fully funded by the revenue stream from adoption fees. Purchasing Officer Bart Mauldin responded that this pertained to the contract between the city and the contractor. Mr. Mauldin responded that the collected funds would appear in the department's revenue accounts. Mr. Stout stated that it helped to understand that this would be returning revenue.

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

10.C.2. Assembly Memorandum No. AM 890-2006, recommendation of award to Sterling & Western Star of Alaska and HME Alaska for furnishing **transfer trailers and tractors** to the Municipality of Anchorage, Solid Waste Services (SWS) (ITB 26-B076) (\$522,327); Purchasing.

Mr. Stout moved, to approve AM 890-2006,
Ms. Jennings seconded,

Mr. Stout stated that there were continual problems with transfer trucks losing trash and he had witnessed debris spewing out over the roads, creating a littering problem. The Anchorage Police Department and the Municipality had shown no real interest in resolving the matter. He proposed that the trucks be better secured and have telephone numbers on the tail of each truck, so concerned citizens could notify authorities. Deputy Municipal Manager Michael Abbott responded that the Mayor's Office responded aggressively to those types of calls and would follow Mr. Stout's recommendation of posting telephone numbers on all transfer trailers.

and this was passed without objection, 11-0,

(Clerk's Note: On December 28, 2006 the Administration suspended this purchase.)

10.C.5. Assembly Memorandum No. AM 922-2006, recommendation of award to Watson & Son General Construction, Inc. for the **Anchorage Police Department Chiller Replacement** for the Municipality of Anchorage, Operations and Maintenance Department (ITB 26-C078) (\$168,916); Purchasing.
(Addendum)

Ms. Ossiander moved, to approve AM 922-2006,
Mr. Coffey seconded,

To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded that a 'chiller' was for evidence storage. The equipment would be consistent with the headquarters facility upgrade expansion, planned for the future.

and this was passed without objection, 11-0.

(Clerk's Note: On December 28, 2006 Deputy Municipal Manager Michael Abbott issued the following correction.)

"The Assembly asked two questions regarding this contract: 1) What does the "chiller" do? and 2) Will this work compliment the proposed police headquarters expansion? I incorrectly answered the first question. The "chiller" described in this contract is an element of the heating/cooling system, not the evidence storage system. I was correct in that the new system will support the proposed headquarters expansion. I apologize for any confusion my remarks may have caused."

10.D.2. Assembly Memorandum No. AM 910-2006, **Senior Citizens Advisory Commission** appointments (Eva Kopacz, Margaret Lowe, Theresa Panchot, Amanda Stenger); Mayor's Office.

Ms. Ossiander moved, to approve AM 910-2006,
Mr. Coffey seconded,

Ms. Ossiander stated that when people referred to the Senior Center, it was usually in reference to the center in Anchorage. It was important that the new appointees recognize the needs of the Chugiak Senior Center. Mayor Begich responded that the commission was familiar with the Chugiak Senior Center and encouraged interested citizens from Chugiak-Eagle River to apply for positions on the board.

and this was approved without objection.

10.D.4. Assembly Memorandum No. AM 893-2006, **2007/2008 Liquor License Renewals**: The Bradley House #814 – Beverage Dispensary; O'Brady's Burgers & Brew #1 (#83), Simon's Taco Rico #4523 – Restaurant/Eating Place; Party Time/Boniface Liquor #834, Peter's Creek Liquor #855 – Package Store (Taku/Campbell, Russian Jack, Northeast, Bayshore/Klatt, Chugiak); Clerk's Office.

Mr. Bauer moved, to approve AM 893-2006,
Mr. Stout seconded,

Mr. Bauer moved, to bifurcate Party Time Liquors #834,
Ms. Ossiander seconded,

and the main motion was approved without objection.

Mr. Bauer stated that when he had recently participated as a 'ride-along' with the Anchorage Police Department (APD), they had responded to Party Time Liquor on a murder call. His intent with pulling this item was to discuss with the owner, the type of clientele in the area and to address a community effort in combating gangs. Owner Roy Cappadona responded that the murder had not involved his customers, but the people involved had run through his store. Mr. Cappadona responded that he was aware that this was a high crime area, but had not seen any activity in his store and they required all customers to show identification. Mr. Bauer stated that it would take a community effort to help stop violence in the community and he urged Mr. Cappadona to be aware, educate his employees on signs of gang activity and be proactive with assisting the APD. Mr. Cappadona responded that he would do anything that he could to help.

To Ms. Jennings, Mr. Cappadona responded that his establishment had eight cameras, two microphones, outside lighting and two or three employees in the store at all times. They continually monitored outside parking, including around the block, looking for customers that may be buying for minors.

Mr. Coffey stated that the many incidents occurring in the strip mall, listed in the Party Time police report, did not relate to how Mr. Cappadona conducted his business. The type of security Mr. Cappadona offered was to be encouraged and this license renewal should not be protested whatsoever.

To Mr. Bauer, APD Captain Bill Miller responded that there was nothing out of the ordinary with this business.

To Mr. Coffey, Captain Miller responded that the APD included formal reports of associated problems in the vicinity of any liquor store. There were no reports associated directly to this business.

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

(Clerk's Note: Chair Sullivan Changed the Order of the Day to take up 12.A, Appearance Requests. Upon completion, and following the regularly scheduled dinner break, Chair Sullivan returned the Body to the Regular Agenda.)

10.D.8. Assembly Memorandum No. AM 895-2006, recommendation of award to Preston, Gates & Ellis, LLP for providing **bond counsel services** to the Municipality of Anchorage, Finance Department (RFP 26-P041DC) (\$750,000); Purchasing.

Mr. Coffey moved, to approve 895-2006,
Ms. Ossiander seconded,

To Mr. Coffey, Chief Fiscal Officer Jeff Sinz responded this was a competitive process and of the eight proposals received, three had been selected as finalists. Mr. Coffey stated that two of the finalists were local firms, but the award had gone to an out-of-state firm. Mr. Sinz responded that the selected firm had an Anchorage office and had provided services to the Municipality for more than 25 years. Mr. Coffey stated that the selected firm had merged with another national mega-firm and now would have over 1400 lawyers. He urged consideration of using local firms, based in Anchorage. Mayor Begich responded this contract would save the city money.

To Mr. Birch, Purchasing Officer Bart Maudlin responded that the evaluation process involved delineation of criteria and associated points and followed a two-step process, involving a ranking and an oral interview of the short list. As a result of the interviews, a final ranking was made. The final ranking was not revealed until after the award was processed through the Assembly. However, the winning selection, based on merits to the proposal and fee schedule,

would be open for review by all responding firms seven days before being heard by the Assembly. Mr. Birch requested to review the rankings, the summaries, score sheets and schedules. He supported open disclosure and visibility with the process and proposals. Mr. Mauldin urged that the Assembly take action on the award that evening. Mr. Mauldin responded the selection was formula-based, which included low price. Mr. Birch stated that sometimes the least expensive was not the most valued.

Mr. Coffey stated that the summaries, score sheets and rankings were referred to in the document. Mr. Mauldin responded that, following the process, all the information would be released once the award was made.

Ms. Fairclough concurred and stated that it was not the Assembly's intent to micromanage the Administration. She urged support of the award that evening.

and this motion was passed without objection.

10.D.9. Assembly Memorandum No. AM 896-2006, Change Order No. 1 to Purchase Order 260880, Grant Agreement with Alaska Addiction Rehabilitation Services, Inc (AARS)/Nugen's Ranch for the **Pathways to Sobriety Program** for the Municipality of Anchorage, Department of Health and Human Services (DHHS) (\$50,000); Purchasing.

Mr. Coffey moved, to approve AM 896-2006,
Ms. Ossiander seconded,

Mr. Coffey stated that with the Clitheroe Center closing, there was a need for other support facilities available in the community to assist with public inebriants. He urged support.

Ms. Jennings stated that with the cuts to substance abuse treatment programs, she proposed that funding for these programs be included in the 2007 Legislative Priorities. Mayor Begich concurred. He, Municipal Health Department, the Commissioner of Corrections, Commissioner of Health and Human Services, the Mental Health Trust and the Cook Inlet Tribal Council were pursuing the issues of detoxification and treatment programs, other than the Clitheroe Center.

and this was approved without objection, 11-0.

Ms. Ossiander moved, seconded by Mr. Coffey, to Change the Order of the Day to take up the Off-Street Parking Requirements. There were no objections. *(See Agenda item 11.B.) (Clerk's Note: Chair Sullivan returned the Body to the Regular Agenda once discussion and action were completed on item 11.B)*

10.D.11. Assembly Memorandum No. AM 898-2006, Amendment No. 2 to **Memorandum of Understanding** (MOU) between the Anchorage Economic Development Corporation (AEDC), the Anchorage Convention and Visitors' Bureau (ACVB) and the Municipality of Anchorage (MOA), Office of Economic & Community Development (\$33,000); Purchasing.

Ms. Ossiander moved, to approve AM 898-2006,
Mr. Coffey seconded,
and this was later substituted.

To Ms. Ossiander, Office of Economic and Community Development Director Mary Jane Michael responded that the brand to market Anchorage would be rolled out to the public by the end of January. The generated funds would pay for the website and marketing needed to educate the people about the brand. Chair Sullivan requested that the Assembly review the brand first, to see what the city was buying. Ms. Michael concurred and stated that a worksession would be scheduled.

Ms. Jennings stated that this was a lot of money and the Assembly should have been kept 'in the loop' with this matter. Ms. Michael responded the three partners, including the Anchorage Economic Development Corporation (AEDC), the Anchorage Convention and Visitors Bureau (ACVB) and the Municipality of Anchorage, would be equally sharing the costs and the brand. Ms. Jennings supported a worksession.

Ms. Ossiander moved, ~~[to postpone]~~ **"to approve"** AM 898-2006 **"for the purposes of obligating but not expending the 2006 funds for the roll out and"** to schedule a worksession **"with a potential to go into Executive Session,"** on January 12, 2007;
Mr. Coffey seconded,
and this was later amended,

Chair Sullivan stated that a worksession would be scheduled for January 12, 2007. Mayor Begich responded that the confidentiality of reviewing a brand design before it was rolled out to the public was important. Chair Sullivan stated that an Executive Session could be scheduled. Mayor Begich concurred.

Mr. Traini supported an Executive Session. Chair Sullivan responded that it could be scheduled for January 12th or January 19th, when there were other worksessions scheduled. Mayor Begich supported January 12th.

To Mr. Coffey, Municipal Attorney Jim Reeves responded that from what had been discussed so far, it was uncertain if the standards required for an Executive Session, would be met. Mr. Coffey stated that a worksession could still be scheduled. Chair Sullivan responded that a worksession could be changed to an Executive Session, if necessary.

To Mr. Stout, Mayor Begich responded that designing the brand involved a cooperative effort, with a business approach to market research and there would not be an opportunity for the Assembly to change the brand.

Ms. Fairclough stated that the MOA was a one-third of a partnership and she questioned an Assembly contribution to that partnership. Chair Sullivan responded that the Assembly was just seeking more information.

Mr. Birch stated that the buck not only stopped with the Assembly, it also started with the Assembly. They had a responsibility to review this matter. Washington State had developed a logo, "Say WA" which was widely ridiculed for several months before they discontinued using it. Input from the public and the Assembly would be beneficial. He supported postponement and looked forward to the worksession.

Ms. Jennings supported postponement.

Mayor Begich stated that if the matter did not receive Assembly action that evening, the designated 2006 money could not be allocated for the brand project.

and the motion, as amended, was approved without objection, 9-0.

(Clerk's Note: Ms. Fairclough and Ms. Jennings were temporarily out of Chambers at the time of the vote.)

10.D.17. Assembly Memorandum No. AM 904-2006, Amendment No. 1 to professional engineering services contract with R&M Consultants, Inc., for the **Arctic Boulevard Surface Rehabilitation Project** (Tudor 9.D.Road to Raspberry Road), Project No. 05-04 (\$466,733); Project Management & Engineering.

Mr. Coffey moved, to approve AM 904-2006,
Ms. Ossiander seconded,

To Mr. Coffey, Municipal Engineer Howard Holtan responded that the design study was needed for any additional changes, including improvements relating to traffic, safety and future needs. Mr. Coffey stated that businesses along Arctic Boulevard had been severely impacted and were continuing to be inconvenienced by the project. He questioned the additional money needed for a design study.

To Chair Sullivan, Mr. Holtan responded there were proposed road improvements at the railroad tracks, next to K&L Distributors. Mayor Begich responded that this was a normal cost for project design and engineering.

Ms. Jennings requested a written response from Mr. Holtan, referring to his explanation that he had learned some lessons when working on the improvements to Arctic Boulevard and that he would do things differently next time. There were many people who were concerned with being affected with the road improvements.

To Mr. Birch, Mr. Holtan responded that the design study costs would be 10% of the total construction costs.

and this was approved without objection, 10-0.

(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.)

10.D.18. Assembly Memorandum No. AM 905-2006, Change Order Authority for Purchase Order (PO) 251138 with Construction Unlimited for **Kincaid Park Trail Connection** for the Municipality of Anchorage, Project 9.D.Management & Engineering (PM&E) (\$250,000); Purchasing.

Mr. Birch moved, to approve AM 905-2006,
Mr. Coffey seconded,

To Mr. Birch, Purchasing Officer Bart Mauldin responded that there were indications that there were some errors in the memorandum.

Mr. Birch moved, to postpone AM 905-2006 to January 9, 2007,
Mr. Coffey seconded
and this was approved without objection, 11-0.

(Clerk's Note: On December 28, 2006, Deputy Municipal Manager Michael Abbott issued the following response.)

"Our team was confused regarding the status of this project. The AM is correct and does not require amendment. This project started in 2005, but a significant amount of work was done in 2006. There is still a bit more to be done in 2007. The change order described in this AM will address project costs already incurred during 2005 and 2006 and allow for additional minor change orders, if necessary, in 2007 as the project is completed. This AM will be before the Assembly under Old Business on January 9. We encourage its approval."

10.D.20. Assembly Memorandum No. AM 907-2006, proprietary purchase with NC Machinery Company to **rebuild a Cat D9R Dozer** for the Municipality of Anchorage, Solid Waste Services (\$808,645); Purchasing.

Mr. Tesche moved, to approve AM 907-2006,
Mr. Coffey seconded,

To Mr. Tesche, Purchasing Officer Bart Mauldin responded that the rebuild would create a new machine that would be covered by manufacturer warranty and it was in the best interest of the city to rebuild the dozer, instead of purchasing a refurbished or rebuilt machine. Mr. Mauldin responded that a service agreement offered insurance that the manufacturer would conduct thorough maintenance. Mr. Tesche urged approval with a commitment from the Purchasing Department to submit a memorandum addressing comparative costs.

and this motion was passed without objection, 10-0.

(Clerk's Note: Mr. Stout was temporarily out of Chambers at the time of the vote.)

10.D.22. Assembly Memorandum No. AM 916-2006, recommendation of award to L&B Rentals for the **lease of office and warehouse space** for the Municipality of Anchorage, Department of Neighborhoods, Real Estate Services (RFP 26-P052WW) (\$712,860); Purchasing.

Ms. Ossiander moved, to approve AM 916-2006,
Mr. Coffey seconded,

To Ms. Ossiander, Purchasing Officer Bart Mauldin responded that he had comparative information on the lease. The new facility would house the warehouse and office and would be a larger space, with a competitive rate.

To Ms. Fairclough, Mr. Mauldin responded that the old facility was 4,400 square feet for \$1.25 per square foot and the new facility was 6,700 square feet for \$.89 per square foot for the warehouse space and \$1.71 for the office space. Chair Sullivan responded the rates appeared to be reasonable.

Ms. Jennings stated that the department should keep in mind the internal audit had indicated the inventory and supplies were not yet under control. Office of Economic and Community Development Director Mary Jane Michael responded that the consolidation was to provide oversight for the Weatherization Program.

Mr. Traini proposed postponement, allowing the department to supply Ms. Ossiander the lease information that she had requested. Mr. Mauldin responded that the actual moving date was scheduled for March 1, 2007.

Mr. Coffey stated that if the rental figures included full service and if the figures were accurate, he would support it.

and this motion to approve was passed without objection.

10.D.23. Assembly Memorandum No. AM 924-2006, 2007/2008 Liquor License Renewals: Chilkoot Charlies #1724, Chilkoot Charlies #2107, Chilkoot Charlies #3003, Chilkoot Charlies #225 - Beverage Dispensary; Fred Meyers #2884 – NO PREMISE (Spenard Community Council); Clerk's Office.
(Addendum)

Ms. Jennings moved, to approve AM 924-2006,
Mr. Coffey seconded,

Ms. Jennings stated the many times Chilkoot Charlies had called police on their own, indicated they were taking control of their establishment. She congratulated the business for asking people to leave the premises when there were disturbances. The 16-page police bar file still showed indications that the bar was over-serving and she urged the business to remain aware and keep it under control. She recommended that the bar security conduct more parking lot monitoring, looking for passed-out people, so the bar employees could be the ones calling the police.

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

10.D.25. Assembly Memorandum No. AM 926-2006, proprietary purchase with Dataradio Corporation for providing **mobile radios** to the Municipality of Anchorage, Maintenance & Operations Department, Fleet Services Division (\$154,350); Purchasing. **(Addendum)**

Ms. Ossiander moved, to approve AM 926-2006,
Mr. Coffey seconded,

To Ms. Ossiander, Purchasing Officer Bart Mauldin responded that the mobile radios were part of the base computer data system at the Police Department dispatch, used strictly for communication with police vehicle laptop computers.

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

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

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Resolution No. AR 2006-290(S), a resolution of the Anchorage Municipal Assembly in recognition of the continuing contribution made by Fur Rendezvous in the promotion of tourism and Anchorage's visitor industry, and supporting annual funding from the Anchorage Convention and Visitors Bureau room tax revenue to Greater Anchorage, Inc. for the **Fur Rendezvous Festival**, Assemblymembers Fairclough, Tesche, Traini, Stout and Bauer.
(AR 2006-290 was Substituted 11-14-06; Action was Postponed from 11-14-06 and 12-12-06)

Chair Sullivan read the title and reviewed the history of this resolution. He called for a motion from the sponsor.

Ms. Fairclough moved, to approve AR 2006-290(S),
Ms. Jennings seconded,

Ms. Fairclough stated that Mr. Stout and Ms. Shamberg had attended meetings between the Fur Rendezvous Festival (*Fur Rony and/or Greater Anchorage, Incorporated*) and the Anchorage Convention and Visitors Bureau (ACVB).

Ms. Shamberg reported that there was a plan becoming agreeable between the Fur Rendezvous Board and the ACVB. The ACVB had requested the resolution be postponed indefinitely, so it would not be hanging over their heads.

Mr. Stout reported the meeting was very worthwhile and both parties were moving towards an agreement. He had concluded that a lot more work was needed and he supported postponing indefinitely, to allow more time for the parties to negotiate and to have the matter brought before the Assembly at a later time.

To Ms. Fairclough, Mayor Begich and Chief Fiscal Officer Jeff Sinz responded that one-half of the collected bed tax revenue was donated to the ACVB annually, which was approximately \$6.35 million.

Ms. Fairclough stated that the \$6.35 million was donated to the ACVB with very little guidance or stipulations. The ACVB submitted general plans to the Assembly on how the money would be spent, promoting Anchorage in a very professionally manner to the nation and the world, to increase tourism. The Assembly valued the contributions of Fur Rondy and had discussed how to sustain a successful festival, operated with professional business practices. She stated that the ACVB would not be easily convinced to spend their budget on partnerships such as this, because it would begin a slippery slope of creating potential future requests for appropriations. The Assembly could amend the ACVB contract to include an appropriation to support the Fur Rendezvous Festival. She urged support of the resolution, which could include a one-year contract with appropriate perimeters to hold Fur Rondy accountable to use the money in a wise business way. The ACVB had always hesitated to accommodate any Assembly requests to fund important tourist-related activities for Anchorage. The ACVB had additional, unanticipated moneys in their budget and it was appropriate for the Assembly to amend the contract.

Mayor Begich stated that it was still unclear if the Assembly had authority to amend the contract with the ACVB. The Assembly had the right to make requests and it was appropriate for the ACVB to take requests into consideration.

Ms. Fairclough stated that Municipal Attorney Jim Reeves had cited the contract and there was an 'opener' which legally allowed the Assembly to step forward. The Assembly supported Fur Rondy and the ACVB needed to accommodate their request of \$85,000, a small portion of their \$6 million budget, to support something of value to the community.

Chair Sullivan stated that currently all appropriations were directed solely to the ACVB. By Municipal Charter and supporting ordinances, the bed tax was to be used for tourism promotion, which meant the Assembly could direct those appropriations to other groups to promote tourism, like Greater Anchorage, Incorporated.

Ms. Ossiander stated that Ms. Shamberg's and Mr. Stout's reports on the meeting had indicated a hopeful outcome.

Ms. Shamberg stated that the Fur Rondy Board and the ACVB were still working on a plan, listing items that would be in-kind contributions and items that would incur costs, which totaled \$41,000. The Fur Rondy Board had requested a marketing plan which included television, radio and newspaper. Both parties were continuing to working on a plan and she supported postponement, to allow additional worksessions.

Mr. Stout appreciated Ms. Fairclough's statement. Fur Rondy was in the process of a massive reorganization to make the event profitable. The ACVB had responded to the Assembly's request, by offering \$41,000 in services and promising to give priority for national and international Fur Rondy promotion. It was a promising outcome, but it was a work in process and it was appropriate to allow additional worksessions. He would support postponement if worksessions were scheduled and the resolution was scheduled to be on a future Assembly Agenda.

Mr. Traini stated that the ACVB had given themselves a wage increase in 2006. He requested that Municipal Attorney Jim Reeves and Assembly Counsel Julia Tucker review the ACVB contract to determine Assembly authority, to modify the contract. The ACVB was stonewalling, to kill off Greater Anchorage, Incorporated, with no intention of sharing money. He supported approving the resolution that evening and scheduling a worksession to prove to the ACVB that the Assembly was serious about supporting Fur Rondy.

Mr. Tesche moved,
Mr. Coffey seconded,

to postpone AR 2006-190(S) to February 13, 2007,
pending a worksession scheduled by the Assembly Chair at
the convenience of the members of the Assembly, Fur
Rendezvous and the ACVB, and receiving a status report
from the parties on the negotiations,

Mr. Tesche stated that there was not yet a signed written agreement between Fur Rendezvous and the ACVB. It was his intention to use the Assembly's power to nudge the parties into creating a contract that included a Fur Rendezvous rehabilitation plan and a marketing plan, prepared by the ACVB, for Fur Rendezvous to be a community celebration that promoted tourism.

Mr. Coffey supported postponement. He would support establishing a policy to review expenditures of funds of the ACVB, because it would involve abrogating a 20-year old policy. There were many organizations that had financial needs and addressing the matter should not be done in a piecemeal fashion.

Ms. Jennings concurred with Mr. Tesche and supported postponement. She supported allowing Fur Rendezvous and the ACVB to continue to negotiate and form an agreement. She was nostalgic and supportive of Fur Rendezvous, but was hesitant to request a successful corporation to take on an organization with an unviable history.

Ms. Fairclough opposed postponement. The requested expenditures of supporting Fur Rondy would be a small fraction of the ACVB's budget. Taxpayers would pay the consequences of postponement. She had created the resolution in response to Fur Rondy's request for Assembly assistance, after they had explained their efforts for reorganization and debt reduction. The resolution would not take affect until 2008 and she urged support.

Mr. Traini concurred with Ms. Fairclough. The contract would not take affect until 2008. The Assembly needed to send a serious message to the ACVB to support Fur Rondy, which had made remarkable steps to become a viable organization. He urged approval.

To Chair Sullivan, Ms. Shamberg responded that the parties had requested a worksession with Assemblymembers. She supported postponement to February 13th.

Ms. Fairclough stated that the ACVB did a fabulous job with professional management and she would not argue their salaries. But, there should be a revenue stream supporting Fur Rondy. She concurred with Mr. Traini, that the hammer needed to stay on the ACVB or they would not accept a diversion from their business plan.

Chair Sullivan put the Question.

and the motion to postpone was passed, 8-3.

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

NAYES: Bauer, Fairclough and Traini.

To Mayor Begich, Chair Sullivan responded that Mr. Wood, representing Greater Anchorage, Incorporated and Mr. Bustamante, representing the ACVB, would report back to the Assembly on February 13th. The Municipal Clerk's Office would contact the parties, requesting a report to the Assembly, following the worksession.

11.B. Ordinance No. AO 2006-87, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.080, **Off-Street Parking Requirements**, to clarify off-street parking standards and amend provisions for joint use of a single parking area; Assemblymembers Coffey and Traini.

1. Information Memorandum No. AIM 68-2006.

2. Ordinance No. AO 2006-87(S-1), an ordinance amending Anchorage Municipal Code Section 21.45.080 to amend the Off-Street Parking Standards and amend provisions for joint use of off-street parking areas Planning and Zoning Commission, Case 2006-112), Planning Department.

3. Assembly Memorandum No. AM 885-2006.

(Public Hearing on AO 2006-87 was Closed 6-6-06; Action was Postponed to 6-20-06; Referred to the Planning & Zoning Commission on 6-20-06)

Chair Sullivan stated this item would be postponed because the ordinance had been rewritten. It was his intent to reopen Public Hearing on the matter because of the significance of the rewrite.

Ms. Ossiander moved, *to postpone* AO 2006-87 and reopen Public Hearing
Ms. Jennings seconded, on January 9, 2006,

Ms. Ossiander stated that at the Title 21 Committee Meetings, there was high community interest on shared parking and parking requirements. The impact of this ordinance would be significant to every business owner and included residential property. She supported postponement.

and this motion was approved without objection.

12. APPEARANCE REQUESTS

12A. **Mary Meacham**, regarding change to Anchorage Municipal Code 21.45.150 C. regarding home based business name on personal vehicles outside the residential home.

MARY MEACHAM stated that she and many other home-based businesses used their company names on their personal vehicles, which did not comply with Municipal Code. Changing Code to allow vehicle signs would help eliminate complaints and the costs of enforcement. Ms. Ossiander stated that she had received many calls from home-based business owners on vehicle signage and it was her intent to find more allowances. Ms. Meacham submitted a list of collected signatures, showing support of her effort. To Mr. Tesche, she responded that her car was parked on her property. Code Enforcement had responded to each complaint filed against her, which were dropped and she had been told the issue would not be pressed. To Ms. Jennings, Planning Director Tom Nelson responded that home-based occupation provisions were being addressed in Title 21, and vehicle allowances would be based on vehicle size. To Chair Sullivan, Ms. Meacham responded that she owned a Chevy pick-up and a Hummer. To Mr. Coffey, Mr. Nelson responded that Code Enforcement had not pressed charges, but each complaint needed to be investigated and the owner notified. It had been interpreted that vehicle signage was a violation. Chair Sullivan stated that Code was more directed to larger vehicles and there were instances of tow trucks or other large vehicles in home-based businesses. Addressing vehicle size may be an effective approach.

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2006-173, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 16.95.070 to reduce the costs of **municipal ambulance transport** assessed to patients receiving ambulance transport services from the Chugiak Volunteer Fire Department; Assemblymembers Ossiander and Fairclough. *(Continued from 12-12-06)*

1. Ordinance No. AO 2006-173(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 16.95.070 to reduce the costs of municipal ambulance transport assessed to patients receiving ambulance transport services from the Chugiak Volunteer Fire Department; Assemblymembers Ossiander and Fairclough. ***(Laid on the Table)***

2. Assembly Memorandum No. AM 931-2006. ***(Laid on the Table)***

Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and stated there was a motion on the floor by Ms. Ossiander, seconded by Mr. Stout. He called the Question. Ms. Ossiander moved to substitute the substitute version (*S-version*), with the concurrence of Mr. Stout and there were no objections.

Ms. Ossiander moved, approve [AO-2006-173] "AO 2006-173(S),"
Mr. Stout seconded,

Ms. Ossiander stated that the Administration was concerned with a potential budgetary impact and jeopardy to the Medicare and Medicaid reimbursement. The attached legal conclusion summary supported that under Medicare, the Municipality had the ability to waive all or part of the charges for services supplied by the Chugiak Volunteer Fire Department. The S-version stated that a flat fee reduction of \$400, the ambulance transport fee from the Chugach

Volunteer Fire Department, should equal the Medicare or Medicaid or other health insurance coverage. Legal opinions supplied by Assembly Counsel and Steven Rose answered the Administration's concerns. She urged support.

Mr. Tesche stated that the legal opinion recommended written confirmation from Medicaid, indicating that procedures would be followed and that fees would be reimbursed. Ms. Ossiander responded that an ambulance run in Chugiak totaled about \$850 and her proposed reduction was only for labor cost. Municipal Attorney Jim Reeves and Deputy Municipal Manager Michael Abbott responded the Administration had not yet calculated costs of the volunteer services. Mr. Tesche moved to postpone.

To Ms. Fairclough, Mr. Tesche agreed to hold his motion until she had an opportunity to speak to the matter.

Ms. Fairclough stated that the Assembly had addressed this matter for two years. The Administration had raised ambulance fees in the Chugiak area and she and Ms. Ossiander had worked continuously, dealing with the fairness of the matter and resolving the inequity, concerning labor contributions of the Chugiak Volunteer Fire Department. The calculated ambulance fee included all of Mr. Tesche's cost considerations. Because of the uniqueness of the volunteer service, she was proposing that non-profit, in-kind contributions be recognized. The question was not about crediting for health insurance fees, but solely recognizing the difference between the \$400 versus the \$800 fees which concerned labor costs.

Mr. Tesche moved, *to postpone* AO 2006-173(S) to January 23, 2007,
Ms. Jennings seconded,

Ms. Ossiander urged against postponement. The ordinance and the facts were clear.

Mr. Birch urged a NO-vote on postponement. He urged approval of the ordinance.

Ms. Shamberg stated that her response to this matter was dependent upon the impact to the existing budget.

Mr. Tesche stated that reference to the hundreds of thousands of dollars of economic impact was different than what had been determined by the Administration. Answers were needed, concerning an economic analysis of the budgeted costs and written assurances from health care companies to follow the Medicare policy, before a decision was made. This matter needed to be confirmed with the state program. He supported postponement.

Mr. Birch called the Question.

and the motion to postpone failed, 2-9.

AYES: Tesche and Jennings.

NAYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout and Traini.

Mr. Birch called the Question on the main motion. Ms. Ossiander and Mr. Abbott opposed. Chair Sullivan allowed continued debate.

Ms. Ossiander stated an effective date of the ordinance needed to be added. She requested a recommendation from the Administration for a date that would not impact the current municipal budget. Mr. Abbott responded the Administration still had a number of issues remaining and he encouraged the Assembly to hear the Administration's position before taking action on this ordinance. He responded the budget could be amended at any time. Addressing fee changes should be done by July 1st. Ms. Ossiander so moved.

Ms. Ossiander moved, *to amend* AO 2006-173(S) on Line 29, Section 2,
Ms. Shamberg seconded, *by adding "July 1, 2007;"*
and this motion failed,
with six members objecting.

(Clerk's Note: This was not an electronic vote. Members voted by raising hands, which was counted by Chair Sullivan and names were not mentioned on the record.)

Mayor Begich urged the Assembly to allow time for his Administration and Legal Counsel to comment on this matter.

Mr. Abbott stated that questions remained concerning equal, areawide sharing of costs of services. He urged a NO-vote.

Municipal Attorney Jim Reeves stated that while Mr. Rose had proposed that the reduction would not jeopardize Medicare payments, he had urged a written response from Medicaid to confirm his opinion. Mr. Rose had not considered the effects of other private health care carriers. There was no data on the consequences if this moved forward with the known risks. The S-version addressed a person receiving a bill, which would vary in amount with their insurance status. An uninsured person would get a free ride, with those costs being shared by insurance payers. It was a slippery slope to decide without additional analysis and data.

Mayor Begich stated that his Administration would not support the matter.

Ms. Ossiander stated the Chugiak Volunteer services involved no labor costs. Calls made in Chugiak were to the Chugiak Volunteer Fire Department, not to the Anchorage Fire Department (AFD). Dollars collected from the Chugiak Fire Service Area paid for the training and liability insurance for the volunteers and also for the costs of vehicles. Anchorage service coverage in Chugiak would cost substantially more. There were 400 ambulance runs provided annually by the Chugiak Volunteer Fire Department. All studies indicated there was a \$400 difference per run and that 40% of the runs were compensated by insurance reimbursement. There were opinions indicating that Medicaid would pay and Medicare would not be jeopardized. She urged approval.

Chair Sullivan put the Question. Mr. Tesche opposed. Mr. Coffey moved, seconded by Mr. Tesche, to extend debate for an additional 15 minutes. There were no objections.

(Clerk's Note: Ms. Shamberg left the Assembly Meeting with a prearranged excused absence.)

Mr. Tesche stated the principle arguments were that Chugiak residents received a lesser quality service, with lesser costs. He proposed creating a separate Chugiak service area, with a stand-alone budget, equipment and mill levy.

Ms. Fairclough stated that she and Ms. Ossiander took exception to Mr. Tesche's reference of lesser quality service. They were requesting equity and the issue of a stand-alone service area was not before the Assembly for consideration.

Mr. Coffey stated that the financial impact to the city of the \$150,000 and the distribution of costs of a service area had been considered, but there was no substantiation of costs determined for the transport, when provided by volunteers. He proposed an effective date, to allow time to receive a letter from Medicaid and for the Administration to complete a summary of economic effects.

Mr. Coffey moved,
Ms. Jennings seconded,
and this was later amended,

to amend AO 2006-173(S) *by adding* to read: The ordinance shall become effective "upon the first day of the first full month, 30 days after receipt by the Municipality of Anchorage, of a letter from Medicaid that Medicaid will follow Medicare on all four (4) items described in outside counsel's opinion."

Mr. Tesche stated the Assembly would be reckless to assume all insurance companies would follow along. Until written responses were received, he would not support the matter.

Mr. Coffey stated that the figures posed by studies calculated there might be a \$100,000 difference to the budget. He understood the possible subsidy and stated that the budget could be adjusted. With confirmation from Medicaid, the ordinance would be fair and just. Chair Sullivan recommended additional language, to allow a time period between receipt of requested material and Assembly approval. Mr. Coffey concurred and amended, by adding '30 days,' which was accepted by the second.

Mayor Begich stated that municipal benefits currently covered ambulance transport from Chugiak. This measure would be creating an opportunity for residents to have a free ride, with the Municipality paying. He urged a NO-vote.

Ms. Tucker stated that the language presented in the S-version was urged by Administrative representatives who did not want to risk losing the Medicare and Medicaid funding. Legal and policy questions remained, including who would pay. Residents receiving transport from a volunteer service was conceptually different than addressing the issue of establishing a separate service area. Detailed discussions had indicated that the AFD served as the backup service to the Chugiak area. When residents received transport from the AFD, there was no discount, regardless of the location, including Chugiak Fire Service Area. At times the Chugiak Volunteers respond to calls outside their area and those residents receiving services also received the same discounts.

Mr. Birch called the Question on the Coffey Amendment.

and this motion, as amended, was passed, 9-1.

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

NAYES: Tesche.

ABSENT: Shamberg, excused.

Mr. Birch called the Question.

and the main motion, as amended, was passed 7-3.

AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey and Stout,

NAYES: Tesche, Traini and Jennings.

ABSENT: Shamberg, excused.

Ms. Ossiander moved, *for immediate reconsideration of AO 2006-173(S),*
Ms. Fairclough seconded, *as amended,*
and this motion failed, 4-6.

AYES: Tesche, Coffey, Traini and Jennings.

NAYES: Bauer, Fairclough, Sullivan, Ossiander, Birch and Stout.

ABSENT: Shamberg, excused.

Chair Sullivan called for a motion to change the Order of the Day, to take up 14.L, dealing with Solid Waste Services. Mr. Coffey moved, seconded by Ms. Ossiander and there were no objections.

14. NEW PUBLIC HEARINGS

Chair Sullivan stated that all Limited Road Service Area (LRSA) items would be taken up, including AO 2006-160, AO 2006-161, AO 2006-162, AO 2006-163, AO 2006-164, AO 2006-165, AO 2006-166, AO 2006-167, AO 2006-168, AO 2006-169 and AO 2006-170, Agenda items 14.A to 14.K. He opened Combined Public Hearing.

DAVID DUNSMORE, Chair of the Valli Vue LRSA Board of Supervisors, urged support for extending their LRSA and reserve fund for three more years. He reported on their 5-year service area plan, developed in conjunction with the homeowner's association, which would likely be the basis for forming future budgets. Ms. Ossiander commended Mr. Dunsmore for reporting on their plan and recommended researching recycled asphalt for their road improvements. He concurred. Mr. Birch thanked him for his volunteerism on the board and for representing his neighborhood. Chair Sullivan concurred.

With no additional public testimony, Chair Sullivan closed Combined Public Hearing and led the body to take up 14.A.

- 14.A. Ordinance No. AO 2006-160, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.600 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Mr. Coffey moved, to approve AO 2006-160,
Ms. Ossiander seconded,
and the motion was passed 8-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer and Mr. Traini were temporarily out of Chambers at the time of the vote.)

- 14.B. Ordinance No. AO 2006-161, an ordinance submitting to the qualified voters residing in the **Mountain Park Estates Limited Road Service Area** at the regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.330 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Ms. Ossiander moved, to approve AO 2006-161,
Mr. Coffey seconded,
and the motion was passed, 8-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer and Mr. Traini were temporarily out of Chambers at the time of the vote.)

- 14.C. Ordinance No. AO 2006-162, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.360 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Ms. Ossiander moved, to approve AO 2006-162,
Ms. Fairclough seconded,
and the motion was passed, 8-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer and Mr. Traini were temporarily out of Chambers at the time of the vote.)

- 14.D. Ordinance No. AO 2006-163, an ordinance submitting to the qualified voters residing in the **Paradise Valley South Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.640 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Mr. Coffey moved, to approve AO 2006-163,
Ms. Jennings seconded,
and the motion was passed, 8-0.

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

NAYES: None.

1 ABSENT: Shamberg, excused.

2 (Clerk's Note: Mr. Bauer and Mr. Traini were temporarily out of Chambers at the time of the vote.)

- 3
4 14.E. Ordinance No. AO 2006-164, an ordinance submitting to the qualified voters residing in the **Rabbit**
5 **Creek View and Rabbit Creek Heights Limited Road Service Area** at the Regular Municipal
6 Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area
7 for an additional period of three years and amending Anchorage Municipal Code Section 27.30.240
8 accordingly; Assemblymembers Shamberg and Birch.

9
10 Chair Sullivan read the ordinance title and called the Question. (Clerk's Note: See Combined Public Hearing, Agenda
11 item 14, Public Hearings.)

12
13 Ms. Ossiander moved, to approve AO 2006-164,
14 Mr. Coffey seconded,
15 and this motion was passed, 9-0.

16
17 AYES: Tesche, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

18 NAYES: None.

19 ABSENT: Shamberg, excused.

20 (Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

- 21
22 14.F. Ordinance No. AO 2006-165, an ordinance submitting to the qualified voters residing in the **Raven**
23 **Woods/Bubbling Brook Limited Road Service Area** at the Regular Municipal Election April 3, 2007
24 a ballot proposition approving the continuation of the limited road service area for an additional period
25 of three years and amending Anchorage Municipal Code Section 27.30.350 accordingly;
26 Assemblymembers Shamberg and Birch.

27
28 Chair Sullivan read the ordinance title and called the Question. (Clerk's Note: See Combined Public Hearing, Agenda
29 item 14, Public Hearings.)

30
31 Ms. Jennings moved, to approve AO 2006-165,
32 Mr. Traini seconded,
33 and this motion was passed, 9-0.

34
35 AYES: Tesche, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

36 NAYES: None.

37 ABSENT: Shamberg, excused.

38 (Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

- 39
40 14.G. Ordinance No. AO 2006-166, an ordinance submitting to the qualified voters residing in the **Rockhill**
41 **Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition
42 approving the continuation of the limited road service area for an additional period of three years and
43 amending Anchorage Municipal Code Section 27.30.590 accordingly; Assemblymembers Shamberg
44 and Birch.

45
46 Chair Sullivan read the ordinance title and called the Question. (Clerk's Note: See Combined Public Hearing, Agenda
47 item 14, Public Hearings.)

48
49 Ms. Fairclough moved, to approve AO 2006-166,
50 Ms. Ossiander seconded,
51 and the motion was passed, 9-0.

52
53 AYES: Tesche, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

54 NAYES: None.

55 ABSENT: Shamberg, excused.

56 (Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

- 57
58 14.H. Ordinance No. AO 2006-167, an ordinance submitting to the qualified voters residing in the **Skyranch**
59 **Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot
60 proposition approving the continuation of the limited road service area for an additional period of three
61 years and amending Anchorage Municipal Code Section 27.30.320 accordingly; Assemblymembers
62 Shamberg and Birch.

63
64 Chair Sullivan read the ordinance title and called the Question. (Clerk's Note: See Combined Public Hearing, Agenda
65 item 14, Public Hearings.)

66
67 Ms. Ossiander moved, to approve AO 2006-167,
68 Ms. Fairclough seconded,
69 and the motion was passed, 9-0.

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

72 NAYES: None.

73 ABSENT: Shamberg, excused.

74 (Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

- 75
76 14.I. Ordinance No. AO 2006-168, an ordinance submitting to the qualified voters residing in the **Totem**
77 **Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition
78 approving the continuation of the limited road service area for an additional period of three years and

amending Anchorage Municipal Code Section 27.30.610 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Ms. Fairclough moved, to approve AO 2006-168,
Ms. Ossiander seconded,
and the motion was passed, 9-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

14.J. Ordinance No. AO 2006-169, an ordinance submitting to the qualified voters residing in the **Upper Grover Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.340 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Ms. Ossiander moved, to approve AO 2006-169,
Ms. Fairclough seconded,
and the motion was passed, 9-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

14.K. Ordinance No. AO 2006-170, an ordinance submitting to the qualified voters residing in the **Valli Vue Limited Road Service Area** at the Regular Municipal Election April 3, 2007 a ballot proposition approving the continuation of the limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.310 accordingly; Assemblymembers Shamberg and Birch.

Chair Sullivan read the ordinance title and called the Question. *(Clerk's Note: See Combined Public Hearing, Agenda item 14, Public Hearings.)*

Ms. Fairclough moved, to approve AO 2006-170,
Ms. Ossiander seconded,
and the motion was passed, 9-0.

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

NAYES: None.

ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

14.L. Ordinance No. AO 2006-171, an ordinance amending Anchorage Municipal Code Section 26.80.050 to increase the **Solid Waste Services disposal rate** to \$50 per ton; Solid Waste Services.
1. Assembly Memorandum No. AM 852-2006.

Chair Sullivan read the ordinance title and opened Public Hearing.

JASON MACDONALD opposed the ordinance, which would have a financial impact on everyone in Anchorage, including anyone hauling more than 1000 pounds to the dump. His hauling business would be affected, with each of his trucks charged an additional \$50 for each trip to the landfill, which would be passed on to customers. To Mr. Coffey, Mr. MacDonald responded that a single truck could be charge up to \$600 for one haul to the dump, which would lead to illegal dumping. To Ms. Ossiander, Mr. MacDonald responded that a fund reserve was important, to pay for future landfill monitoring and new sites. Additional study was needed to find other options for consideration and he recommended new operational changes to offset the budget deficit.

DON HANKS, owner of a Chugiak-Eagle River refuse hauling business, opposed the rate increase. He supported putting phone numbers on the tail of transfer trucks, to reduce strewn litter. There were still cities that did not charge dumping fees, which encouraged proper handling and transfer of waste. A rate increase would push private customers to haul garbage themselves and would be able to haul 1000 pounds for \$10 in a pick up truck. But, the rate increase would mean an increase for commercial trucks. The city had gotten the land free from Fort Richardson. There had been a substantial increase in 1989, which was to have paid for all capital expenditures. The rate should have been lowered. To Ms. Ossiander, Mr. Hanks responded the rate increase would be passed on to his customers.

PETE KANEEN, Anchorage Recycling Executive Director, stated the rate increase seemed logical. The city was known to use the best equipment and he opposed purchasing an expensive warranty on a used piece of equipment. He stated that having the Municipal Solid Waste Services in charge of recycling was a conflict of interest. To Mr. Stout, Mr. Kaneen responded that Anchorage had a bad reputation with their attempts at recycling.

BURT RAMSEY opposed the rate increases. He stated that study was needed and there were other options for efficiencies in Solid Waste Services. To Chair Sullivan, Mr. Ramsey responded that he owned a hauling business and the rate increase would mean up to a 30% increase to his customers. He made recommendations of operation efficiencies.

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

Mr. Coffey moved, to approve AO 2006-171,
Ms. Jennings seconded,

To Mr. Coffey, Deputy Municipal Manager Michael Abbott responded that rate increases had been postponed for years and the Administration was constantly looking for cost savings. An audit had not been conducted and there had been no summary of economic effects. Funding an analysis could be discussed. Chief Fiscal Officer Jeff Sinz responded that all waste management services outside of the service area were regulated by the Regulatory Commission of Alaska.

Ms. Ossiander stated that she had already expressed her concerns when reviewing the budget. The figures had changed and the costs had increased for landfill closure. A large reserve was not justified. She would not support the ordinance.

Chair Sullivan called the Question.

and the motion failed, 4-5,
and later reconsidered.

AYES: Tesche, Birch, Coffey and Jennings.
NAYES: Bauer, Fairclough, Sullivan, Ossiander and Stout.
ABSENT: Shamberg, excused.

(Clerk's Note: Mr. Traini returned to Chambers immediately following the vote and requested a re-vote, so he could be included. Chair Sullivan accommodated his request.)

Mr. Coffey moved, for immediate reconsideration of AO 2006-171,
Ms. Jennings seconded,
and the motion was passed, 6-4.

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

Chair Sullivan stated this matter was again before the Assembly and called the Question.

Mr. Coffey moved, to approve AO 2006-171,
Ms. Jennings seconded,

Ms. Ossiander stated that residents in Anchorage had seen rate increases from every single utility, with the exception of Municipal Light and Power. When there was this much money in reserve for the landfill, there was not enough justification for a rate increase and she opposed the ordinance.

Mr. Traini stated there had not been a rate increase for 17 years and he would support the rate increase.

Mr. Stout stated that an assessment was needed before a rate increase was justified. The study requested by Mr. Coffey was appropriate.

Mr. Coffey stated that there would be an opportunity to complete an assessment before the rate increase would be in effect.

and the motion failed, 5-5.

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

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION

Boy Scout Troop 8, sponsored by Saint Mary's Episcopal Church, introduced themselves and included Boy Scouts Dylan Hardenbergh, Ryan Toney, Alex Albright, Teddy Mason, Sam Sewell, Caleb Diloreto and Garrison Wilts. Scout Master Brad Sewell stated they were present that evening completing their citizenship merit badge. Mr. Scout thanked them for visiting and stated that there were many Assemblymembers who had been Boy Scouts and they appreciated the boy's efforts. Ms. Ossiander responded that she, Ms. Fairclough and Ms. Jennings were former Girl Scouts. To Ms. Jennings, a scout responded that completing community service and locating public service facilities in the city were also needed to complete the merit badge requirements.

18. ASSEMBLY COMMENTS

Mr. Tesche, as another Assemblymember who had successfully dealt with heart issues, welcomed Mr. Coffey back to working full time for the Assembly. Mr. Coffey responded, "It was nice to be seen." Chair Sullivan, on behalf of the entire Assembly, welcomed Mr. Coffey back.

Mr. Birch stated that it had been a privilege and a pleasure to serve on the Governor's Transition Committee for the Department of Transportation. AMATS Board member Craig Lyons was also on that committee. It had been a good effort and a good opportunity to review some state issues.

Mr. Birch reported with sadness, that Turnagain Times Publisher Ken Osuna had recently passed away. Mr. Osuna had offered a great service and had been a positive member of the community.

Ms. Fairclough stated that she looked forward to seeing Assemblymembers at the Special Assembly Meeting, scheduled for January 5th in Eagle River. Chair Sullivan responded that the Assembly looked forward to seeing Ms. Fairclough in Juneau, and would be asking for her help on many Anchorage issues.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Sullivan called for a motion to adjourn the meeting.

Ms. Ossiander moved, to adjourn the Regular Assembly Meeting,
Ms. Fairclough seconded,
and the motion was passed unanimously.

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

The Regular Assembly Meeting was adjourned at 10:45 p.m.

DAN SULLIVAN, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: February 27, 2007.
MC/BG

(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)