MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of November 6, 2007

1. CALL TO ORDER

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

2. ROLL CALL

A Quorum was achieved with Assemblymembers present.

PRESENT: Allan Tesche, Dick Traini, Dan Sullivan, William Starr, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman.
ABSENT: None.

3. PLEDGE OF ALLEGIANCE

Assemblymember Claman led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – August 28, 2007.

Ms. Ossiander moved, to approve the August 28th Meeting Minutes,
Ms. Johnston seconded,
and this was approved without objection.

4.B. Regular Meeting – September 25, 2007.

Ms. Ossiander moved, to approve the September 25th Meeting Minutes,
Ms. Johnston seconded,

Ms. Ossiander moved,
Ms. Johnston seconded,

to amend the September 25th Meeting Minutes on Page 1, beginning on Line 67, *by changing* to read: The Committee had completed their review of Chapter 4 and would begin [~~Chapters 3, 7, 14 and~~] “Chapter” 5 “at the next meeting”, dealing with allowed uses in “each” zoning district[~~s~~] “and a brand new approach to zoning.” [~~More information, including the meeting schedule, could be accessed on the Municipal website, by linking to the Planning Department and Title 21. Public Hearings were scheduled through the first week in October~~.] “All Title 21 information was available on the municipal website, linking to the Planning Department and Title 21, which also included all meeting dates, times and locations. The Committee would begin review on Chapters 3, 7 and 14, when finish going through these current chapters.”

Chair Coffey stated that *(Chapters)* 3, 7, and 14 were completed and were at *(the)* Planning and Zoning Commission. *(Chapters)* 4, 5 and 6 were what they had been reviewing.

and this was approved without objection.

Chair Coffey moved,
Ms. Ossiander seconded,
and this was approved without objection.

to amend the September 28th Meeting Minutes on Page 2, Line 51, *by adding* to read: People who used sports facilities needed to take responsibility “to some degree.”

Dr. Selkregg moved,
Mr. Claman seconded,
and this was approved without objection.

to amend the September 28th Meeting Minutes on Page 18, Line 30 *by changing* to read: Dr. Selkregg responded that she would not support softening the language[~~, which may allow a new development to block the sun to adjacent properties.~~] “designed to protect adjacent properties and surrounding neighborhoods.”

Municipal Clerk Barbara Gruenstein stated that often members remember saying things differently and Minutes cannot reflect what you hoped to have said. The Minutes will be reviewed and a transcript will be provided. Dr. Selkregg stated that she remembered talking about the surrounding neighborhood.

Mr. Traini stated that the Minutes needed to reflect what was actually recorded on tape. Chair Coffey concurred and stated the Assembly Minutes were not a verbatim transcript, so often times the sense of what was said was not quite reflected in the edited version. It will be reviewed, but if you said it, you're stuck with it.

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

5. MAYOR'S REPORT

Deputy Municipal Manager Michael Abbott reported that Mayor Begich would be returning that evening from the Conference of Mayors, being held in Fairbanks.

Mr. Abbott and Chair Coffey recognized newly appointed and reappointed board and commission members, including Pat Abney and Pat Redmond to the Salaries and Emoluments Commission, Bill Falsey and Greg Kimura to the Board of Ethics, Randy Virgin to the Public Transit Advisory Board and Roger Hull and Matt Cook to the Education and Workforce Advisory Commission. Ms. Ossiander and Chair Coffey thanked the appointees for their service.

6. ASSEMBLY CHAIR'S REPORT

Chair Coffey stated he had reviewed the estimate for the upgrades and a report on the new Chamber equipment. He urged that Municipal Clerk Barbara Gruenstein schedule an appointment for members to meet with IT staff to see a demonstration of the proposed new system.

7. COMMITTEE REPORTS

Mr. Tesche reported that upon his recommendation and with concurrence of the Assembly he had met with Port representatives to discuss the new Cook Inlet Ferry, currently being proposed by the Matanuska-Susitna Borough. AIM 100-2007, concerning that matter, had been added to that evening's Agenda. The report included his recommendations of spots for that proposed use. He urged that the Assembly read the report carefully and he or the Port Director would answer questions at a later time. To Mr. Traini, Mr. Tesche responded the proposed vessel had serious design features and operational limitations, which would create landing problems and the designers were addressing the vessel's landing limitations. Mr. Tesche responded the vessel was being paid for with a federal grant appropriated by Naval Research.

Mr. Sullivan reported the Ethics Committee would meet on November 13th at 3:30 p.m. in Chambers.

Mr. Starr reported the budget review process was continuing, with the Second Public Hearing that evening and a mandate to finalize the budget by December 10th. Reports from the Budget Task Force and the Budget Advisory Commission were due to the Budget Committee on November 8th. Mr. Starr requested a point of personal privilege which was granted by Chair Coffey. Mr. Starr extended a personal apology to Mayor Begich and the Administration because he may have been too aggressive or disrespectful to Department heads, including Municipal Manager Denis LeBlanc, OMB Director Janet Mitson, Traffic Director Lance Wilber, Director of Public Transportation Jody Karcz, Health and Human Services Director Diane Ingle and other department heads. He was planning to talk with each one of them. Chair Coffey stated that the Assembly's biggest duty was addressing the budget and in-depth inquiries were the job of the Assembly. He had spoken with two of those individuals, who had indicated there was no apology necessary. Mr. LeBlanc stated that during the budget battle, there were occasions where things may seem inappropriate, but the exchange was necessary and Administration members who participated were tremendously appreciative of the exchange. Mr. LeBlanc thanked Mr. Starr for his gesture and assured him that it would be matched by the Mayor and Administration members.

Ms. Ossiander reported that she would propose to postpone AO 2007-116, on nonconformities because the Title 21 Committee was still completing their review of the Planning Department concerns and recommendations to Chapter 21. Ms. Ossiander stated the Committee was creating a document that would help clarify public outreach concerning changes to Title 21. After Chapter 12 was completed, Chapter 5 would be addressed. The Committee continued to meet every Thursday morning at the Planning Department Conference Room, from 9:30 a.m. to 11:30 a.m. and the public was invited.

Ms. Johnston reported that she had attended an Anchorage School District Meeting the preceding evening and the ASD was beginning their budget process.

Mr. Birch reported that the Navigant report would soon be available to the Assembly, concerning the preliminary findings of the potential merger of ML&P and Chugach Electric Association.

Dr. Selkregg stated she appreciated finding ways to help educate the public about the Title 21 process.

Mr. Claman reported the Public Safety Committee would meet on November 14th at Assembly Chambers, to address the immigration status ordinance. He had requested that Chair Coffey have Ms. Johnston participate in that meeting because of Mr. Traini's absence.

Chair Coffey reported that Anchorage Community Development Authority Chair Debbie Sedwick had requested changes to the ACDA in January and he requested that a worksession be scheduled. Municipal Clerk Barbara Gruenstein set a worksession on the matter for noon on December 7th.

Mr. Sullivan requested information from the Administration concerning the negotiation of the Augustine lot. Office of Economic and Community Development Director Mary Jane Michael responded she would provide information that week.

Chair Coffey reported that members had received and would review packets from the Anchorage Economic Development Corporation, which dealt with a $490,000 annual appropriation.

8. ADDENDUM TO AGENDA

Chair Coffey called for a motion and read the Addendum items. He called for additional items and AO 2007-159 was Laid on the Table and assigned Agenda Number 9.F.11. There were no additional items and he called for a vote to incorporate the Addendum items into the Consent Agenda.

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

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

Chair Coffey called for a motion on the Consent Agenda.

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

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2007-251, a resolution of the Anchorage Municipal Assembly and Mayor Begich honoring and thanking **Ted Kinney** for his contributions to the Chugiak-Eagle River Community. ***(Addendum)***

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

9.A.2. Resolution No. AR 2007-255, a resolution of the Municipality of Anchorage recognizing the **Government Hill Redevelopment Advisory Committee** for their work to revitalize one of Anchorage's oldest neighborhoods; Assemblymember Tesche. ***(Addendum)***

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

9.B. RESOLUTIONS FOR ACTION – OTHER

9.B.1. Resolution No. AR 2007-240, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling $38,100 from the State of Alaska, Department of Education and $42,000 as a contribution from the Library 2007 Operating Budget within the Areawide General Fund (101), to the State Categorical Grants Fund (231) for the **Public Library Assistance Grant** under the Office of Economic & Community Development Department/Library.
a. Assembly Memorandum No. AM 678-2007.

9.B.2. Resolution No. AR 2007-241, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling $65,392 from the State of Alaska, Department of Education and $515 as a voluntary contribution from the 2007 Library Operating Budget Areawide General Fund (101) to the State Categorical Grants Fund (231), Office of Economic and Community Development for **800# Interlibrary Loan and Reference Backup Services**.
a. Assembly Memorandum No. AM 679-2007.

9.B.3. Resolution No. AR 2007-242, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling $51,176 from the Alaska State Library to the State Categorical Grants Fund (231) for the **Ready to Read Phase II Program**; Office of Economic & Community Development/Library.
a. Assembly Memorandum No. AM 680-2007.

9.B.4. Resolution No. AR 2007-243, a resolution of the Municipality of Anchorage providing for the appropriation of $17,753 of Friends of the Library donations to the Miscellaneous Operational Grants Fund (261) to the Office of Economic and Community Development, for the purchase of **library books and materials**.
a. Assembly Memorandum No. AM 681-2007.

9.B.5. Resolution No. AR 2007-244, a resolution appropriating $87,496 from a State of Alaska Department of Transportation and Public Facilities (ADOT&PF) Transfer of Responsibilities Agreement (TORA) with the Municipality of Anchorage (MOA), and a match contribution of $9,030 from the 2007 Project Management and Engineering Department Operating Budget, Areawide General Fund (101), to the State Categorical Grants Fund (231) under the Municipal Traffic Department for the **Bicycle Plan.**
a. Assembly Memorandum No. AM 682-2007.

9.C. BID AWARDS

9.C.1. Assembly Memorandum No. AM 666-2007, recommendation of award to **S.R. Bales** for construction of a new building at Fire Station #12 in support of the Alaska Land Mobile Radio System (ALMR) and Anchorage Wide Area Radio Network (AWARN) for the Municipality of Anchorage, Project Management & Engineering Department (ITB 27-C042 - $1,296,000); Purchasing.

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 661-2007, **2008/2009 Liquor License Renewals**: Gaslight Lounge #437; Avenue Bar #1184 – Beverage Dispensary, Chiang Mai Ultimate Thai Restaurant #4459 (Chugiak and Downtown Community Councils); Clerk's Office.

9.D.2. Assembly Memorandum No. AM 667-2007, an agreement to extend the length of the lease between the Municipality and Sunshine Plaza, LLC of **Bayles Way** for 55 years; Office of Economic & Community Development.

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

9.D.3. Assembly Memorandum No. AM 668-2007, proprietary purchase of fire station equipment from **Westnet, Inc.** for the Municipality of Anchorage, Anchorage Fire Department ($55,256.59), Purchasing.
9.D.4. Assembly Memorandum No. AM 669-2007, proprietary purchase from McKaig Evergreen Inc. for **Siemens SF6 circuit breaker** for the Municipality of Anchorage, Municipal Light and Power ($50,000); Purchasing.
9.D.5. Assembly Memorandum No. AM 670-2007, proprietary purchase from Watthour Engineering Co. Inc. for a **WECO electric test system** for the Municipality of Anchorage, Municipal Light and Power ($44,900); Purchasing.
9.D.6. Assembly Memorandum No. AM 671-2007, **Board of Building Regulation Examiners and Appeals (Building Board)** appointment (Tom Looney); Mayor's Office.
9.D.7. Assembly Memorandum No. AM 672-2007, **Education and Workforce Advisory Commission** appointments (Mike Andrews, Matthew Cook, Jan Gehler, Roger Hull); Mayor's Office.
9.D.8. Assembly Memorandum No. AM 673-2007, **Board of Ethics** appointments (William Falsey and Greg Kimura); Mayor's Office.
9.D.9. Assembly Memorandum No. AM 674-2007, **Military and Veterans Affairs Commission** appointment (Lee Cromwell); Mayor's Office.
9.D.10. Assembly Memorandum No. AM 675-2007, **Police and Fire Retiree Medical Pre-Funding Investment Board** appointments (Ross Risvold and Gregory Stokes); Mayor's Office.
9.D.11. Assembly Memorandum No. AM 676-2007, **Public Transit Advisory Board** appointment (Randy Virgin); Mayor's Office.
9.D.12. Assembly Memorandum No. AM 677-2007, **Salaries and Emoluments Commission** appointments (Patricia Abney, Heidi Drygas, Patricia Redmond, John Rense, Steve Rieger); Mayor's Office.

Mr. Claman requested this item be pulled to declare a possible conflict of interest. To Chair Coffey, Mr. Claman responded that he had no relation to one of the new appointments, who had the same name as his wife's cousin, who lived in New York. Chair Coffey stated that the appointee Steve Rieger was the former State Senator and ruled that Mr. Claman had no conflict of interest and ordered that he participate with the matter. There were no objections.

9.D.13. Assembly Memorandum No. AM 709-2007, **Executive Director of the Anchorage Community Development Authority** appointment (Ronald Pollock); Mayor's Office. ***(Addendum)***
9.D.14. Assembly Memorandum No. AM 710-2007, Change Order No. 3 to PO 261200 with Rossman Enterprises for the **Fire Station Apparatus Bay Ventilation Project** for the Municipality of Anchorage, Maintenance and Operations ($29,623.63); Purchasing. ***(Addendum)***

9.E. INFORMATION AND REPORTS
9.E.1. Information Memorandum No. AIM 100-2007, **Cook Inlet Ferry**; Assemblymember Tesche. ***(Addendum)***

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION
9.F.1. Ordinance No. AO 2007-142, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** (LRSA) at the Regular Municipal Election April 1, 2008 a ballot proposition approving the reduction of the number of members of the Mountain Park/Robin Hill LRSA Board of Supervisors from six (6) to five (5) members and amending Anchorage Municipal Code Section 27.20.280 accordingly; Maintenance & Operations Department. *(Public Hearing 12-11-07)*
a. Assembly Memorandum No. AM 687-2007.
9.F.2. Ordinance No. AO 2007-150, an ordinance amending Anchorage Municipal Code Subsections 21.09.040.F.4.d.ii and 21.40.510(d)(2)h. to amend the uses allowed under conditional uses in the **GIP (Girdwood Institutions and Parks) District** (Planning and Zoning Commission Case 2007-096); Planning Department. . *(Public Hearing 12-11-07)*
a. Assembly Memorandum No. AM 688-2007.
9.F.3. Ordinance No. AO 2007-151, an ordinance amending Anchorage Zoning Ordinance 94-235 (S-1)(AA), an ordinance that rezoned to PC (Planned Community) District and Master Development Plan for **Tract A of the Powder Reserve**, modifying the principal circulation requirements for access and street circulation regarding internal collector road standards and to insert references to Title 21 and the current municipal Design Criteria Manual (DCM) standards for collector streets, generally located within 126+- acres south of Eklutna Park Drive, containing Development Areas M, N, O, P and Q, generally located immediately southwest of the North Eagle River Interchange of the New Glenn Highway, located within portions of Sections 2, 35 and 36, T15N, R2W, S.M., Alaska (Birchwood/Eagle River Community Council) (Planning and Zoning Commission Case 2007-069); Planning Department. *(Public Hearing 12-11-07)*
a. Assembly Memorandum No. AM 689-2007.
9.F.4. Ordinance No. AO 2007-152, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 1, 2008, a ballot proposition amending Home Rule Charters Article XI, Section 11.02, **Election Procedures**, to require a run-off election if no candidate for the Office of Mayor receives more than fifty percent (50%) of the votes cast for the office; Assemblymember Sullivan. *(Public Hearing 1-22-08)*

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

9.F.5. Ordinance No. AO 2007-153, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 1, 2008, a ballot proposition amending the Home

Rule Charter Article IV, **The Assembly**, Section 4.02, Term, Membership and Qualification, to establish a three-year term if single member districts are established; and providing for shorter terms during implementation; Assemblymember Sullivan. *(Public Hearing 1-22-08)*

a. Assembly Memorandum No. AM 690-2007.

Deputy Municipal Manager Michael Abbott requested this item be pulled for review on the Regular Agenda. *(See item 10.F.5)*

9.F.6. Ordinance No. AO 2007-154, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 21.70, **Mobile Home Parks**, relating to dimensional requirements for additions to mobile homes, including accessory buildings, and minimum set back from other mobile homes, including their additions and accessory buildings; Assemblymember Ossiander and Starr. *(Public Hearing 1-08-08)*

a. Assembly Memorandum No. AM 691-2007.

Mr. Starr requested to be added as a cosponsor. Chair Coffey called for objections and there were none.

9.F.7. Resolution No. AR 2007-245, a resolution of the Municipality of Anchorage appropriating $1,114,257 as a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and appropriating $20,640 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism response and prevention equipment**. *(Public Hearing 11-27-07)*

a. Assembly Memorandum No. AM 683-2007.

9.F.8. Resolution No. AR 2007-246, a resolution of the Municipality of Anchorage appropriating $1,414,350 from the Alaska Department of Health and Social Services and a contribution of $109,000 from the 2007 Operating Budget Fund (101), Department of Health and Human Services as a match to the State Categorical Grants Fund (231) Department of Health and Human Services for the **Child Care Licensing Program**. *(Public Hearing 11-27-07)*

a. Assembly Memorandum No. AM 684-2007.

9.F.9. Resolution No. AR 2007-247, a resolution of the Municipality of Anchorage appropriating $1,278,081 as a grant award from the Alaska Department of Health and Social Services to the State Categorical Grants Fund (231) Department of Health and Human Services to fund the **Child Care Assistance Program**. *(Public Hearing 11-27-07)*

a. Assembly Memorandum No. AM 685-2007.

9.F.10. Resolution No. AR 2007-248, a resolution of the Municipality of Anchorage appropriating $125,000 as a supplemental grant from the U.S. Department of Health and Human Services to the Federal Categorical Grants Fund (241), Department of Health and Human Services to fund **HIV testing and counseling services**. *(Public Hearing 11-27-07)*

a. Assembly Memorandum No. AM 686-2007.

9.F.11. Ordinance No. AO 2007-159, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapters 15.80 and 15.85, relating to the **Motor Vehicle Emissions Inspection and Maintenance (I/M) Program**, to modify the program from biennial to quadrennial inspections, to exempt vehicle models 25-years-old or greater, to exempt the first newest 6 model years of vehicles, to allow for certain engine modifications, and to establish an effective date; Assemblymember Selkregg. ***(Laid on the Table)***

Chair Coffey stated that he was precluded from discussing the I/M issue because of a pre-determined conflict of interest.

Dr. Selkregg moved,	*to introduce* AO 2007-159 with Public Hearing set
Mr. Claman seconded,	for November 27, 2007,
Ms. Ossiander was the concurring third	

Chair Coffey called the Question on the remainder of the Consent Agenda.

and this motion, as amended, was passed.

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

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

END OF CONSENT AGENDA

10. REGULAR AGENDA

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.A.1. Resolution No. AR 2007-251, a resolution of the Anchorage Municipal Assembly and Mayor Begich honoring and thanking **Ted Kinney** for his contributions to the Chugiak-Eagle River Community. ***(Addendum)***

Ms. Ossiander moved,	to approve AR 2007-251,
Mr. Starr seconded,	
and this was passed without objection.	

Mr. Starr read and Ms. Ossiander presented the resolution to Ted Kinney, honoring him for his contributions to the Chugiak-Eagle River Community. Mr. Starr presented a letter from State Representative Bill Stoltze, who also thanked Mr. Kinney for his years of service. Mr. Birch thanked him for his service. Mr. Kinney responded that he and his wife had enjoyed the community for 28 years. He had enjoyed working with the staff, working on the Road Board, working on Title 21 and addressing unique cases in the area. Ms. Ossiander thanked him for his work, dedication and enthusiasm with the community council and his years of service to the community.

10.A.2. Resolution No. AR 2007-255, a resolution of the Municipality of Anchorage recognizing the **Government Hill Redevelopment Advisory Committee** for their work to revitalize one of Anchorage's oldest neighborhoods; Assemblymember Tesche. ***(Addendum)***

Mr. Traini moved, to approve AR 2007-255,
Mr. Tesche seconded,

Mr. Traini read and Mr. Tesche presented the resolution to Dave Shaftel, Chair and representing the Government Hill Redevelopment Advisory Committee, honoring them for their hard work and dedication to revitalize one of Anchorage's oldest neighborhoods. Committee members included Paul Laverty, Pat Claar, Bob French, Stephanie Kesler, Thomas Pease, Suzanne DiPietro, Dan Lowery, Steve Gerlek and Robert Atkinson. Mr. Shaftel thanked the Assembly and the Administration for recognition of their work on the Hollywood Vista site and the redevelopment of the commercial center. Chair Coffey stated the work that the committee completed on Government Hill was helpful to everyone. It was a magnificent area and would be a lovely development and a great addition. Dr. Selkregg stated that the area had a great view and stable ground and would be a prime place to live.

and this was approved without objection.

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

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

10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 667-2007, an agreement to extend the length of the lease between the Municipality and Sunshine Plaza, LLC of **Bayles Way** for 55 years; Office of Economic & Community Development.

Dr. Selkregg moved, to approve AM 667-2007,
Mr. Claman seconded,

Dr. Selkregg stated that she supported the lease, but thought a 55-year lease was a long time for property that would be very valuable someday. Economic and Community Development Deputy Director Schawna Thoma responded the mall was owned by Jimmy Wong, who was responsible for all the upgrades, reconstruction and maintenance. The original lease agreement, signed by Mayor Sullivan twenty years ago, had indicated that the pedestrian passageway be maintained as long as possible. Mr. Wong responded that he built the Sunshine Mall and the old Post Office Mall, which was now the designated downtown cultural center and he had recently invested $2 million for redevelopment. His plans were to consolidate the malls to develop an area like Pike Place Market in Seattle, with music and a pedestrian walkway connecting to the E Street Redevelopment, with no cost to the city.

Mr. Tesche stated that it was evident that the owner had made a substantial financial investment to upgrade this right-of-way, was working with the city and was taking responsibility for the development and maintenance, at no cost to the city. This was a win-win situation for the property owner and the city. He urged support for the 55-year lease.

To Dr. Selkregg, Mr. Wong responded that he had inherited the lease when he bought the property and he assumed that the property would be sold with the lease.

To Chair Coffey, Deputy Municipal Attorney Rhonda Westover responded the lease provided for the consent of the Municipality for any assignment. Dr. Selkregg responded that it was important to have the lease go with the property, because of the owner's proposed adjacent development opportunities.

To Dr. Selkregg, Ms. Westover responded that she would have to look closely at the lease for future provisions. Dr. Selkregg reiterated that 55 years was a long time for a lease.

Mr. Tesche moved, amend AM 667-2007 on Page 1, Line 27, *by adding* to read:
Mr. Traini seconded for discussion, "SAID LEASE TO BE BINDING ON SUCCESSORS AND THE ASSIGNS."

Mr. Tesche stated that if Mr. Wong signed the extended lease, he would agree that the lease terms which required preserving the public access would be binding on people who you might buy the property or people who might inherit the property. Mr. Wong concurred.

Mr. Claman questioned the 2026 lease, mentioned in the document.

Mr. Claman moved, *to continue* AM 667-2007 to November 27th,
Dr. Selkregg seconded,

Mr. Claman stated that the Assembly was asked to approve a lease, not to amend the lease. This could be rejected and a new lease could be rewritten.

To Mr. Tesche, Mr. Wong responded that he was trying to complete all of the site work and improvements by time the convention center was completed in 2008. Ms. Thoma responded she did not see a problem with the final agreement language. Mr. Tesche stated that Mr. Wong was investing $2 million dollars for the redevelopment and there was no reason to delay. He recommended support of the memorandum, as amended.

Mr. Birch supported the lease. All questions had been addressed that evening and it needed to be approved and the Assembly needed to move on.

Mr. Sullivan declared a potential conflict of interest because his father did some work for Mr. Wong and the development. To Chair Coffey, Mr. Sullivan responded that he did not have a financial interest, but a personal interest. Chair Coffey ruled that Mr. Sullivan did have a conflict of interest and excused him from further participation. There were no objections.

Chair Coffey requested that Vice Chair Ossiander assume the Chair, to allow him to speak to the matter. To Acting Chair Ossiander, Mr. Coffey responded that Mr. Wong was paying him for a sale of a property. Acting Chair Ossiander ruled that Mr. Coffey did not have a conflict of interest and ordered him to participate in the matter. There were no objections and Mr. Coffey resumed as Chair.

Dr. Selkregg would not support the motion to continue to November 27th. There was enough guidance and there was an agreement that could be worked out between the Administration and Mr. Wong. The Assembly had voiced their concerns.

To Chair Coffey, Ms. Westover responded the memorandum did not involve preparation of a lease, but was an amendment to the existing lease, extending for additional 55 years.

Chair Coffey put the Question on the Claman amendment to continue.

and the motion to continue failed, 1-9.

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

To Chair Coffey, Ms. Westover responded that additional language could be added at a later time.

Chair Coffey put the Question on the Tesche motion to amend,

and the motion passed unanimously, 10-0.

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

and the main motion, as amended, was passed without objection, 10-0.

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

10.E. INFORMATION AND REPORTS No items were pulled for review.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.4. Ordinance No. AO 2007-152, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 1, 2008, a ballot proposition amending Home Rule Charters Article XI, Section 11.02, **Election Procedures**, to require a run-off election if no candidate for the Office of Mayor receives more than fifty percent (50%) of the votes cast for the office; Assemblymember Sullivan. *(Public Hearing [~~1-22-08~~] 11-27-07)*

Mr. Sullivan moved, to approve AO 2007-152 with Public Hearing changed
Ms. Ossiander seconded, from [~~1-22-08~~] to "11-27-07,"

Mr. Traini requested a summary of economic effects.

Mr. Tesche requested that this matter be reviewed by the Elections Commission, through the Municipal Clerk's Office.

and this was approved without objection, 11-0.

10.F.5. Ordinance No. AO 2007-153, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 1, 2008, a ballot proposition amending the Home Rule Charter Article IV, **The Assembly**, Section 4.02, Term, Membership and Qualification, to establish a three-year term if single member districts are established; and providing for shorter terms during implementation; Assemblymember Sullivan. *(Public Hearing 1-22-08)*

a. Assembly Memorandum No. AM 690-2007.

Mr. Sullivan moved, to approve AO 2007-153 with Public Hearing set for
Mr. Traini seconded, January 22, 2008,

Deputy Municipal Manager Michael Abbott urged that the body consult with the Department of Justice on the development of AO 2007-153. To Chair Coffey, Mr. Abbott recommended that AO 2007-152 also be reviewed by the DOJ and stated that the matter could be handled by the Municipal Clerk's Office and the Municipal Attorney's Office.

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

Mr. Traini requested that summaries of economic effects be attached to both AO 2007-152 and AO 2007-153..

Mr. Tesche requested a review from the Elections Commission, through the Municipal Clerk's Office, particularly on AO 2007-153, because the implementation would require redrawing district lines and addressing Assemblymember's terms *(limits)*.

Municipal Clerk Barbara Gruenstein stated it was the practice for the Elections Commission to review any election ordinance and she would make sure they reviewed both ordinances.

Mr. Sullivan stated there would be a companion ordinance coming forth in a week or two that essentially established the procedure and details necessary for creating single-member districts. That could be done by a single vote of the Assembly and did not require a Charter Amendment. Changing the term for single-member distrcits to three years would require a Charter Amendment. The companion ordinance would also be reviewed by the Elections Commission.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Ordinance No. AO 2007-113, an ordinance adopting the **Anchorage Downtown Comprehensive Plan** as an element of the *Comprehensive Plan*, amending Anchorage Municipal Code Sections 21.05.030, and amending AO 2006-172, Attachment A, at Anchorage Municipal Code Section 21.01.080 (Planning and Zoning Commission Case 2007-076); Planning Department.

1. Assembly Memorandum No. AM 475-2007.

(Public Hearing Closed 9-25-07; Action Carried Over from 9-25-07, 10-9-07 and 10-23-07; Plan was Amended 10-23-07) (Continued to 12-11-07)

Chair Coffey stated Public Hearing was closed and a motion was on the floor. He set a 50-minute limit on the debate.

Ms. Ossiander had moved, to approve AO 2007-113,
Mr. Sullivan had seconded,

Ms. Ossiander proposed to amend the ordinance with portions of recommendations prepared by Planning Department staff, compiled in a document dated September 21st. The Assembly was in general agreement with the bulk of those recommendations. *(Clerk's Note: This document, entitled "Anchorage Downtown Comprehensive Plan - Recommended Line-Item Amendments to the March 2007 Public Hearing Draft," dated September 21, 2007, is referred to in the Meeting Minutes as "Recommended Line-Item Amendments.")*

Ms. Ossiander moved,
Mr. Sullivan seconded,
and this was passed without objection.

to amend AO 2007-113 *by adding* Recommended Line-Item Amendments, Numbers 16, 17, 18, 19, 20, 21, 22 and 23, beginning on Page 7, Line 28:

16. Pursuant to the *Issue #30* recommendations on page 55 of Attachment A, make the following changes to the draft plan:

a. Change the narrative on page 76 of the draft Plan as follows:

1. Street Conversions

Automobiles currently are the primary mode for access to Downtown Anchorage. While the Downtown Comprehensive Plan will improve access for other modes, automobiles are likely to remain the primary access mode for the foreseeable future. In addition, the freight movements that travel through Downtown benefit the regional economy and must be accommodated.

To address these issues, the planning team "evaluated the existing street network and identified weaknesses (listed on page 72) that would need to be addressed to improve circulation and support successful redevelopment of Downtown. The team used a transportation network modeling analysis to" develop[~~ed~~] and evaluate~~d~~ 10 alternative" scenarios [~~modeling alternative~~] "for potential" circulation systems for Downtown. "These scenarios tested the impact of changing the directionality and/or functional classifications of various streets in Downtown." [~~The purposes of the scenarios was to test many concepts and learn what works and what does not.~~] "Each scenario was evaluated based on its likely impact on: compatibility with land use and redevelopment goals; a quality pedestrian environment; regional through-trips; local traffic circulation; freight mobility; transit access; tour bus operations; and construction feasibility. The results are documented in Appendix D, Anchorage Downtown Transportation Analysis" [~~Before identifying a final recommendation, the planning team evaluated each scenario based on its effect on the pedestrian environment, land use compatibility, tour operators and passenger~~

~~circulation, regional through-trips, negative circulation, fright mobility, transit access and construction feasibility.~~] (new paragraph break)

"As a result of the transportation" [~~From this~~]analysis, a combination of key street conversions are recommended.–"These appear" [~~to improve mobility, access, safety and the economy in Downtown Anchorage. The recommended street conversions are illustrated~~] in the diagram on the opposite page and "are" described in the following pages. Some of the recommended street conversions can occur in the near term (9th Avenue, D Street, F Street), while others are dependent on unrelated improvements that must occur first (5th Avenue and 3rd Avenue). "In combination, these street conversions will:

- make street circulation in Downtown simpler and more intuitive;
- increase system capacity for local traffic circulation;
- improve transit access;
- increase transportation / land use compatibility;
- improve the pedestrian environment and pedestrian circulation;
- open more of the Core to less through-traffic and greater opportunities for redevelopment; and
- provide sufficient capacity for anticipated regional through-traffic and freight mobility."

[~~Though no conversions to the A/C couplet are identified due to its role in the state highway system, efforts should be made to calm traffic as it passes through Downtown, particularly at key intersections with heavy pedestrian movement.~~]

b. On page 77, revise the description of the D Street and F Street conversions to state:

The near-term conversion of D and F Streets to two-way traffic would improve traffic circulation "in part by reducing driver confusion and out-of direction travel."

c. Also on page 77, add language at the beginning of the description of 3rd Avenue conversion:

"This Plan recommends pursuing long-term opportunities to achieve the conversion of the 5th/ 6th Avenue couplet to a 3rd / 6th couplet. This will continue to provide for the highest speed and volumes of motor vehicle traffic, while in a location more compatible with high-density redevelopment and pedestrian circulation in the heart of the Downtown Core."

d. On page 80, add a sentence to the end of the last bullet:

"Calm traffic on the A/C Couplet at key intersections as it passes through Downtown."

17. Using the general guidance of the *Issue #32* recommendations on pages 30-31of Attachment A, amend the last bullet under the "Accommodate Tour Bus Operations" section on pages 86-87 as follows:

- Apply techniques as illustrated at right to provide adequate tour bus and luggage truck access and operations at key destinations. This illustration shows a two-way treatment of 3rd Avenue on the north side of the Hilton Hotel to accommodate bus loading and unloading. "Extension of this eastbound bus lane further east to C Street could provide an efficient route for departing tour buses." Luggage truck and tour bus loading and unloading could also be accommodated on F Street, as shown.

18. Pursuant to the *issue #34* recommendations on pages 31-32 and 56-58 of Attachment A, add a new two-page section of the Chapter 5 Transportation and Circulation chapter to identify a hierarchy of *street typologies* in the Downtown. Insert the new section after page 79 of the draft Plan, to follow the Street Conversions section.

    a. Using the general guidance of the recommended outline on pages 56-58, provide the following content:

    "**Street Typology**

    Functional classifications for streets have historically been based on the movement of motor vehicles. Consideration for adjacent land uses has been minimal in the functional classifications. The Anchorage Long-range Transportation Plan (LRTP) adopted in 2005 recognized the need for a more balanced street classification system that emphasizes adjacent land uses such as unique mixed-use environments like Downtown, and considers other transportation types, including walking, bicycling and transit.

    The LRTP identified several street typologies to augment traditional classifications like arterial and collector. Each street typology prioritizes various design elements (sidewalks, on-street parking, lane widths, etc.) by looking at factors related to both the adjacent land uses and the functional classification. The LRTP recommends that a determination of applicable street typology be established through municipal planning prior to future individual street improvement projects.

    General concepts for three possible Downtown street typologies are identified for consideration. These concepts derive from the LRTP, the Downtown Core Streets Streetscape Plan, the Downtown Districts Diagram, Street Network Strategy Diagram, Pedestrian and Bicycle Diagram and other transportation and circulation strategies of this Plan.

    These general concepts could be considered for possible further development and application as part of the public process to update the Downtown land use code. Because it is important that land uses interface with the adjacent streetscape in a Downtown environment, street typologies can provide useful guidance for how future on-site property development relates to the type of adjoining street. For example, there could be extra incentives for buildings on a *pedestrian-oriented mixed-use street* to have more frequent entrances, windows and active ground-floor uses.

    The general concepts that could be considered include:

    - *Mixed use street:* Most streets in Downtown tend to fit the LRTP description for mixed use streets. Mixed use streets are located in areas characterized by a mix of high-intensity commercial, retail and residential areas with substantial pedestrian activities. Mixed use streets emphasize pedestrian, bicycle and transit improvements, and frequently provide on-street parking and wider sidewalks, depending on the street's functional designation and the intensity of abutting land uses.

    - *Pedestrian oriented mixed use street:* The mixed use street typology can be further refined to emphasize the streets of highest pedestrian use. These streets would feather the widest sidewalks, with an unobstructed clear width of at least 8-12 feet where possible, as well as curb-bulb-outs, raised intersections, and other pedestrian amenities where warranted by adjacent activities and where right-of-way and resources allow.

    - *Residential oriented mixed use street:* The Residential oriented mixed use street is based on the LRTP mixed use and residential streets typologies, and follows on the Downtown Plan's proposed residential oriented sub-districts and urban design guidelines. These streets would feature on-street parking and tree lawns between the sidewalk and street curb. Landscaping and front porches between residential buildings and the street would be encouraged."

19. Pursuant to the *Issue #36* recommendation on page 33 of Appendix A, amend the third bullet on page 72 of the Plan as follows:

- High vehicular speeds on major couplets (A/C and 5th/6th) make pedestrians uncomfortable "and deter pedestrian use."

20. Pursuant to the *Issue #38* recommendations on pages 34-35 and 58-59 of Attachment A, and based on additional discussions with the Assembly Title 21 Rewrite Committee and Downtown Plan transportation planning consultants, change the recommended progressed speed on pages 81 and 129 of the draft Plan to read:

…"approximately" 20 MPH …

21. Pursuant to the *Issue #40* discussion on pages 60-61 of Attachment A, the following amendments to the transit center provisions in the draft Plan are recommended:

a. Provide a reference to pages 82 – 83 of the draft Plan at the very beginning of page 54:

- "The Downtown Plan recommends that the existing Transit Center be relocated or expanded (see page 82)."

b. Add the following bulleted statement to the section describing current conditions for connectivity and accessibility, in the second column of page 72:

- "The Downtown Transit Center is approaching its operational capacity. Bus loading, unloading and storage occupy street areas that could otherwise provide for pedestrian and traffic circulation."

22. Using the general guidance of the *Issue #42* recommendations on page 38 of Appendix A, add the following bulleted Transit Center Site Criteria to page 55 of the draft Plan:

- "Provide pedestrian connections to the Alaska Railroad Intermodal Facility and other key destinations;"
- "Ensure that the location is consistent with a potential Downtown Circulator loop route;"

23. Pursuant to the *Issue #43* recommendations on pages 38-39 of Attachment A, amend the draft Plan as follows:

a. Amend the last sentence in the left column of page 54 as follows:

- "The Transit Center should", to the extent its location and service capacity enable," [~~perhaps~~] serve not only local People Mover Buses but also "any regional bus transit services that may come into operation" and other bus lines servicing Southcentral Alaska residents such as the Homer [~~Stage Line~~], [~~the~~] Seward [~~Bus Line~~], and [~~the~~] Denali [~~B~~]"b"us [~~S~~]"s"ervice"s"."

b. Add the following site selection criteria to the second column on page 54. The Department has changed the first words in the bullet.

- "Where possible encourage adequate space to also accommodate other bus lines providing service to other communities in Southcentral Alaska."

Ms. Ossiander moved,
Mr. Sullivan seconded,
and this was amended,

to amend AO 2007-113 *by adding* Recommended Line-Item Amendments, Numbers 24, 25 and 26, beginning on Page 11, Line 6:

24. Pursuant to the Issue #44 recommendations on page 61 of Attachment A, amend the transit section on pages 82-83 of the Plan as follows:

3. Improve the Downtown Transit System

The increased density planned for the city center will significantly increase Downtown traffic volumes unless "the community provides" viable alternatives to driving [~~are provided~~]. "This Plan builds on city's Long-Range Transportation Plan (LRTP) objective to double the frequency of bus service over the next 20 years on many bus routes serving Downtown, as well as the LRTP projection that transit ridership will more than double during this period. This could result in a doubling of daily boardings and alightings in Downtown from 7,000 to 14,000 by 2025."

"In response, this section recommends expanding and/or relocating the transit center, initiating a Downtown bus circulator to extend the" [~~Transit should be perceived as the most effective means of extending the~~] distance people walk "to destinations throughout" [~~in~~] Downtown", and coordinating transit service with destinations and amenities." [~~Transit and share a ride programs should also be a viable alternative for Downtown commuters.~~]

"Expand" [~~Modernize~~] and/or Relocate the Transit Center

"The anticipated growth in the number of passengers creates a need for a larger transit center." The Municipality should conduct a Transit Center Relocation Feasibility Study to determine…;

25. Pursuant to the *Issue #45* recommendations on pages 61-62 of Attachment A, amend the last bullet in the left column on page 83 of the draft Plan:

    - As part of strategies for Downtown to be the city's center for accommodating visitors from all over Alaska, establish a non-stop express transit route connects the Alaska Native Medical Center and overall Universities/Medical District to Downtown. Pursue partnerships and/or other special funding strategies to avoid impacting transit service levels on regular routes.

26. Using the general guidance of the *Issue #47* discussion on pages 41 and 62 of Attachment A, amend the Parking section on page 73 of the draft Plan as follows:

    - **[~~The perception of Downtown's lack of parking is largely due to the timing of on-street parking meters and drivers' reluctance to park in surface lots or structures. Also, Anchorage does not charge the market rate for even the most convenient parking spaces in the center of downtown, contributing to problems of availability of parking in high demand locations.~~]**

    - Underutilization of parking supply may also be a result of a lack of wayfinding directional signage, poor pedestrian connections to destinations within Downtown, and unaffordable prices.

Ms. Ossiander moved, Mr. Sullivan seconded, and this was approved without objection.

to amend, *by deleting* the first bullet in Number 26, Page 11, Lines 31 to 34,

Dr. Selkregg stated that she had not looked at the document in the last 15 minutes and the motions were going too fast. More reference was needed to what was being amended.

Chair Coffey put the Question.

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

Ms. Ossiander moved, Mr. Sullivan seconded, and this was approved without objection.

to amend AO 2007-113 *by adding* Recommended Line-Item Amendments, Numbers 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, beginning on Page 11, Line 38:

27. Using the general guidance of the Issue #47 discussion on page 41 of Attachment A, amend the draft Plan as follows:

    a. Delete the first bullet on page 85 of the draft Plan.

b. Amend the last sentence on page 37 of the draft Plan as follows:

Existing and new public parking structures should be "located to capture motorists at the earliest and most convenient locations upon entering Downtown, and be linked to the high quality pedestrian connections throughout the core" [~~distributed throughout Downtown in order~~] to provide easy access and connectivity for residents, workers and visitors.

28. Using the general guidance of the *Issue #49* recommendation on page 42 of Attachment A, add the following bullet under the goal Design for density:

- "Access to open spaces can ameliorate higher densities."

29. Pursuant to the *Issue #52* recommendations on pages 43-44 of Attachment A, amend the first bullet page 93 of the draft Plan as follows. The Department has incorporated several revisions to simplify second sentence.

- Phase I (shown in red on map below): the "Downtown Plan process" [~~Municipality~~] has identified priority streets "for an ice-free" [~~in need of heated~~] sidewalks "system. Refinement of these priorities should be conducted through an ice-free (heated) sidewalk cost/feasibility/implementation study" [~~It should establish an Heated Sidewalk Analysis Master Plan~~].

30. Using the general guidance of the *Issue #53* response on page 44 of Attachment A, add a bullet to the top section of page 106, to read as follows:

- "Encourage the use of lighter colored building façade surfaces that can bring warm light to the sidewalk environment by refracting ambient light or low intensity façade illumination."

31. Using the general guidance of the Issue #54 response on page 45 of Attachment A, amend the Wind Protection Design Guidelines on page 104 as follows:

a. Amend the second-to-last bullet as follows:

- "Promote pedestrian arcades, sheltered transition areas or" [~~Design~~] overhead projections such as awnings/canopies to lessen wind impacts and the ground level.

b. Add a bullet that reads:

- "Promote consideration for adverse wind conditions in the location and orientation of street furniture and pedestrian amenities."

32. Pursuant to the Issue #56 recommendations on page 45 of Attachment A, amend the first bullet on page 102 of the draft Plan as follows. The Department has incorporated a revision to what Attachment A recommended, in order to clarify the intent of the amendment.

- Buildings should have a strong relationship to the street, with setbacks no wider than necessary to accommodate "sidewalk widths recommended in the *Sidewalk Widths* design guidelines of this chapter" [~~the pedestrian network~~…]

33. Using the general guidance of the Issue #57 response on page 46 of Attachment A, add a bulleted design guideline under "Massing and Stepping" on page 103 of the Plan, as follows:

- "Encourage roofs that are attractive and that can be used as outdoor spaces."

34. Pursuant to the Issue #59 recommendations on page 48 of Attachment A, replace the first bullet on page 108 of the draft Plan with the following language:

    - "Promote the use of structured parking to accommodate the parking spaces needed for development projects."

35. Pursuant to the Issue #60 recommendations on page 48 of Attachment A, amend the fifth bullet on page 108 of the draft Plan as follows:

    - Underground parking structures beneath residential uses can extend several feet above grade, as long as building entrances, "front stoops, first floor living spaces with windows facing the street," streetscape amenities and planting beds are not impacted

36. Pursuant to the Issue #61 recommendations on pages 48-49 of Attachment A, amend the draft Plan as follows:

    a. Add the following language to the bottom of the first column on page 123:

       "This Plan explains what needs to be done to revitalize Downtown over a twenty-year time horizon. While there is no guarantee that all of its strategies and action items will be achieved, the Municipality intends to make every effort to see that the Plan is realized."

    b. Add the following language to the narrative on page 124:

       "It is important to achieve all of the goals and strategies, and that all of the implementation actions in the schedules below be taken. However they are not intended to be taken all at one time. This is a twenty-year plan. The purpose of the implementation chapter is to identify the actions, responsible parties and general timeframes."

Ms. Ossiander stated that the following amendment included administrative corrections to the document, including spelling and technical errors.

Ms. Ossiander moved,
Mr. Sullivan seconded,

to amend AO 2007-113 *by adding* Recommended Line-Item Amendments on Pages 14 and 15, **Errata: Technical Edits and Clarifications,** These technical edits and clarifications are recommended on pages 63-64 of Attachment A., Numbers 37 to 62:

37. **Cover Page:** Add, "Destination Downtown:" to the top of the cover page above the main title and increase the visibility of the subtitle "Downtown Comprehensive Plan".

38. **Page 1:** Clarify the sentence in the second column by changing it to read, "Land uses must be coordinated to achieve their "greatest synergy and potential" [~~highest impact~~.]

39. **Page 6:** Due to a printing error the right-side column of text on page 6 was missing in the March 2007 public hearing draft. Recover the column content as it appeared in the January 2007 public review draft.

40. **Page 11, Settings, last bullet:** Change 'two season climate" to "four season climate".

41. **Page 28, second paragraph in the second column:** Correct the sentence as follows: "Each red rectangle (right) represents a"n" [~~Catalytic and~~] Opportunity Site within Downtown".

42. **Page 41, second-to-last goal:** Correct the last sentence as follows: 'Identify each sub-district of Downtown so each can further develop its own unique character, identity and function, and "so" they complement, rather than compete with each other.

43. **Page 43, second bullet:** Change [~~special needs people~~] to "people with special needs".

44. **Page 44, photo caption:** Move the caption underneath the picture.

45. **Page 66, first bullet:** Rephrase the supporting sentence for the strategy as an action sentence, as follows: Provide" safe, visible connections between civic plazas, parks and open space corridors "as an" [~~are~~] essential "part of the" [~~to a successful~~] parks and open space network.

46. **Page 48, second column:** Add period to the end of the first paragraph and add the word "Street" after 'Gambell' in the second paragraph.

47. **Page 49, first column:** Correct the blue text header 'fi' to read "Development Specifications"

48. **Page 49, second column:**
    - Change the first sentence in the paragraph at mid-page to, 'The Park Strip North "sub-"district is a prime opportunity…'
    - Change the third-to-last bullet to, '…5 to 7 stories "on" [~~between~~] north half of the block between 8th and 9th Avenues;'

49. **Page 50, Barrow Street sub-district:**
    - Change the second sentence in the description as follows, 'A small "sub-"district situated between the Downtown Core…; …has its own identity separate from the Park Strip "North" residences to the west…
    - Correct the blue text header 'fi' to read "Development Specifications"

50. **Page 50, Pioneer Slope sub-district:**
    - Delete the comma in first sentence.
    - Correct the blue text header "fi" to read "Development Specifications"

51. **Page 51, sidebar in right margin:** Add the missing title, "Catalytic Development Sites"

52. **Page 56, caption below bottom photo:** Change the second sentence to, 'Both the E Street [~~Opportunity Site~~] and [~~the~~] Sixth Avenue "Infill Development Sites" should incorporate…'

53. **Page 58, second bullet:** Change the last line to, '…E Street and 5th "and 6th" Avenue"s".'

54. **Page 59:**

    Change the second sentence in the first bullet to, 'No loading/unloading should occur on 5th "or 6th" Avenue"s" or E Street.'
    Change the last line of the second bullet to, '…Downtown "circulation and parking strategies of this" [~~Transportation~~] Plan.'

55. **Page 68:**

    Correct the name of the National Register Site n.2 to read: "Leopold" David [~~Leopold~~] House.
    Correct the name of the Historic Site h.2 to read: Delaney Park "Strip".

56. **Page 83, Tour Bus Drop-off Locations Diagram:** Move the drop off-location depicted on G Street north of 5th to south of 5th on the west side of the street next to the hotel.

57. **Page 92:** Delete the last two bullets which repeat previous information.

58. **Page 93:**

    Delete word [~~through~~] from the second bullet.
    Add a legend to the Viewshed and Vantage Point Diagram which explains features on the map.
    Add a Vantage Point asterisk symbol to Resolution Park (at the corner of 3rd and L).

59. **Page 94, sidewalk widths:**

Change the first bullet to read, 'Maintain a pedestrian clear zone of a minimum "width" of six feet on all sidewalks (left).'

Change the third bullet to, '…consider "converting one on-street parking space into a bulb-out with a" [~~constructing~~] tree[~~d~~] planting [~~beds in place of one parking space~~]'.

60. **Page 101, Pedestrian Shelter:** An illustration depicting the concept of a covered arcade which appeared in previous drafts had to be removed from the public hearing draft shortly before release to make way for technical edits and clarifications to the narrative content of the section. Additional informational/explanatory illustrations including photographic examples of arcades, awnings and canopies which were intended to be added were not due to lack of space and time. Planning recommends expanding the "Pedestrian Shelter" section to span two pages in order to provide adequate room for the informational illustration and photographs missing from the public hearing draft. This graphic improvement would help illustrate what is meant by an "arcade", "canopy" or "awning" and would not change the narrative text or policy content of the section.

61. **Page 104, wind protection:**

Correct the second to last bullet to read, '…to lessen wind impacts "at" [~~and~~] the ground level.'

The last bullet is a nonsensical sentence fragment. Delete.

62. **Page 112, Wayfinding Signage:** Move this section to be the last section of urban design guidelines which address the public realm. It is a streetscape/public realm design guideline which organizationally does not belong at the end of the "building design" guidelines.

To Mr. Claman, Ms. Ossiander responded these recommended corrections were prepared by the Administration and seemed fine to her. Chair Coffey responded the corrections appeared to be technical rather than substantive.

To Dr. Selkregg, Ms. Ossiander responded that reducing speeds downtown had been addressed in Amendment Number 20. The language of '20 miles per hour or less' had been discussed by the Committee, which had recommended changing to "approximately 20 miles per hour or less" to which Planning staff had agreed.

Mr. Tesche supported the recommended amendments.

and the motion was approved without objection.

Ms. Ossiander stated that the Assembly had heard testimony from the Trucking Association, which urged that trucking routes be addressed. Planning staff had recommended three amendments, following their review. The Administration, the Planning Department and the Trucking Association were in agreement on these additions. *(Clerk's Note: This document, entitled "Anchorage Downtown Comprehensive Plan - Recommended Amendments regarding Trucking Routes" outlined in a memorandum from Planning Director Tom Nelson, dated October 9, 2007, is referred to in the Meeting Minutes as "Recommended Amendments regarding Trucking Routes.")*

Ms. Ossiander moved,
Mr. Sullivan seconded,
and this was approved without objection.

to amend AO 2007-113 *by adding* Recommended Amendments regarding Trucking Routes, to read:

1. Amend the first bullet in the right-hand column of page 78 of the draft Plan, under the section entitled "Convert 3rd Avenue to one-way westbound traffic", to read as follows:

   - "Phase out West 3rd Avenue and L Street as a through-truck route, in conjunction with improvements to the existing street network outside the Downtown area which make other truck routes more feasible and attractive in terms of travel time, traffic flow, turning movements and safety. After such phase-out", truck traffic "on West 3rd Avenue" should be limited to local access only.;

Ms. Ossiander moved,
Mr. Sullivan seconded,

to amend AO 2007-113 *by adding* Recommended Amendments regarding Trucking Routes, to read:

2. Add a new bullet in the right-hand column of page 78 of the draft Plan just below the amended bullet above, to read as follows:

- "In conjunction with the planned conversion of 3rd Avenue, reconfigure the intersection of 4th Avenue and C Street to allow for safer and more efficient eastbound truck turning movements and to preserve an outbound truck route to Gambell Street and the Glenn Highway."

3. Correct the Street Network Strategy Diagram on page 77 of the Draft Plan to depict 4th Avenue east of A Street as one-way eastbound.;

Chair Coffey stated these amendments had come from the Trucking Association and he urged support.

and this was approved without objection, 11-0.

Mr. Sullivan stated that the following language had been proposed by Mr. Nelson and prepared by the Planning Department staff and was acceptable to KABATA. *(Clerk's Note: This document, entitled "Anchorage Downtown Comprehensive Plan - Recommended Line-Item Amendments to the March 2007 Public Hearing Draft," dated September 21, 2007, is referred to in the Meeting Minutes as "Recommended Line-Item Amendments.")*

Mr. Sullivan moved, to amend AO 2007-113 *by adding* Recommended Line-Item Amendment, Number 15 on Page 7, beginning on Line 15:
Mr. Bauer seconded,

15. Pursuant to the *Issue #28* recommendations on pages 27-28 and 55 of Attachment A, replace the last two bullets on page 72 of the draft Plan with the following:

- "The planned Seward/Glenn Highways "Freeway-to-Freeway Connection" could have significant benefits to Downtown, increasing redevelopment potential in Downtown and neighboring Fairview by alleviating the regional through-traffic in these areas."

  The proposed Knik Arm Crossing should be directly incorporated into the Freeway-to-Freeway Connection, to ensure an integrated regional transportation system involving both projects. If a Knik Arm Crossing were instead connected directly to the A/C couplet, it would carry much more regional through traffic, gravel and freight through the Downtown Core. This would negatively impact local circulation and the potential for high-density mixed-use redevelopment."

- [~~The proposed Knik Arm Crossing should be directly incorporated into the Freeway-to-Freeway Connection, to ensure an integrated regional transportation system involving both projects. If a Knik Arm Crossing were instead connected directly to the A/C couplet, it would carry much more regional through traffic, gravel and freight through the Downtown Core. This would negatively impact local circulation and the potential for high-density mixed-use redevelopment."~~] "The proposed Knik Arm Crossing should be incorporated into the Freeway to Freeway Connection to ensure an integrated regional transportation system. If the Knik Arm Crossing were to ultimately remain connected only to the A/C couplet, it will carry more regional traffic through the Downtown Core. This could negatively impact local circulation and the potential for high-density mixed-use development."

Chair Coffey stated that the Assembly had previously approved amendments to the second bulleted portion of the amendment, but the main motion had failed.

To Mr. Tesche, Senior Planner Tom Davis responded that Mr. Nelson had discussed the proposed amendment with KABATA representatives, who had indicated the amendment was acceptable, subject to deleting 'when necessary' on Lines 1 and 2 and substituting 'might' with 'will' on Line 4. To Mr. Tesche, Office of Economic and Community Development Director Mary Jane Michael responded that the Administration supported the use of '*will* negatively impact,' in the last sentence. Mr. Tesche so moved.

Mr. Tesche moved, to amend the Sullivan Amendment *by changing* the last sentence to read:
Mr. Claman seconded,

- "The proposed Knik Arm Crossing should be incorporated into the Freeway to Freeway Connection to ensure an integrated regional transportation system. If the Knik Arm Crossing were to ultimately remain connected only to the A/C couplet, it will carry more regional traffic through the Downtown Core. This [~~could~~] **"will"** negatively impact local circulation and the potential for high-density mixed-use development."

Mr. Tesche stated it was a virtual certainty that if the Knik Arm Crossing was connected with the A/C Couplet, Downtown will be negatively impacted. This was not based on speculation. C Street and A Street would have the entire impact. The use of *could* was a weasel word and he urged that the amendment be direct and simple.

Dr. Selkregg stated the real issue was to make sure that as KABATA built the bridge, KABATA would be committed to figuring out how to pay for the cost of connecting to the Freeway-to-Freeway. The body needed to be thoughtful about changing words that made that responsibility fuzzy.

Mr. Sullivan stated that an amendment to Number 15 had previously failed on October 23rd and the original language was the operative language before the body. The proposed language had been carefully thought out and drafted by Mr. Nelson and agreed upon by KABATA and there should not be consideration for further changes. One of the main keys to make sure that downtown intersections would remain at an acceptable level of service was the construction of the Freeway-to-Freeway system, connecting the Glenn and Seward Highways, which would divert much traffic from Downtown. Even with the Knik Arm Crossing connecting to the A/C Couplet, there would be no significant loss of service as long as the Freeway-to-Freeway was built. Use of 'could' was appropriate.

Mr. Tesche stated that the Assembly wrote the ordinances and made the plans for Downtown, not Mr. Nelson and not KABATA or the Planning Department. He opposed the use of 'could' and supported 'will'. If the Knik Arm Crossing was built and if the traffic used the A/C Couplet, rather than the Gambell-Ingra Connection, there would be problems Downtown.

To Mr. Claman, Mayor Begich responded that he opposed the use of 'could' and supported the use of 'will'. Mr. Claman stated the language approved had previously supported use of 'would' which carried the same weight as 'will'.

Dr. Selkregg supported use of 'will' because the Assembly needed to be clear that traffic going through Downtown would be a negative impact. The Highway-to-Highway Connection needed to be built so the traffic would not impact Downtown.

Mr. Sullivan stated that the Assembly often relied upon the Administration and staff to recommend appropriate professional document language. The proposed language was a collaborative effort. Mary Ann Pease representing KABATA responded that the proposed language had a different meaning. The agreement included the Freeway-to-Freeway Connection, deleting language 'when necessary' and made it ultimately clear that the Freeway-to-Freeway Connection would be a part of the project and the traffic would ultimately be diverted by one-third by the A/C Couplet and by two-thirds with the Ingra-Gambell. Use of 'could' was the appropriate language.

Dr. Selkregg questioned the use of 'ultimately'.

Chair Coffey put the Question on the Tesche Amendment to the Sullivan Amendment.

Mr. Sullivan urged a NO-vote.

Mayor Begich stated that the Administration supported use of 'will'.

and this motion failed, 4-7.

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

To Mr. Claman, Ms. Pease responded the previous language, drafted by the Planning and Zoning staff, had a different intent than what was supported by KABATA. The proposed language in the Sullivan Amendment was compromise language. Mr. Claman questioned whether this amendment would allow KABATA to be able to add to the bridge project the approximately $250 million needed to build the Ingra-Gambell Connection. The majority of the Assembly had made it clear that the $250 million or more would be included in the original financing proposal. Ms. Pease responded that the Ingra-Gambell Connection was included in the final draft environmental impact statement and the planning and design documents. The funding for that connection was part of what went out to the private investors. The Assembly had previously approved incorporating the Knik Arm Crossing directly into the Freeway-to-Freeway Connection, with no mention of the A/C Couplet. The proposed language was a compromise, incorporating both the Freeway-to-Freeway and the A/C Couplet, rather than mentioning one connection into Ingra-Gambell. Mr. Claman stated that if the bridge was built there would be connections to both Ingra-Gambell and to the A/C Couplet. Ms. Pease concurred. To Mr. Claman, Mayor Begich responded the language approved by the Assembly allowed the A/C Couplet and, at a certain point based on traffic, the connection to Ingra-Gambell, as was included in the original LRTP. The A/C Couplet had never been the only proposed connection. In order for the Knik Arm Bridge to be financially viable, KABATA would hit a certain point of traffic which would exceed the A/C Couplet capacity. That was when the connection would be needed to Ingra-Gambell, which needed to be included in the current plan.

Mr. Claman moved, to amend the Sullivan Amendment *by changing* the last
Mr. Tesche seconded, sentence to read:

- "The proposed Knik Arm Crossing should be incorporated into the Freeway to Freeway Connection to ensure an integrated regional transportation system. If the Knik Arm Crossing were to **[~~ultimately~~]** remain connected only to the A/C couplet, it will carry more regional traffic through the

<u>Downtown Core. This could negatively impact local circulation and the potential for high-density mixed-use development.</u>"

Mr. Claman stated that the use 'ultimately' confused the issue further.

Mr. Tesche supported the amendment.

Ms. Ossiander stated that fundamentally, there was not much difference. This was only a planning document and not a decision-making issue. This was arguing over a very general plan that was only generally applicable. Both sides agreed that the Freeway-to-Freeway Connection was essential, which was the essence of the argument. She urged the Assembly to move on.

To Chair Coffey, Ms. Ossiander responded that the ultimate determination would come from AMATS, rather from this general plan. Mr. Sullivan concurred. Mayor Begich responded that the function of AMATS included reviewing and considering all documents and recommendations, including those from the Assembly.

Chair Coffey stated that Lines 22 to 27 indicated that the Knik Arm Crossing would go directly into the Freeway-to-Freeway Connection. On Line 24, including 'instead' was problematic because it became an either A/C Couplet or Ingra-Gambell Connection. It should not be an either-or deal.

To Mr. Sullivan, Ms. Pease responded that removing 'ultimately' had no impact and did not affect KABATA's position.

the motion was approved without objection.

Dr. Selkregg stated the first sentence was the most important and the next two sentences were not needed.

To Mr. Tesche, Mayor Begich responded that he preferred removing 'instead', which only caused more wiggle room, which was problematic.

Mr. Birch called the Question. There were no objections.

Chair Coffey put the Question on the motion to approve the Sullivan Amendment.

and the motion, as amended, was passed, 9-2.

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

Mr. Traini recommended taking up the I/M issue, Agenda item 11.B.

Mr. Traini moved, *to take up* the I/M issue, AO 2007-122(S), item 11.B, and *to continue* the Downtown Comprehensive Plan later in the meeting,
Mr. Sullivan seconded,

Ms. Ossiander urged that the Downtown Comprehensive Plan be completed. Dr. Selkregg responded the public was waiting to address other things on the Agenda and The Downtown Plan could be completed later.

To Chair Coffey, Deputy Municipal Manager Michael Abbott responded that completing the Downtown Plan that evening was not an immediate necessity.

Chair Coffey stated that the Assembly had exceeded his set time limitation of fifty minutes for the Downtown Plan. To Mr. Sullivan, he responded there were many amendments remaining. Chair Coffey stated that the Downtown Comprehensive Plan could be set aside until the end of the meeting and he put the Question to the Traini motion.

and the motion was approved without objection.

(Clerk's Note: Following completion of Agenda item 14.I, the Assembly took up AO 2007-113)

Mr. Traini moved, *to continue* AO 2007-113, item 11.A, to December 11, 2007,
Mr. Sullivan seconded,
and this was approved without objection.

Mr. Sullivan moved, *to Change the Order of the Day* to take up Agenda items 14.K, 14.L, 14,M, 14.N, 13.D and 13.E,
Mr. Traini seconded,
and this was approved without objection.

(Clerk's Note: Chair Coffey led the body to take up the Agenda these items, beginning with 14.K.)

11.B. <u>Ordinance No. AO 2007-122(S)</u>, an ordinance repealing Anchorage Municipal Code Chapters 15.80 and 15.85, relating to **Motor Vehicle Emissions Inspection and Maintenance (I/M) Program**; amending section 9.30.155 to repeal reference to I/M certification; and amending the fine schedule at Section 14.60.030; Assemblymembers Traini, Starr, Ossiander and Sullivan.
(Public Hearing Closed 10-9-07; Action was Carried Over From 10-9-07 and 10-23-07)

Chair Coffey stated there was a motion to approve AO 2007-122(S) on the floor.

Mr. Traini had moved, to approve AO 2007-122(S), Mr. Birch had seconded,

Mr. Claman moved, *to postpone* AO 2007-122(S) to November 27, 2007,
Dr. Selkregg seconded,

Mr. Claman stated that there had been much discussion on this matter and Dr. Selkregg had submitted a new, modified ordinance to continue the I/M Program with proposed modifications consistent with the Task Force recommendations. It would be appropriate to consider both ordinances together. Chair Coffey responded that Public Hearing was already closed on AO 2007-122(S).

Mr. Traini stated the Assembly had reviewed this matter in depth and it needed to be taken up and voted on that evening. The public did not need another delay. The I/M issue had been carried over to so many Assembly meetings, that if it was not addressed that evening it would die. To Chair Coffey, Assembly Counsel Julia Tucker responded that the I/M issue could be postponed to a date-certain, to preserve it from dying. Mr. Traini urged that that matter be taken up that evening. Assemblymembers understood the issue and knew their positions.

Chair Coffey stated that he needed to recuse himself because the Assembly had determined that he had a conflict of interest because he was currently receiving payment from the sale of his four Express Lube businesses to a person who conducted I/M testing.

Acting Chair Ossiander called for discussion on postponing.

Mr. Birch opposed postponing. The ordinance had an effective date of December 31, 2009 and was contingent upon the Environmental Protection Agency duly accepting and approving the termination of the program. The program had done its job and if it was needed in the future, the Assembly could bring it back. He urged approval of the ordinance.

Dr. Selkregg supported postponing. Mr. Traini's ordinance had been prepared before the Assembly had received the report from the I/M Committee, which had made recommendations for alternatives to make it less expensive. Thirty-eight states had pursued a modified program after meeting compliance. There was discussion remaining on options and how to proceed.

Mr. Claman stated that having an effective date of December 31, 2009 would support continuing discussion and there was no rush to resolve this matter. He supported postponing because there were many people present that evening to testify to the budget.

Mr. Starr opposed postponing. He had been on the I/M Task Force and the issue was vetted and there was not a unanimous decision among members. The I/M Committee had submitted a report. The Assembly had heard public testimony and Public Hearing was closed. There was no value in reworking the matter and he supported taking up the matter that evening.

Mr. Traini opposed postponing and he did not intend to debate the issue. The I/M Program needed to be repealed, just as the Fairbanks Assembly had done the preceding week.

Acting Chair Ossiander put the Question on the motion to postpone.

and the motion failed, 2-8.

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

Acting Chair Ossiander called for debate on the matter.

Dr. Selkregg stated it would be bad public policy to repeal this program. The entire world was addressing global warming issues and addressing ways to clean up the air and reduce emissions. The I/M Program worked successfully in terms of cleaning up the air and many small businesses were invested *(in providing this service).* There were cases of increased asthma associated with close proximity to roads with higher vehicle emissions. The city had the option to exceed the standards. The program paid for the monitoring of emissions. In eleven years there would be new federal standards and the program would need to be recreated. Surveys in the community indicate that most people supported it. There was no good reason to repeal the program and she urged the Assembly to consider alternatives.

Mr. Starr stated that he joined sponsorship of the ordinance after he diligently participated with the I/M Task Force. The information was well presented, including the Sierra Report, sponsored by the Municipality, which indicated the air quality level increasing, regardless if the I/M Program was continued or not. He thought the federal government would continue their grant support for studying air quality. The state needed to address the fuel blend mixture, including control of benzene levels. There was much air pollution that was out of the city's control. The program had done its job, with a cost to the city of $58 million, and he supported repealing the program.

Mr. Claman moved, to amend AO 2007-122(S) on Page 4, Section 5, Line 5, *by*
Dr. Selkregg seconded, *adding* a sentence to read: "<u>The termination plan shall include an alternative funding source for the continuation of the Anchorage Air Quality Testing Program.</u>;"

Mr. Claman stated it was apparent at the worksession that part of the I/M testing funds paid for the air quality testing, on top of the federal funding, which may or may not be available in the future. The cost to the Municipality was up to $350,000, which was collected through the I/M Program as a user fee. The amendment would require the Administration to review an alternate funding source for the city's cost, independent of property tax revenue.

Mr. Traini stated that the Assembly needed to vote down the amendment and vote on the main issue. The government was good at creating programs that lasted forever, even after the programs had achieved their goal. He would not support the amendment.

Mr. Starr stated that eliminating the program would allow an opportunity to cut labor finance costs. The city would continue to receive federal grant of $781,114 through the state for public awareness campaigns on ways to reduce winter air pollution. It was frustrating to have that money spent on commercials. The amendment did not address changing public policy and he would not support.

Mr. Birch opposed the amendment. Additional money needed for the program would not be needed until January 1, 2010, and revenues could be addressed in future budget cycles when it was necessary.

To Dr. Selkregg, Health and Human Services Director Diane Ingle responded that federal money funded the Plug@20 Program, air quality monitoring and other special studies. The core functions of the air quality monitoring program maintained by HHS were funded by EPA, appropriated by the state, and matched with municipal money. Air Quality Supervisor and Acting Environmental Health Division Manager Steve Morris responded $323,000 from the I/M Program was used to support the base monitoring program, which was required each year in order to get the annual EPA grant. Dr. Selkregg stated that now the city would have to come up with that money. Mr. Morris concurred.

To Mr. Claman, Ms. Ingle responded the federal grant of $781,000 was not used for the basic air monitoring-testing program, which was paid for by the city. Ms. Ingle responded the base air monitoring program was paid from the I/M Program and different federal funds. Mr. Claman stated that in 2010 the city would have to come up with the $323,000 to pay for the air quality testing. Ms. Ingle concurred.

Mr. Traini called the Question on the motion to amend.

Acting Chair Ossiander called for objections and there were no objections. She put the Question.

and the motion failed, 2-8.

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

Mr. Traini called the Question on the main motion.

Acting Chair Ossiander called for a vote on calling the Question.

Mr. Sullivan urged a YES-vote.

and calling the Question passed, 8-2.

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

Acting Chair Ossiander put the Question on the main motion.

and the main motion was passed, 8-2.

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

Mr. Sullivan moved for immediate reconsideration and urged a NO-vote.

Mr. Sullivan moved, *for immediate reconsideration* of AO 2007-122(S),
Mr. Bauer seconded
and the motion failed, 2-8.

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

Chair Coffey resumed as Assembly Chair and called for a motion to Change the Order of the Day to take up the budget items.

Mr. Bauer moved, to Change the Order of the Day to take up 14.A
Mr. Sullivan seconded, through 14.G,
and this was approved without objection.

12. APPEARANCE REQUESTS None.

13. CONTINUED PUBLIC HEARINGS

13.A. Resolution No. AR 2007-217, a resolution ratifying a five year and four month collective bargaining agreement between the Municipality of Anchorage and the **International Brotherhood of Teamsters, Local 959**; Employee Relations Department.

1. Assembly Memorandum No. AM 587-2007. *(Carried Over From 10-23-07)*

Chair Coffey read the resolution title and opened Public Hearing.

TIM MORGAN, Business Representative with Teamsters, Local 959 and Chief Union Contract Negotiator, testified in support of the proposed contract before the Assembly. The contract represented the combined efforts of the city and the union. It was fair and responsible and gave stability to municipal employees and the taxpayers.

BARBARA HUFF-TUCKNESS, Director of Government and Legislative Affairs for Teamsters, Local 959, testified in support of AR 2007-217. The agreement had been negotiated in good faith, following city guidelines. The agreement had been settled under terms and conditions including the employees' agreeing to pay 50% of the increased costs and some out-of-pocket expenses for healthcare. She and Mr. Morgan urged the Assembly to take action on the matter that evening.

Mr. Traini declared a possible conflict of interest because he had two sons who were Teamsters. To Chair Coffey, Mr. Traini responded that he did not have a financial interest, but had a personal interest. He responded that he could act with independent judgment on this matter. Chair Coffey stated the Assembly had ruled on other similar circumstances and it had been determined there was an appearance of a conflict of interest.

To Dr. Selkregg, Mr. Traini responded that his sons would not be affected by this contract.

Chair Coffey ruled that Mr Traini did not have a conflict of interest and ordered that he participate fully in the matter. There were no objections.

Ms. Ossiander declared a possible conflict of interest because her husband was a Teamster. Her husband was not a city employee and would not be affected by the contract. Chair Coffey ruled that Ms. Ossiander did not have a conflict of interest and ordered that she participate fully in the matter. There were no objections.

With no additional public testimony, Chair Coffey closed Public Hearing and put the Question.

Mr. Birch moved, *to postpone* AR 2007-217 to November 27, 2007,
Ms. Johnston seconded,

Mr. Tesche stated there was no reason to delay approval of the contract and he requested an explanation.

Mr. Claman stated the Administration had requested the contract be acted upon that evening.

Dr. Selkregg stated that it appeared that all information was included in the contract and there was no positive reason to extend action to November 27th.

Mr. Traini opposed continuing to the 27th. He supported taking it up that evening.

To Mr. Tesche, Ms. Johnston responded that she had offered a second to the motion to allow discussion and she was not ready to make a commitment on a labor agreement until the budget process was completed.

Mr. Birch stated that his initial review of an Internal Audit report on Teamster contract costs caused him grave concern, including issues of binding arbitration and the contract proposed extension to 2012, with a proposed 20% increase. He wanted to continue his review of the Audit report.

To Chair Coffey, Deputy Municipal Manager Michael Abbott urged that the Assembly act upon the contract that evening. The contract had been negotiated that summer and was presented to the Assembly in September. Many subsequent contracts would be based on this contract. Further delay needed to be justified.

To Mr. Traini, Chair Coffey and Mr. Birch responded that binding arbitration was addressed in the contract on Page 1 under Section 1.

Mr. Starr stated that if this contract reflected what was expected for Solid Waste Services, he would question the contract and the Assembly needed to address the matter. To Mr. Starr's question, Mr. Abbott responded that he did not believe that Solid Waste Services could be bifurcated from the contract.

Mr. Birch stated that this contract affected a small number of people, but the procedures and policies that were established with this contract would affect other bargaining units. It included a 20% wage increase, an 8% increase to leave time and a 20% increase to longevity. The Assembly needed to take responsibility, by taking a look what the ultimate costs would be to ratepayers and taxpayers. This contract would set the ground work for other contracts and the Assembly needed to review the benefits.

To Dr. Selkregg, Mayor Begich responded that comparisons on increases with state departments and the Anchorage School District were on Page 2.

Ms. Ossiander called a Point of Order and stated that the Assembly needed to take up the Valley River Center and there was 15 minutes left in the meeting.

Chair Coffey put the Question.

and the motion to postpone was passed, 7-4.

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

(Clerk's Note: See Agenda item 13.A, following Continued Public Hearing, for related details on Changing the Order of the Day to take up time-sensitive items that needed to be addressed that evening. Chair Coffey led the body to take up those items, beginning with 14.I)

13.B. Ordinance No. AO 2007-116, an ordinance of the Anchorage Municipal Assembly to provisionally adopt a new Chapter 21.12, **Nonconformities**, amending Anchorage Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of Title 21; Assembly Vice-Chair Ossiander.

1. Assembly Memorandum No. AM 500-2007.
2. Information Memorandum No. AIM 97-2007, AO 2007-116, Title 21 Rewrite, Chapter 21.12, *Nonconformities*, Planning Department. *(Carried Over From 10-23-07)*

(Clerk's Note: Due to a lack of time, AR 2007-195 was Carried Over to November 13, 2007.)

13.C. Ordinance No. AO 2007-131, an ordinance of the Anchorage Municipal Assembly adopting Anchorage Municipal Code Section 21.08.060, **Subdivision Agreements**, effective retroactive to June 12, 2007, the date of Assembly approval of AO 2007-82; Assembly Vice-Chair Ossiander. *(Carried Over From 10-23-07)*

Chair Coffey stated that the Assembly had addressed this matter before, but had failed to set an effective date. He read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public Hearing.

Mr. Sullivan moved, to approve AO 2007-131,
Mr. Bauer seconded,
and this was approved without objection.

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

Mr. Sullivan moved, to Change the Order of the Day to take up Audience
Mr. Traini seconded, Participation, Agenda item 17, and then adjourn the meeting,
and this was unanimously approved.

(Clerk's Note: See Agenda Item 17, for details of the Audience Participation.)

13.D. Resolution No. AR 2007-221, a resolution of the Municipality of Anchorage appropriating $421,872 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant, and appropriating $7,820 from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department 2007 Operating Budget as a contribution to the Federal Categorical Grants Fund (241) Anchorage Police Department, for the purpose of underwriting projects to **reduce crime and improve public safety**.

1. Assembly Memorandum No. AM 597-2007. *(Carried Over From 10-23-07)*

Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public Hearing.

Mr. Traini moved, to approve AR 2007-221,
Mr. Claman seconded,
and this was approved without objection.

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

13.E. Resolution No. AR 2007-222, a resolution of the Municipality of Anchorage appropriating $1,507,689 as a federal pass-through grant from the Alaska Department of Fish & Game Southeast Sustainable Salmon Fund to the Areawide General CIP Fund (401), Project Management & Engineering Department, for the **Little Campbell Creek Fish Passage Improvement Project**.

1. Assembly Memorandum No. AM 598-2007. *(Carried Over From 10-23-07)*

Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public Hearing.

Dr. Selkregg moved, to approve AR 2007-222,
Mr. Traini seconded,
and this was approved without objection.

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

Ms. Ossiander moved, to Change the Order of the Day to take up 13.C.
Mr. Bauer seconded,
and this was approved without objection.

(Clerk's Note: See Agenda item 13.C for details of Assembly Action.)

13.F. Resolution No. AR 2007-195, a resolution of the Municipality of Anchorage granting **KAPP, LLC** a ten-year real property tax exemption and a consecutive five-year tax deferral for redevelopment of certain deteriorated real property subject to certain conditions precedent; Assemblymember Tesche.

(Continued From 9-25-07)

(Clerk's Note: Due to a lack of time, AR 2007-195 was Carried Over to November 13, 2007.)

13.G. Ordinance No. AO 2007-118, an ordinance adopting the **3500 Tudor Road Master Plan** as an element of *Anchorage 2020* – the Anchorage Bowl Comprehensive Plan and amending Anchorage Municipal Code Chapter 21; Traffic Department.
1. Assembly Memorandum No. AM 505-2007.
(Carried Over From 9-25-07; Continued From 10-9-07; Carried Over From 10-23-07)

(Clerk's Note: Due to a lack of time, AO 2007-118 was Carried Over to November 13, 2007.)

13.H. Ordinance No. AO 2007-23, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 21.87, **Subdivision Agreements**, to specify use of stop work orders in the enforcement of subdivision agreements, add provisions to the subdivision agreements, and provide for enforcement jurisdiction by the Building Board; amending Chapter 23.10, Anchorage Administrative Code, to add specificity to stop work orders and to authorize the Building Board to hear appeals under Subdivision Agreements and Stop Work Orders, with judicial appeal to the superior court; and setting a time certain for the production of regulations establishing the timetable and schedule for review and approval of engineering design plans for work under subdivision agreements (Planning & Zoning Commission Case 2007-043); Assemblymembers Sullivan, Coffey and Bauer.
1. Assembly Memorandum No. AM 74-2007. *(Carried Over From 10-9-07 and 10-23-07)*

(Clerk's Note: Due to a lack of time, AO 2007-23 was Carried Over to November 13, 2007.)

13.I. Ordinance No. AO 2007-25(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.15.150, **Improvements Associated with Building and Land Use Permits**, and providing for determination by the Municipal Engineer (Planning & Zoning Commission Case 2007-042); Assemblymembers Sullivan, Bauer and Coffey. *(Carried Over From 10-9-07 and 10-23-07)*

(Clerk's Note: Due to a lack of time, AO 2007-25(S) was Carried Over to November 13, 2007.)

13.J. Ordinance No. AO 2007-140, an ordinance amending Anchorage Municipal Code Chapter 27.75, Sidewalk Vendors by making technical changes in that chapter and deleting the requirement that the **Sidewalk Vendor Program** terminate on November 1, 2007; Assemblymember Tesche. *(To Be Submitted) (Carried Over From 10-23-07)*

(Clerk's Note: Due to a lack of time, AO 2007-140 was Carried Over to November 13, 2007.)

14. NEW PUBLIC HEARINGS

14.A. Ordinance No. AO 2007-133, an ordinance of the Municipality of Anchorage adopting the **Biennial General Government Operating Budget** for Fiscal Years 2008 and 2009, and appropriating funds for Fiscal Year 2008; Office of Management & Budget. *(Second Public Hearing)*
1. Assembly Memorandum No. AM 589-2007.

Chair Coffey called to combine Public Hearing on all budget items, including 14.A, 14.B, 14.C, 14.D. 14.E, 14.F and 14.G.

Ms. Ossiander moved,	*to Combine Public Hearing* on AO 2007-133, AO 2007-134,
Mr. Bauer seconded,	AR 2007-219, AO 2007-135, AR 2007-220, AO 2007-136 and
and this was approved without objection.	AO 2007-137,

Mr. Tesche disclosed a possible conflict of interest because of his association with Central Lutheran Church, which supported Camp Fire after school programs. He had no financial interest in the program. Chair Coffey requested that conflicts of interest be addressed when budget deliberations were underway.

To Mr. Claman, Chair Coffey responded that the Public Hearing would be closed before the Assembly started addressing the budget and the public could contact Assemblymembers by email or phone with their comments or concerns.

Chair Coffey stated that public testimony was limited to three minutes for each person and he opened Combined Public Hearing.

DONNA GRAHAM and DEE KENNEDY, representing the Anchorage Faith and Action Congregation Together *(AFACT)* from Central Lutheran Church and Saint Anthony Catholic Church, testified in support of programs supporting family and children programs for West Fairview and Russian Jack areas. They urged support of full funding for their after school programs and children's recreation programs, which were not fully funded by the current budget.

LESLIE VINES testified in support of youth enrichment programs offered by Camp Fire and Central Lutheran Church.

TOM BEGICH, Director of Reclaiming Futures and key trainer for the Department of Justice, Office of Juvenile Justice and Delinquency Prevention, testified in support of funding youth activities, including the Youth Employment in the Parks, the Positive Youth Development, Mountain View Boys and Girls Clubs, the Muldoon Boys and Girls Club and the Fairview Camp Fire Program. Dr. Selkregg stated that she would be proposing amendments when the substitute versions were released. To Mr. Bauer, Mr. Begich responded that all research clearly showed that youth programs prevented delinquency.

GREG RAZO, Business Community Representative to the Anti-Gang Violence and Policy Team, urged consideration of supporting youth safety and fighting crime, by increasing youth activities and after school programs. To Mr. Claman, he responded that high numbers of youth crime and teen pregnancies occurred in the afternoon from 3:00 to 5:00. He proposed additional appropriations of $430,000 to support Youth Employment in Parks, the Positive Youth Development Programs, Mountain View Boys and Girls Clubs, the Muldoon Boys and Girls Club, the Northeast Community Center and the Fairview Camp Fire Program. Dr. Selkregg stated that she would be proposing the $430,000. Mayor Begich summarized the youth programs that were included in his budget.

GLENN HOWSON testified in support of improving bus transportation to Mountain View and Fairview, including better service on Route 45 and establishing service to the Glenn Square Mall.

MEAGAN WOOD, member of Youth Employment in Parks, urged support of $150,000 to help meet their $300,000 budget. To Mr. Claman, she responded she was a junior at South High. To Dr. Selkregg, she responded if she was not a crew member with the program, she probably would be working at McDonalds

PAUL HUSKY testified in support of the Youth Employment in Parks Program and urged support for the $150,000 needed to meet their budget. He described activities he completed as a program crew member and stated that he was proud of the positive impact he was making to the community.

JOHN SCHWARTZ, a 27-year practicing physician representing Anchorage Project Access, testified in support of Project Access which met a huge need in the community, to assist low income residents with all types of medical care. To Dr. Selkregg, he responded the volunteers and staff had served over 500 patients over the past 18 months, with funding primarily from the Rasmuson Foundation, the Denali Commission, the State of Alaska and Providence Medical Center. The program was requesting funds for the program to continue through 2009. To Mr. Claman, Dr. Schwartz responded the program had been evaluated, included over $1,500,000 in donations from funding and donated services. To Mr. Bauer, he responded there was not a sliding scale used for applicants and all services were free.

VICTORIA SHAVER, representing Anchorage Youth Development Coalition and Claiming Futures, testified in support of youth development and after school programs, including the Youth Development in Parks Program.

LESLIE HIEBERT, a public defender who had worked in criminal defense for 24 years, testified in support of the Camp Fire Program, which included youth development and after school programs.

CARLETTE MACK, Covenant House Alaska Director of Program Services, urged support for Covenant House Crisis Shelter and Youth Reception Center, which offered services, resources and shelter for youth and families.

CAPTAIN JESSICA ELGART with the Salvation Army urged support of funding for youth services, meal programs for seniors and family services.

KATHLEEN PLUNKETT testified in support of the 20 new positions for APD and the $430,000 for the youth recreation activities.

MELISSA EMMAL, representing Abused Women Aid in Crisis, urged support for Human Service funding, which supported the AWAIC Moving Forward Program and Crisis Center and Shelter which provided support services.

JANIS NAUMAN REYES, representing the Triathlon Club, testified in support of pools and learning to swim, which was critically needed, with Alaska having a drowning rate for children and teenagers two and a half times higher than the national average. Closing pools was wrong when swimming was a good youth activity, was a heath and safety issue and had an economic impact on the city.

MIKE GUTIERREZ, member of the Anti Gang and Youth Violence Policy Team, testified in support of youth violence and crime prevention activities. He urged consideration of the costs of not preventing youth violence and youth crime.

SUSAN SKROCKI, mother of a swimmer, testified in support of funding for full operation of all five public pools. Swimming was a good opportunity for high school students to be part of a team. She, as a fourth grade teacher, had joined other teachers in taking their students to the Service pool. She urged the Assembly to listen to the community and the Aquatics subcommittee and make pools a priority.

HEATHER IRELAND, member of and representing the Budget Advisory Commission, testified the BAC was satisfied that the continuation level of funding level of the budget of $424,283,789.00 was keeping in the spirit of the Assembly AR 2007-204 and would be used by the BAC as a benchmark for evaluating the proposed 2008-2009 budget. The Administration had articulated the budget of $429,242,554.00 was the means by which the community needs could best be met, within the tax limitations of the Municipality. The BAC believed that the Administration, the Assembly, the BAC and citizens should be vigilant with government operations to assure services were administered in a proper manner and believed that there were many unmet needs. The BAC had not determined any inappropriate requests for expenditures within the proposed 2008 General Operating Budget, but would continue their review and would report to the Assembly. To Mr. Claman, Ms. Ireland responded the BAC had briefly discussed the city’s vacancy factor and had acknowledged that departments, like the Police Department, could better address the issue. The BAC had also briefly addressed the School District Budget and the amounts of money spent on contractual services. To Mr. Claman, Ms. Ireland responded that, in general, the BAC was comfortable with the proposed budget, acknowledging the Commission was not given the opportunity to comment on the amendments proposed after Public Hearing was closed. To Dr. Selkregg, she responded there were still things the Commission wanted to discuss. Mayor Begich thanked Ms. Ireland and the Commission for their review and stated their input was valuable.

BRADLEY HARRIS testified in support of healthy life styles, physical activities and fitness and he urged full support for pool operations.

ERIN MCDUFFIE, a varsity swimmer and captain, testified that if pools were open more hours, they would make more money. To Mr. Claman, she responded she had many friends who were lifeguards, who would be willing to work with the city.

JOHN BULCOW testified in support of pools and teaching children to swim. There should be no comparison of swimming and other sports, because teaching a child to swim would prevent drownings. It was a safety issue.

HANNAH IVERSON, a varsity swimmer and a sophomore at Service High School, testified in support of pool operation. She taught swimming to youth and urged that the Service pool be opened.

PATIENCE FREDERIKSEN, Anchorage Libraries Association Chair, testified of her concerns of library staffing levels to bring consistent and equitable service. There were staffing concerns with libraries in Mountain View, Chugiak-Eagle River and Girdwood. To Dr. Selkregg, she responded the Mountain View Library had a budget for one full-time person and needed 3-4 additional full- or part-time positions. To Mr. Sullivan, she responded that keeping the two positions in Girdwood at part-time would not help resolve the understaffing concern at the Mountain View Library.

GIRDIE McLAUGHLIN, swimmer and mother of swimmers, testified in support of swimming and pools and stated that it was a public safety issue in Alaska where there was a high drowning rate. Pools were for everyone. The city had no good pool administration to keep them going.

JAMES LIMA, an experienced lifeguard, testified in support of swimming and pools. Regular people could not complete pool maintenance, but volunteered their time and support. He urged that the pools programs be expanded.

VICTOR MOLLOZZI, Chair of the Parks Foundation and member of the Parks and Recreation Commission, urged support for the $430,000 for the proposed youth programs in the Parks and Recreation budget, which would be matched by available funds from other sources. To Mr. Tesche, Mr. Mollozzi responded the Parks Foundation gathered private funds to match funds received, which would support park maintenance.

DAVID LEVY, member of the Anchorage Library Board and the Executive Director of the Alaska Mobility Coalition, testified in support of libraries and public transit. He urged the Assembly to support the funding level and stated that additional positions were needed in libraries. He urged support for public transit, which would be affected by higher fuel prices.

NANCY MEADE, lap swimmer and triathlete, and mother of a swimmer and triathlete, testified for full operation and maintenance of pools. Supporting pools supported health and safety and created job opportunities for young adults. She supported youth sports.

MEGAN CAVANAUGH, competitive swimmer who attended East High School, urged support for maintaining and fully funding city pools. Pools created opportunities and supported healthy livestyles. Ms. Johnston, Mr. Sullivan, Mr. Claman, Mr. Starr and Chair Coffey congratulated her on her fast swim times, her eight state titles and wished her well on her college scholarships. To Mr. Starr, she responded that her swim team was involved with fundraisers to help pay for swim costs. She paid $45 per month for the pool punch card.

GREG MILLER supported swimming and pools and thought it was the duty of a taxpaying society to provide the opportunity to swim. It was critically important for children to learn how to swim. To Dr. Selkregg he responded it was a good idea to look into offering swimming lessons in Anchorage to visiting rural Alaskans.

DON HAAS, father of competitive swimmers, testified in support of funding pools. Pools currently brought a 48% return and it was not understandable why funding for pools was being dropped. The city was spending money the wrong way and needed to spend it on maintenance and operations of current facilities and operations instead of building new.

JEFFERY MANFULL, member of the Mayor’s Public Transit Advisory Board, testified in support of public transit, which was under funded and shortchanged. He cited a 2004 document from the U.S. Chamber of Commerce, which stated that public transit was a proven investment across the nation and was critical to the future economic growth, quality of life and creating jobs. Increasing public transit would increase riders. The Institute of Social and Economic Research had analyzed the Anchorage Public Transit System in 2006 and had concluded that the overall dollar return was an estimated $1.71 in benefits for every tax dollar spent, with a benefit-cost ratio of the People Mover System estimated to be almost 2 to 1. Chair Coffey requested the Board’s recommendations in writing. Mr. Traini requested that the Board address the increased cost of fuel when addressing public transportation because those costs were usually passed to the riders as increased fares. Mr. Manfull concurred.

MARY WEAVE, swimmer and mother of swimmers, testified in support of pool maintenance and operation. She had to drive by Service pool to be able to swim at East High School. Pools served more of the community than just competitive swimming and she had seen users of all ages use the public pools. It was a quality of life issue. Bartlett High School had just finished hosting State Swim and Dive Championships and served students from all over the state. Pools needed to be used as a community asset and needed to be operational and maintained before other sports facilities were developed. The city needed to seek joint partnerships to manage pools, including with the Anchorage School District, the private sector and other individuals.

KEVIN IVERSON testified in support of pools and stated that the city needed to find funding to keep the pools maintained. The city needed to support things that were good for the community. To Chair Coffey, Mr. Iverson responded that pool maintenance needed to be supported by the Assembly and the community and a sales tax needed to be considered. Mayor Begich requested that Mr. Iverson consider serving on the Budget Advisory Commission.

AMANDA PRICE, a lap swimmer, coach and mother of competitive swimmers, testified that she did not think the Assembly was getting the truth about the Service pool and other pools and transparent accountability was needed.

Mr. Traini stated that he would be proposing a bond package to voters next year, for capital improvements to rehabilitate Service, Bartlett and other facilities.

MICHELLE CALDWELL testified in support of pools. She was swimmer, mother of two competitive swimmers and volunteer of a learn-to-swim program at Bartlett Pool, Meet Director for the Chugiak Pool and Meet Director for the Invite Regional and Dual High School State Swim Meets and was nationally certified. She concurred with Ms. Price that the Assembly was not getting the full picture of how the pools were being used. More pool time had been needed for a long time. She volunteered her time and hired lifeguards and teachers, but the city took half of the collected fees. She questioned why Bartlett Pool was still unfunded. Parents volunteered their time and even brought soap for the locker rooms.

JAN EDWARDS testified that she was not a swimmer but she was smart enough to know how important swimming was and she urged support. Knowing how to swim had saved both of her children's lives because of their asthma. Swimming was a healthy sport and she and her husband had paid up to $1600 a month for both her children to competitively swim in Virginia. She urged that Service pool be opened and funded for fulltime operation.

AINSLIE PHILLIPS testified in support of an Eastside District Plan. Under Title 21 and the Comprehensive 2020 Plan, that part of town was to receive 80% of the designated growth in the next 20 years. Currently their area had poor infrastructure, unpaved roads and 30-year old streets with no sidewalks or gutters. The area was considered a major transportation hub and there was much commercial development, with large numbers of senior and special needs housing. The residential areas and all schools were overcrowded.

DICK TREMAINE, Rabbit Creek Community Council Chair, urged that a project proposed for his area be cut, because a developer had promised to put in collector-sized roads at his own expense. Specifically, he requested removal of PME08001, a project through Legacy Point, connecting Golden View Drive with Potter Valley Road. Since the developer would be putting in collector-size roads, state funds would not be needed and he urged that the project be removed, so that the money could be used elsewhere.

JED WHITTAKER supported funding for the Mountain View Library and all community libraries. He had been involved with fundraisers for necessary equipment, books and computers for the libraries, which should be included in the budget. There was a high illiteracy rate in the U.S. and Alaska had a high dropout rate and libraries were critically needed in an educated, informed and skilled society. Chair Coffey responded that the funding for the Loussac Library was included in the proposed Capital Budget.

Mr. Starr moved,	*to continue* Combined Public Hearing on all budget
Ms. Ossiander seconded,	items until November 13, 2007,

Mr. Starr requested that all interested people be allowed to testify. Continuing Public Hearing would allow public response on the reports from the Budget Committee, the Budget Task Force and the Budget Advisory Commission, due November 8th.

Dr. Selkregg concurred. It was difficult for the public to testify on a document that was not shaped near to what it would be like once the Assembly addressed amendments in the Budget S-versions.

Mr. Tesche stated a benefit of extending Public Hearing would be allowing the public to see Mayor's recommended S-versions and Assembly amendments. Mayor Begich responded that an S-version that included appropriate Assembly amendments would be available by the 13th. Mr. Tesche recommended that Assembly amendments also be made available to the public well before the next Assembly Meeting.

Mr. Claman supported continuing Public Hearing.

Chair Coffey urged that budget amendments be ready and that the Administration get the S-version completed by the 13th. Mr. Claman responded that, by Charter, if Public Hearing was continued, the budget could not be addressed by the Assembly on November 13th. Chair Coffey concurred and stated the budget needed to be apporved by December 10th.

Chair Coffey put the Question on Continuing Public Hearing.

and the motion was passed without objection.

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

Ms. Ossiander stated that there were Agenda items that needed to be addressed that evening, including the Valley River Center, which was on a time deadline.

To Mr. Sullivan, Mayor Begich responded that if the Valley River Center was not taken up that evening, it would die. Community and Economic Development Director Mary Jane Michael responded the deadline for the purchase and sale agreement was November 9th and closing needed to be completed within 90 days.

Ms. Ossiander moved,	to Change the Order of the Day to take up item 13.A, 14.I,
Mr. Bauer seconded,	14.K and 14.L,

and this was approved without objection.

14.B. <u>Ordinance No. AO 2007-134</u>, an ordinance adopting the **2008 General Government Capital Improvement Budget**; Office of Management & Budget. *(Second Public Hearing)*
1. Assembly Memorandum No. AM 590-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.C. Resolution No. AR 2007-219, a resolution of the Municipality of Anchorage approving the **2008-2013 General Government Capital Improvement Program**; Office of Management & Budget. *(Second Public Hearing)*

1. Assembly Memorandum No. AM 592-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.D. Ordinance No. AO 2007-135, an ordinance adopting the **Biennial Municipal Utilities/Enterprise Activities Operating Budget** for Fiscal Years 2008 and 2009, adopting the Municipal Utilities/Enterprise Activities Capital Budget for Fiscal Year 2008, and appropriating funds for the 2008 Municipal Utilities/Enterprise Activities Operating and Capital Budgets for the Municipality of Anchorage; Office of Management & Budget. *(Second Public Hearing)*

1. Assembly Memorandum No. AM 591-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.E. Resolution No. AR 2007-220, a resolution approving the **2008-2014 Municipal Utilities Capital Improvement Program**; Office of Management & Budget. *(Second Public Hearing)*

1. Assembly Memorandum No. AM 593-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.F. Ordinance No. AO 2007-136, an ordinance adopting and appropriating funds for the **2008 Operating Budget for the Cooperative Services Authority (CSA)**; Office of Management & Budget. *(Second Public Hearing)*

1. Assembly Memorandum No. AM 594-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.G. Ordinance No. AO 2007-137, an ordinance adopting and appropriating funds for the **2008 Operating and Capital Budgets for the Anchorage Community Development Authority (CDA)**; Office of Management & Budget. *(Second Public Hearing)*

1. Assembly Memorandum No. AM 595-2007.

(Clerk's Note: See Agenda Item 14.A for Combined Public Hearing on Budget Items)

14.H. Ordinance No. AO 2007-144, an ordinance amending Anchorage Municipal Code Section 21.15.010, **Procedure for Obtaining Variance**, to correct an error in the application requirements for a variance under AO 2007-117, retroactive to September 25, 2007, the date of Assembly approval; Assembly Chair Coffey.

(Clerk's Note: Due to a lack of time AO 2007-144 was Carried Over to November 13, 2007.)

14.I. Ordinance No. AO 2007-147, an ordinance authorizing acquisition of interests in real property known as **Valley River Center Building "A"**, legal description Tract K, Regional Park Subdivision #2, in part through an inter-fund loan not to exceed $1,700,000 from the Areawide General Fund (101) to the Areawide General CIP Fund (401), and waiving requirements under Anchorage Municipal Code Section 21.15.015.A.1, Public Facility Site Selection, for purposes of co-locating Chugiak-Eagle River Library and municipal offices in the new Eagle River Town Center, Office of Economic & Community Development; Assemblymember Tesche.

1. Assembly Memorandum No. AM 663-2007.

Chair Coffey read the ordinance title and opened Public Hearing.

JOE HEGNA, President-elect of the Chugiak-Eagle River Chamber of Commerce, testified in support of Valley River Center and AO 2007-147. He requested that people present that evening to raise their hands to show their support. *(Clerk's Note: A large group of supporters responded.)* The distributed letter explained and justified the Chamber's full support. The Chamber also offered a brief, citing Alaska Statutes, concerning the allowance of condo development and long term lease. Mr. Hegna urged approval of the project, which was an appropriate use and good stewardship of public funds and met the community needs. Mr. Sullivan requested a copy of the Chamber brief.

ROBERT BREWSTER, President of the Alaska Club, testified in support of the prospects for partnering with the Municipality on this project and revitalizing an underused resource, which would be positive for the city, the Alaska Club and the citizens of Eagle River. To Mr. Sullivan, Mr. Brewster responded the deadline was relative to the financial agreement with the Hickels. If the deadline was missed there would be concerns with closing on the sale. He responded that many groups had worked on this project for a long time.

CURTIS MCQUEEN, with Eklutna, Incorporated, supported the Valley River Center Project.

ANDREW EKER, founder of the Alaska Club, testified in support and stated that approval that evening was instrumental in the project negotiations. Mr. Sullivan stated he had been contracted by several folks who had expressed concern about a hurried deal concerning condos on top of commercially leased property. He was wary about rushed deals. Mr. Eker responded that this was not uncommon. Mayor Begich responded this situation was found in Midtown, with the Chalis Properties. To Mr. Sullivan, Mr. Eker responded the plan was to sell the condos.

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

Mr. Claman moved, to approve AO 2007-147,
Mayor Begich seconded,

Mr. Starr supported the ordinance. He requested assurance from the Administration that department allocations would be reviewed when the financing package was reviewed by the Assembly. Mayor Begich concurred and stated the Assembly would have opportunities to review the matter before the final closing of the project. Mr. Starr stated the preliminary spread sheets indicated a potential increase in rent to Municipal Departments.

Dr. Selkregg supported the ordinance. The community had worked hard to make it happen. It was structured so the departments would pay the extra rent. It was time to recognize that Eagle River needed this type of facility.

Mr. Traini stated that Mount Baldy in Eagle River had also been a rushed deal and it was important to make sure this development did not turn out like Mount Baldy. Ms. Ossiander responded that this development was not like Mount Baldy and she assured Mr. Traini that the Assembly would have the opportunity to address the matter again.

Mr. Sullivan stated that formation of the Community Development Authority had also been a rushed deal. He stated that the Assembly had been told if action was not taken that evening, the deal would fall through. Mr. Sullivan stated that he would support the development because of the people involved.

Mr. Claman called the Question on AO 2007-147. Mayor Begich seconded. There were no objections.

and the motion was passed, 11-0.

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

Ms. Ossiander moved, to extend the Regular Meeting for ten minutes to address
Mr. Bauer seconded, the remaining time-sensitive items in the Agenda,

Mr. Claman stated that he would agree to extend the meeting if it was agreed that the extension was only for ten minutes and there would be no more motions to extend.

and this was approved without objection.

Mr. Traini moved, to Change the Order of the Day to take up AO 2007-113,
Mr. Tesche seconded, The Downtown Comprehensive Plan,
and this was approved without objection.

(Clerk's Note: See item 11.A, AO 2007-113 for details to the Downtown Comprehensive Plan.)

14.J. Resolution No. AR 2007-234, a resolution adopting the **2008-2012 Housing and Community Development Consolidated Plan and 2008 Annual Action Plan** of the Municipality of Anchorage, which constitutes the application to the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), the American Dream Downpayment Initiative (ADDI) and the Emergency Shelter Grant (ESG). This resolution seeks to appropriate the annual entitlement grants from HUD, program income, and recaptured funds in the amount of $1,936,826 of 2008 CDBG entitlement, $50,000 of anticipated CDBG program income/recaptured funds, $1,003,185 of 2008 HOME Entitlement, $25,488 of 2008 ADDI Entitlement, and $83,752 of 2008 ESG Entitlement, and to appropriate said funds to the Federal Categorical Grants Fund (241); Department of Neighborhoods.
1. Assembly Memorandum No. AM 647-2007.

(Clerk's Note: Due to a lack of time AR 2007-234 was Carried Over to November 13, 2007.)

14.K. Resolution No. AR 2007-233, a resolution of the Municipality of Anchorage appropriating $256,972 as three federal pass-through grants from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund to the Areawide General CIP Fund (401), Project Management & Engineering Department, for the **Ship Creek Fishing Access Project – Schedule C Task**.
1. Assembly Memorandum No. AM 646-2007.

Chair Coffey read the resolution title and opened Public Hearing.

PAUL D. KENDALL testified that he was concerned about the public testimony process and he needed to decide the depth and breadth and comment that he might want to contribute to this particular item that evening.

To Chair Coffey, Mr. Kendall responded that he had decided not to testify to the Ship Creek Fishing Access Project.

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

Mr. Traini moved, to approve AR 2007-233,
Dr. Selkregg seconded,
and this was approved without objection.

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

14.L. Resolution No. AR 2007-237, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating three State of Alaska Drinking Water Fund loan offers in the aggregate amount of $3,830,000 for financing a portion of the costs of the **Creekside Water Improvements** (DeBarr, Muldoon to Turpin Water Upgrade) ($2,492,000), Security Improvements (Multi-Site) ($846,000), and East Bluff Water Upgrade ($492,000) projects; Anchorage Water & Wastewater Utility.

1. Assembly Memorandum No. AM 651-2007.

Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public Hearing.

Ms. Ossiander moved, to approve AR 2007-237,
Mr. Claman seconded,
and this was approved without objection.

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

14.M. Resolution No. AR 2007-238, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating three State of Alaska Clean Water Fund loan offers in the aggregate amount of $1,603,000 for financing a portion of the costs of the **Security Improvements** (Multi-Site) ($846,000), Turnagain C-F Interceptor Upgrade ($505,000), and Eagle River Wastewater Treatment Facility Gravity Thickener ($252,000) projects; Anchorage Water & Wastewater Utility.

1. Assembly Memorandum No. AM 652-2007.

Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public Hearing.

Mr. Traini moved, to approve AR 2007-238,
Mr. Claman seconded,
and this was approved without objection.

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

14.N. Resolution No. AR 2007-239, a resolution of the Municipality of Anchorage appropriating $296,714 from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants Fund (241), and $177,605 from Alaska Housing Finance Corporation Match Grant to State Categorical Grants Fund (231), Department of Health and Human Services for the purpose of providing a one year renewal of the **LINK Homeless Assistance Project** and a contract with Abused Women's Aid In Crisis, Inc. *(Public Hearing 11-6-07)*

1. Assembly Memorandum No. AM 653-2007.

Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public Hearing and called the Question.

Dr. Selkregg moved, to approve AR 2007-239,
Mr. Claman seconded,
and this was approved without objection.

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

14.O. Ordinance No. AO 2007-105, an ordinance amending Anchorage Municipal Code Chapter 15.70 to clarify Definitions, **noise permit conditions**, and add a new section for measurements of noise; amending Section 14.60.030 to increase fines; and repealing Anchorage Municipal Code of Regulations Chapter 15.70; Health and Human Services.

1. Assembly Memorandum No. AM 451-2007.

(Clerk's Note: Due to a lack of time, AO 2007-105 was Carried over until November 13, 2007)

14.P. Ordinance No. AO 2007-132, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 8.75.040, **Fireworks**, to permit the use of certain common fireworks for a limited time period annually in celebration of the new year; Assemblymember Traini.

(Clerk's Note: Due to a lack of time AO 2007-132 was Carried Over to November 13, 2007.)

14.Q. Ordinance No. AO 2007-145, an ordinance amending Anchorage Municipal Code Sections 24.75.010, 24.75.020, 24.75.030, 24.75.040 and 24.75.090, regarding **Sidewalk Vendors**, and repealing the sunset date in Anchorage Ordinance 2005-160 regarding sidewalk vendors, retroactive to November 1, 2007; Office of Economic & Community Development.

1. Assembly Memorandum No. AM 657-2007.

(Clerk's Note: Due to a lack of time AO 2007-145 was Carried Over to November 13, 2007.)

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION

PAUL D. KENDALL thanked Mr. Sullivan and Dr. Selkregg and the Assembly for the opportunity to speak that evening. He apologized for his testimony before the Assembly the preceding week. He supported the right to public involvement. He requested that a clock be added to the screen to let the public to know the time. The Assembly was not capable of allowing the public testimony, dialog and contributions that were needed to conduct a good government process. He requested consideration of researching and addressing use of hydrogen for energy fuel sources. The Assembly needed to address the three necessary fundamental requirements of society that included water, energy and a single family home. If the Assembly could remain focused on those three items, the Assembly would be able to see and understand all the aberrations in society.

18. ASSEMBLY COMMENTS None.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Coffey called for a motion to adjourn the meeting.

Mr. Sullivan moved, to adjourn the Regular Assembly Meeting,
Mr. Birch seconded,
and this motion was passed without objection.

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

The Regular Assembly Meeting was adjourned at 11:13 p.m.

See Archived Document for Signatures

DAN COFFEY, Assembly Chair

ATTEST:

See Archived Document for Signatures

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: [~~December 18, 2007~~] "January 8, 2008."
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)