

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of October 9, 2007

1. CALL TO ORDER

The 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, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman.

ABSENT: Jennifer Johnston, excused.

3. PLEDGE OF ALLEGIANCE Assemblymember Tesche led the pledge.

4. MINUTES OF PREVIOUS MEETINGS There were none.

5. MAYOR'S REPORT

Mayor Begich requested that newly appointed or reappointed board and commission members stand and identify themselves. New members included Erin Marston with the Airport Aviation Advisory Commission; Gregory Fisher with the Americans with Disabilities Act Advisory Commission; Edward Blahous with the Arts Advisory Commission; Paul Michelsohn with the Board of Building Regulation Examiners and Appeals; John Brower with the Equal Rights Commission; David Dunsmore and Lawrence Weiss with the Health and Human Services Commission; Melinda Freemon and Timothy Sullivan with the Housing and Neighborhood Development Commission; Craig Dotson with the Investment Advisory Commission; David Harrington and Gretchen Wieman with the Library Advisory Board; Gordon Severson with the Military and Veterans Affairs Commission; Andrea Standcliff with the Municipal Light and Power Commission; Lori Davey with the On-Site Wastewater System Technical Review Board; Jeff Clarke with the Parks and Recreation Commission; Karen Bitzer with the Women's Commission; Barbara Baker and Janet Brand with the Budget Advisory Commission; Carol Stolpe with the Platting Board, and; Toni Jones with the Planning and Zoning Commission. Chair Coffey stated that Assemblymembers appreciated the advice offered by the boards and commissions and he thanked the members for their service to the community.

6. ASSEMBLY CHAIR'S REPORT

Chair Coffey welcomed visiting Boy Scout Troop 209, sponsored by Rabbit Creek Community Church, which included Scouts Will Krolick, Nathan Musgrave, Michael Muller-Stolefield, Karl Oder, Jeremy Lamb, Andrew Snyder, Karl Bartenstein, Eric Begland, Devan Johnson, Dane Christianson, Brian Yashik, Shawn Krafts, Kevin Christenson, John Mahn, Wayne Jackson and Ralph Myokok, and accompanied by Scout Leaders Robert Brenner and Darrell Krolick. The scouts were working on Citizenship in the Community and Communication Badges.

7. COMMITTEE REPORTS

Mr. Claman reported there would be a Public Safety Committee Meeting on October 17th at noon in the Assembly Conference Room, to hear a Police report about progress being made with gang violence issues and to address the budget, as it pertained to public safety matters. Mr. Coffey responded that Senator Hollis French would conduct an open forum on the Criminal Justice System in Alaska in December, covering courts, probation officers, prosecutors and defense counsel which pertained to matters that the MOA dealt with all the time and he urged the Committee to participate.

Ms. Ossiander reported the Title 21 Committee continued to meet every Thursday morning from 9:30 a.m. to 11:30 a.m., at the Planning Department Conference Room. More information on the Title 21 Rewrite, including the meeting schedule, drafts and meeting minutes could be accessed on the Municipal website, by linking to the Planning Department and Title 21.

Mr. Starr reported the Budget and Finance Committee would meet for a 5-hour worksession on October 19th to review departmental budget presentations. A budget worksession would be scheduled prior to that meeting when Ms. Johnston returned. He was pleased to see new appointments to the Budget Advisory Commission on the Agenda for approval that evening.

Chair Coffey stated the Assembly was committed to working with the Mayor and the Administration to refine the budget.

Mr. Sullivan reported the Noise Ordinance ad hoc committee that he co-chaired with Mr. Claman would meet at 2:00 p.m. on October 17th in the Assembly Conference Room, followed by an Elections Committee Meeting at 3:00 p.m.

Chair Coffey reported that he had been to several community council meetings where Title 21 Revisions were discussed. He urged interested people to become familiar with the issues to be able to participate in the upcoming Planning and Zoning Commission Meetings. Planning Director Tom Nelson responded the worksessions were scheduled for November 5th, 7th and 8th.

8. ADDENDUM TO AGENDA

Chair Coffey called for a motion and read the Addendum items. He called for additional items and a Mayor's Proclamation, AR 2007-230, AO 2007-140, AO 2007-141, AM 636-2007 and AO 2007-122(S), were added and assigned Agenda Numbers 9.A.4, 9.B.6, 9.F.15, 9.F.16, 13.A.2 and 14.M.2, respectively. 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 items
Mr. Starr seconded, into the Consent Agenda,
and this motion was passed.

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

NAYES: None.

ABSENT: Johnston, excused.

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 2007-218, a resolution of the Anchorage Municipal Assembly honoring and remembering the life of **August G. (Augie) Hiebert** and his historic contributions to the people he loved in Alaska by providing television to the Last Frontier; Mayor Begich and Assemblymembers Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini

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

9.A.2. Resolution No. AR 2007-223, a resolution of the Anchorage Municipal Assembly and Mayor Begich recognizing and honoring Ray Agen, Steve Colt, Mary Ellen Gordian, Joe Griffith, Ed Peace, Jim Pfeiffer, Brian Saylor, Bill Starr and Clare Stockert for their service to the community as members of the **I/M Task Force**; Mayor Begich.

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

9.A.3. Resolution No. AR 2007-229, a resolution of the Anchorage Municipal Assembly and Mayor Begich recognizing and honoring the members of the **Anchorage Property Tax Relief Task Force** for their service to the community, Mayor Begich. (**Addendum**)

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

9.A.4. Municipality of Anchorage, Alaska Proclamation, proclaiming **October 2007 as Disability Awareness Month**; Mayor Begich.

Mayor Begich requested this item be pulled for review on the Regular Agenda. (See Agenda item 10.A.4)

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2007-224, a resolution of the Municipality of Anchorage appropriating the \$40,100 from the Alaska Mental Health Trust Authority and \$740 as a contribution from the 2007 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the Miscellaneous Grants Fund (261) Anchorage Police Department, for this **Crisis Intervention Team Training Program Grant**.

a. Assembly Memorandum No. AM 600-2007.

9.B.2. Resolution No. AR 2007-225, a resolution of the Municipality of Anchorage appropriating the \$14,720 from the Alaska Mental Health Trust Authority and \$270 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 this **Crisis Intervention Team Conference Grant**.

a. Assembly Memorandum No. AM 601-2007.

9.B.3. Resolution No. AR 2007-226, a resolution of the Municipality of Anchorage appropriating \$35,000 from the U.S. Fish and Wildlife Service Grant Program to the Federal Grant Fund (241), Project Management & Engineering Department, to develop a guidance document for the **Low Impact Development Program**.

a. Assembly Memorandum No. AM 602-2007.

- 1 9.B.4. Resolution No. AR 2007-227, a resolution of the Municipality of Anchorage appropriating \$25,000 from
2 the U.S. Fish and Wildlife Service Grant Program to the Federal Grant Fund (241), Project
3 Management & Engineering Department, for **Phase 2 of the Watershed Management Division's**
4 **Rain Garden Program**.
5 a. Assembly Memorandum No. AM 603-2007.
- 6 9.B.5. Resolution No. AR 2007-228, a resolution of the Anchorage Municipal Assembly officially admonishing
7 **Assembly Member Paul A. Bauer** for knowingly violating Sections 1.15.070(K)(1), 1.15.070(K)(2),
8 1.15.070(K)(3) of the Code of Ethics by publicly disclosing the content of a Notice of Possible Violation
9 of the Code before the Board had the opportunity to complete its preliminary review of the claim and
10 requiring Assembly Member Bauer to attend and complete ethics training within six months;
11 Assemblymember Tesche.

12
13 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.B.5*)

- 14
15 9.B.6. Resolution No. AR 2007-230, a resolution of the Anchorage Municipal Assembly adopting
16 recommendations of the Board of Ethics in the matter of Ethics Board Case Number 2007-1 regarding
17 a violation of Ethics Code § 1.15.070.K by **Assembly Member Paul Bauer** in submitting documents
18 for filing with the Ethics Board alleging an ethics violation and subsequently holding a press
19 conference to discuss the same alleged ethics violation; Assembly Chair Coffey, Assembly Vice Chair
20 Ossiander and Ethics Committee Chair Sullivan. (**Laid on the Table**)

21
22 Ms. Ossiander moved, *to introduce AR 2007-230,*
23 Mr. Sullivan seconded,
24 and there were no objections.

25
26 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.B.6*)

27
28 **9.C. BID AWARDS** There were none.

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

- 31 9.D.1. Assembly Memorandum No. AM 604-2007, recommendation of a proprietary award for consulting
32 services with Mr. Greg Sitz, dba **GLS, Inc.**, in support of ML&P's Siemens Energy Management
33 System for the Municipality of Anchorage, Municipal Light & Power (\$75,000); Purchasing.
- 34 9.D.2. Assembly Memorandum No. AM 605-2007, recommendation of a proprietary award to **Kevin Parsons**
35 to provide consulting services in support of ML&P's Energy Management System for the Municipality
36 of Anchorage, Municipal Light & Power (\$50,000); Purchasing.
- 37 9.D.3. Assembly Memorandum No. AM 606-2007, recommendation of award to **The Boutet Company, Inc.**
38 **and RISE Alaska, LLC** for providing project management services on an "as required" basis for the
39 Municipality of Anchorage, Project Management & Engineering Department (RFP 27-P031)
40 (\$3,000,000); Purchasing.

41
42 Dr. Selkregg requested this item be pulled for review on the Regular Agenda to declare a possible conflict of interest.
43 (*See item 10.D.3*)

- 44
45 9.D.4. Assembly Memorandum No. AM 607-2007, **Airport Aviation Advisory Commission** appointments
46 (Erin Marston); Mayor's Office.
- 47 9.D.5. Assembly Memorandum No. AM 608-2007, **Americans with Disabilities Act (ADA) Advisory**
48 **Commission** appointments (Gregory Fisher and Don Peters); Mayor's Office.
- 49 9.D.6. Assembly Memorandum No. AM 609-2007, **Animal Control Advisory Board** appointments (Kayla
50 Epstein and Neil Koeniger); Mayor's Office.
- 51 9.D.7. Assembly Memorandum No. AM 610-2007, **Animal Control Appeals Board** appointment (James
52 Hagee); Mayor's Office.
- 53 9.D.8. Assembly Memorandum No. AM 611-2007, **Arts Advisory Commission** appointments (Edward
54 Blahous, Corinna Delgado, and Connie Ozer); Mayor's Office.
- 55 9.D.9. Assembly Memorandum No. AM 612-2007, **Board of Building Regulation Examiners and Appeals**
56 **(Building Board)** appointments (Scott Bohne, Skipp Bringmann, Michael Cooke, and Paul
57 Michelsohn); Mayor's Office.
- 58 9.D.10. Assembly Memorandum No. AM 613-2007, **Election Commission** appointments (Evelyn Hansen and
59 Ethel Tuck); Mayor's Office.
- 60 9.D.11. Assembly Memorandum No. AM 614-2007, **Emergency Medical Service Board** appointments
61 (Richard Brodsky, Michael Levy, and Frank Sacco); Mayor's Office.
- 62 9.D.12. Assembly Memorandum No. AM 615-2007, **Equal Rights Commission** appointments (Dawnyale
63 Bolds and John Brower); Mayor's Office.
- 64 9.D.13. Assembly Memorandum No. AM 616-2007, **Board of Ethics** appointments (Greg Kimura and James
65 Liszka); Mayor's Office.

66
67 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.D.13*)

- 68
69 9.D.14. Assembly Memorandum No. AM 617-2007, **Geotechnical Advisory Commission** appointments
70 (Keith Mobley and Mark Musial); Mayor's Office.
- 71 9.D.15. Assembly Memorandum No. AM 618-2007, **Health and Human Services Commission** appointments
72 (Michele Christiansen, David Dunsmore, Ronald Hale, and Lawrence Weiss); Mayor's Office.
- 73 9.D.16. Assembly Memorandum No. AM 619-2007, **Housing and Neighborhood Development**
74 **Commission** appointments (Margaret Evans, Melinda Freeman, Glenn Gellert, and Timothy Sullivan);
75 Mayor's Office.

76
77 Mr. Sullivan requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.D.16*)
78

- 1 9.D.17. Assembly Memorandum No. AM 620-2007, **Human Resources Advisory Board** appointment (Scott
2 Jungwirth); Mayor's Office.
- 3 9.D.18. Assembly Memorandum No. AM 621-2007, **Investment Advisory Commission** appointments
4 (Heather Anderson, Craig Dotson, and Gail Schubert); Mayor's Office.
- 5 9.D.19. Assembly Memorandum No. AM 622-2007, **Library Advisory Board** appointments (David Harrington,
6 Theodore Kassier, and Gretchen Wieman); Mayor's Office.
- 7 9.D.20. Assembly Memorandum No. AM 623-2007, **Military and Veterans Affairs Commission**
8 appointments (Donna Boltz, Charles Brobst, and Gordon Severson); Mayor's Office.
- 9 9.D.21. Assembly Memorandum No. AM 624-2007, **Municipal Light and Power Commission** appointment
10 (Andrea Stancliff); Mayor's Office.
- 11 9.D.22. Assembly Memorandum No. AM 625-2007, **On-Site Wastewater System Technical Review Board**
12 appointments (Lori Davey and Linda Kovac), Mayor's Office.
- 13 9.D.23. Assembly Memorandum No. AM 626-2007, **Parks and Recreation Commission** appointments (Jeff
14 Clarke and Kathleen Plunkett), Mayor's Office.
- 15 9.D.24. Assembly Memorandum No. AM 627-2007, **Port Commission** appointments (Gary Gustafson and
16 Suzanne Linford); Mayor's Office.
- 17 9.D.25. Assembly Memorandum No. AM 628-2007, **Public Facilities Advisory Commission** appointment
18 (Tanya Bratslavsky); Mayor's Office.
- 19 9.D.26. Assembly Memorandum No. AM 629-2007, **Public Transit Advisory Board** appointments (Jeffrey
20 Manfull and Kimberly Pace); Mayor's Office.
- 21 9.D.27. Assembly Memorandum No. AM 630-2007, **Sister Cities Commission** appointments (Suzette
22 Mashburn, Lisa Nelson, Yoshi Ogawa, and Donna Williams), Mayor's Office.
- 23 9.D.28. Assembly Memorandum No. AM 631-2007, **Solid Waste and Recycling Advisory Commission**
24 appointments (Jeanne Carlson and Cory Hinds); Mayor's Office.
- 25 9.D.29. Assembly Memorandum No. AM 632-2007, **Transportation Commission** appointments (James
26 Riley); Mayor's Office.
- 27 9.D.30. Assembly Memorandum No. AM 633-2007, **Women's Commission** appointments (Karen Bitzer and
28 Margaret Ingmanson); Mayor's Office.
- 29 9.D.31. Assembly Memorandum No. AM 635-2007, **Budget Advisory Commission** appointments
30 (James Bailey, Barbara Baker, Jason Bergerson, Janet Brand and Dan Dickinson); Mayor's Office.
31 **(Addendum)**

32
33 **9.E. INFORMATION AND REPORTS**

- 34 9.E.1. Information Memorandum No. AIM 93-2007, **2006 Schedule of Expenditures of Federal Awards,**
35 **State Financial Assistance Reports and Required Federal Information**; Finance Department.
- 36 9.E.2. Information Memorandum No. AIM 94-2007, **Boards and Commission Members**; Mayor's Office.

37
38 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 39 9.F.1. Ordinance No. AO 2007-133, an ordinance of the Municipality of Anchorage adopting the **Biennial**
40 **General Government Operating Budget** for Fiscal Years 2008 and 2009, and appropriating funds for
41 Fiscal Year 2008; Office of Management & Budget. (*Public Hearing 10-23-07 and 11-6-07*)
42 a. Assembly Memorandum No. AM 589-2007.
- 43 9.F.2. Ordinance No. AO 2007-134, an ordinance adopting the **2008 General Government Capital**
44 **Improvement Budget**; Office of Management & Budget. (*Public Hearing 10-23-07 and 11-6-07*)
45 a. Assembly Memorandum No. AM 590-2007.
- 46 9.F.3. Resolution No. AR 2007-219, a resolution of the Municipality of Anchorage approving the **2008-2013**
47 **General Government Capital Improvement Program**; Office of Management & Budget. (*Public*
48 *Hearing 10-23-07 and 11-6-07*)
49 a. Assembly Memorandum No. AM 592-2007.
- 50 9.F.4. Ordinance No. AO 2007-135, an ordinance adopting the **Biennial Municipal Utilities/Enterprise**
51 **Activities Operating Budget** for Fiscal Years 2008 and 2009, adopting the Municipal
52 Utilities/Enterprise Activities Capital Budget for Fiscal Year 2008, and appropriating funds for the 2008
53 Municipal Utilities/Enterprise Activities Operating and Capital Budgets for the Municipality of
54 Anchorage; Office of Management & Budget. (*Public Hearing 10-23-07 and 11-6-07*)
55 a. Assembly Memorandum No. AM 591-2007.
- 56 9.F.5. Resolution No. AR 2007-220, a resolution approving the **2008-2014 Municipal Utilities Capital**
57 **Improvement Program**; Office of Management & Budget. (*Public Hearing 10-23-07 and 11-6-07*)
58 a. Assembly Memorandum No. AM 593-2007.
- 59 9.F.6. Ordinance No. AO 2007-136, an ordinance adopting and appropriating funds for the **2008 Operating**
60 **Budget for the Cooperative Services Authority (CSA)**; Office of Management & Budget. (*Public*
61 *Hearing 10-23-07 and 11-6-07*) (*To Be Submitted*)
62 a. Assembly Memorandum No. AM 594-2007.
- 63 9.F.7. Ordinance No. AO 2007-137, an ordinance adopting and appropriating funds for the **2008 Operating**
64 **and Capital Budgets for the Anchorage Community Development Authority (CDA)**; Office of
65 Management & Budget. (*Public Hearing 10-23-07 and 11-6-07*) (*To Be Submitted*)
66 a. Assembly Memorandum No. AM 595-2007.
- 67 9.F.8. Ordinance No. AO 2007-132, an ordinance of the Anchorage Municipal Assembly amending
68 Anchorage Municipal Code Section 8.75.040, **Fireworks**, to permit the use of certain common
69 fireworks for a limited time period annually in celebration of the new year; Assemblymember Traini.
70 (*Public Hearing 11-06-07*)
- 71 9.F.9. Ordinance No. AO 2007-138, an ordinance authorizing the sale of **Heritage Land Bank Parcel 1-007-**
72 **C**, located on Jasmine Road in Chugiak, by competitive bid to the highest qualifying bidder for at least
73 fair market value plus costs; Heritage Land Bank. (*Public Hearing 10-23-07*)
74 a. Assembly Memorandum No. AM 596-2007.

75
76 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.F.9*)
77

- 1 9.F.10. Resolution No. AR 2007-221, a resolution of the Municipality of Anchorage appropriating \$421,872
2 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice
3 Assistance Grant, and appropriating \$7,820 from the Anchorage Metropolitan Police Service Area
4 Fund (151), Anchorage Police Department 2007 Operating Budget as a contribution to the Federal
5 Categorical Grants Fund (241) Anchorage Police Department, for the purpose of underwriting projects
6 to **reduce crime and improve public safety**. (*Public Hearing 10-23-07*)
7 a. Assembly Memorandum No. AM 597-2007.
- 8 9.F.11. Resolution No. AR 2007-222, a resolution of the Municipality of Anchorage appropriating \$1,507,689
9 as a federal pass-through grant from the Alaska Department of Fish & Game Southeast Sustainable
10 Salmon Fund to the Areawide General CIP Fund (401), Project Management & Engineering
11 Department, for the **Little Campbell Creek Fish Passage Improvement Project**. (*Public Hearing*
12 *10-23-07*)
13 a. Assembly Memorandum No. AM 598-2007.
- 14 9.F.12. Assembly Memorandum No. AM 599-2007, **Urban Design Commission** appointments (Anna
15 Josephson, Patricia Joyner, Mark Kimerer, and Jill Kovalsky), Mayor's Office. (*Public Meeting 10-23-*
16 *07 to allow a 10-Day Public Comment Period Pursuant to AMC 21.10.010 B.*)
- 17 9.F.13. Assembly Memorandum No. AM 634-2007, **Community Development Authority Board of Directors**
18 appointment (Sharon Weddleton); Mayor's Office. (*Public Meeting 10-23-07 to allow a 10-Day Public*
19 *Comment Period Pursuant to AMC 25.35.030*). (**Addendum**)
- 20 9.F.14. Ordinance No. AO 2007-139, an ordinance amending Anchorage Municipal Code Chapters 21.40 and
21 21.50 regarding **Correctional Community Residential Centers**, amending the B-3 (General
22 Business) Zoning District, and amending conditional use standards regarding correctional community
23 residential centers (Planning and Zoning Commission Case 2007-094); Assembly Chair Coffey.
24 (*Public Hearing 11-27-07*) (**Addendum**)
- 25 9.F.15. Ordinance No. AO 2007-140, an ordinance amending AMC Chapter 27.75 (Sidewalk Vendors) by
26 making technical changes in that chapter and deleting the requirement that the **Sidewalk Vendor**
27 **Program** terminate on November 1, 2007; Assemblymember Tesche. (*Public Hearing 10-23-07*)
28 (**Laid on the Table**)
29

30 Mr. Tesche moved, *to introduce AO 2007-140 with Public Hearing*
31 Mr. Traini seconded, *scheduled for October 23, 2007,*
32 and this was approved without objection.
33

- 34 9.F.16. Ordinance No. AO 2007-141, an ordinance amending the Anchorage Municipal Code of Ordinances
35 Section 21.40.020 PLI Public Lands and Institutions District, **to permit hotels as a conditional use**,
36 to permit reduction or abatement of side and rear yards under certain conditions, and to permit large
37 campus institutional developments with multiple principal buildings to locate required parking
38 anywhere within the designated campus; Assemblymember Ossiander. (**Laid on the Table**)
39 (*Referred to P&Z*) (*Public Hearing 12-11-06*)
40

41 Ms. Ossiander moved, *to introduce AO 2007-141 and to refer to P&Z, with*
42 Mr. Sullivan seconded, *Public Hearing set for December 11, 2007,*
43 Mr. Starr was the concurring third.
44

45 and the main motion, as amended, was passed unanimously.
46

47 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.
48 NAYES: None.
49 ABSENT: Johnston, excused.
50

51 The amended Consent Agenda was approved and Chair Coffey led the body into discussion of the pulled items.
52

53 **END OF CONSENT AGENDA**

54 **10. REGULAR AGENDA**

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

- 56 10.A.1. Resolution No. AR 2007-218, a resolution of the Anchorage Municipal Assembly honoring and
57 remembering the life of **August G. (Augie) Hiebert** and his historic contributions to the people he
58 loved in Alaska by providing television to the Last Frontier; Mayor Begich and Assemblymembers
59 Bauer, Birch, Claman, Coffey, Johnston, Ossiander, Selkregg, Starr, Sullivan, Tesche and Traini.
60
61

62 Mr. Sullivan moved, *to approve AR 2007-218,*
63 Mr. Bauer seconded,
64 and this passed without objection.
65

66 Mr. Tesche read and Mr. Sullivan presented the resolution, remembering the life of August G. (Augie) Hiebert and his
67 historic contributions to Alaskans by bringing television to the Last Frontier. Accepting on behalf of their father were
68 daughters Kathy Heibert and Terry Pool, who thanked the Assembly for honoring their dad. Mr. Sullivan, Mr. Birch,
69 Ms. Ossiander, Dr. Selkregg and Chair Coffey remarked on Mr. Hiebert's influences and accomplishments and the first
70 aired programs in Alaska.
71

- 72 10.A.2. Resolution No. AR 2007-223, a resolution of the Anchorage Municipal Assembly and Mayor Begich
73 recognizing and honoring Ray Agen, Steve Colt, Mary Ellen Gordian, Joe Griffith, Ed Peace, Jim
74 Pfeiffer, Brian Saylor, Bill Starr and Clare Stockert for their service to the community as members of
75 the **I/M Task Force**; Mayor Begich.
76

77 Mr. Claman moved, *to approve AR 2007-223,*
78 Mr. Tesche seconded,

1 and this passed without objection.

2
3 Mr. Tesche read and Mr. Claman presented the resolution to the I/M Task Force, honoring them for their service to the
4 community and included members Ray Agen, Steve Colt, Mary Ellen Gordian, Joe Griffith, Ed Peace, Jim Pfeiffer,
5 Brian Saylor, Bill Starr and Clare Stockert. Chair Coffey reported that the Task Force had completed their work and
6 had submitted their findings to Mayor Begich and the Assembly.

7
8 Mr. Claman stated the Task Force had done a great job.

9
10 Mayor Begich thanked the Task Force members, who had taken the job seriously and had done a great job.

11
12 10.A.3. Resolution No. AR 2007-229, a resolution of the Anchorage Municipal Assembly and Mayor Begich
13 recognizing and honoring the members of the **Anchorage Property Tax Relief Task Force** for their
14 service to the community. **(Addendum)**

15
16 Mr. Birch moved, to approve AR 2007-229,
17 Mr. Claman seconded,
18 and this passed without objection.

19
20 Chair Coffey read the resolution in its entirety, recognizing and honoring Bob Bell, Barbara Cash, Patricia Duke, Joe
21 Hegna, Pat Luby, Terry Parks, Kathy Porterfield, Gail Schubert, Bill Starr, John Wanamaker, Tim Wiepking and Dan
22 Dickenson, for their work and recommendations on how best to diversify the tax base in Anchorage.

23
24 Mr. Starr stated he was pleased to have been asked to work with the professionals on this task.

25
26 Mr. Claman thanked the Task Force for their detailed report on Anchorage taxes, which were compared to other cities
27 across the country.

28
29 Mayor Begich stated the Task Force had done a great job. They had taken a thorough look at the local taxes and the
30 final report of the city's revenue base was a good review.

31
32 Dr. Selkregg stated the report was good information to be shared with the public, to help understand revenue
33 alternatives to reduce taxes.

34
35 To Chair Coffey, Mayor Begich responded the Tax Relief and I/M reports were posted on the municipal website.

36
37 Mr. Sullivan thanked the Task Force for their work and final recommendation for a broad based sales tax on goods and
38 services. He and Mr. Coffey had addressed sales tax in the past and he would make that information available again
39 for review.

40
41 Dr. Selkregg stated that she found that there was a lot of information in the gross receipt tax review and she urged the
42 Administration to condense and summarize each type of tax.

43
44 10.A.4. Municipality of Anchorage, Alaska Proclamation, proclaiming **October 2007 as Disability Awareness**
45 **Month**; Mayor Begich.

46
47 Mayor Begich read the proclamation in its entirety and stated there were activities scheduled throughout the month.
48 Dave Barton, an active volunteer with the events, responded that the Police Department would be increasing
49 enforcement for violations of parking in handicapped spaces. He stated that this year Disabilities Mentoring Day had
50 involved the private sector and had been very successful and well received by local businesses.

51
52 **10.B. RESOLUTIONS FOR ACTION - OTHER**

53 10.B.5. Resolution No. AR 2007-228, a resolution of the Anchorage Municipal Assembly officially admonishing
54 **Assembly Member Paul A. Bauer** for knowingly violating Sections 1.15.070(K)(1), 1.15.070(K)(2),
55 1.15.070(K)(3) of the Code of Ethics by publicly disclosing the content of a Notice of Possible Violation
56 of the Code before the Board had the opportunity to complete its preliminary review of the claim and
57 requiring Assembly Member Bauer to attend and complete ethics training within six months;
58 Assemblymember Tesche.

59
60 Mr. Tesche moved, to take up AR 2007-228 under Special Orders,
61 Ms. Ossiander seconded, Agenda Item 15, at 10:45 p.m.,
62 and this passed without objection.

63
64 10.B.6. Resolution No. AR 2007-230, a resolution of the Anchorage Municipal Assembly adopting
65 recommendations of the Board of Ethics in the matter of Ethics Board Case Number 2007-1 regarding
66 a violation of Ethics Code § 1.15.070.K by **Assembly Member Paul Bauer** in submitting documents
67 for filing with the Ethics Board alleging an ethics violation and subsequently holding a press
68 conference to discuss the same alleged ethics violation; Assembly Chair Coffey, Assembly Vice Chair
69 Ossiander and Ethics Committee Chair Sullivan. **(Laid on the Table)**

70
71 Ms Ossiander moved, to take up AR 2007-230 under Special Orders,
72 Mr. Sullivan seconded, Agenda Item 15, at 10:45 p.m.,
73 and this passed without objection.

74
75 **10.C. BID AWARDS** There were none.

76
77 **10.D. NEW BUSINESS**

10.D.3. Assembly Memorandum No. AM 606-2007, recommendation of award to **The Boutet Company, Inc. and RISE Alaska, LLC** for providing project management services on an "as required" basis for the Municipality of Anchorage, Project Management & Engineering Department (RFP 27-P031) (\$3,000,000); Purchasing.

Mr. Claman moved, to approve AM 606-2007,
Mr. Sullivan seconded,

Dr. Selkregg declared a possible conflict of interest because her brother owned RISE Alaska. Chair Coffey questioned whether she had a financial or personal interest in the matter, to which Dr. Selkregg responded that she did.

Mr. Traini urged that Dr. Selkregg not participate.

Mr. Sullivan stated that there was a conflict and he advised Chair Coffey to have Dr. Selkregg abstain.

Chair Coffey ruled that Dr. Selkregg had a conflict of interest with this matter and ordered that she not participate.

Mr. Starr moved, to postpone AM 606-2007 to November 27, 2007,
Ms. Ossiander seconded,
and this was later withdrawn.

Mr. Starr stated that he and the Municipal Engineer had discussed the tactics used by the Municipality to solicit other bidders and broaden the scope of suppliers. He proposed to first meet with the Administration to discuss the matter. Deputy Municipal Manager Michael Abbott responded the contracting authority for project management services would run out before November 27th and the matter needed to be addressed sooner to avoid delaying other city projects. Mr. Starr requested a review of all contracts, management requirements and funding sources, to find other solutions.

Mr. Claman moved, to postpone AM 606-2007 to October 23, 2007,
Mayor Begich seconded,
and this was later withdrawn.

To Mr. Starr, Mayor Begich responded the plan had been expanded to include more project management because there were more projects than ever before. All questions could be answered within two weeks.

Ms. Ossiander supported allowing time for the Administration to provide specific consequences of a delay, and proposed to delay this matter until after the dinner break.

Ms. Ossiander moved, to postpone AM 606-2007 until after the dinner break,
Mr. Claman seconded,
and this was approved without objection.

(Clerk's Note: Following the scheduled break and after completing 11.I, Chair Coffey led the body to final discussion and action on this matter.)

Mr. Starr moved, to approve AM 606-2007,
Ms. Ossiander seconded,

Mr. Starr stated that the Administration had provided answers and there appeared to be urgency to move ahead with the matter. The first priority was to maintain projects that were vital to the community and he urged approval. With the one-year extension there would be a six-million dollar contract, with anticipated additional authorized funds throughout the year.

and this was passed without objection, 9-0.

AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer and Claman.
NAYES: None.
ABSENT: Johnston, excused.
ABSTAIN: Dr. Selkregg, with a conflict of interest.

(Clerk's Note: Dr. Selkregg did not participate, due to a conflict of interest and was temporarily out of Chambers during discussion and action of this matter. Following final action on AM 606-2007, Chair Coffey led the body to take up the I/M issue, Agenda item 14.M)

10.D.13. Assembly Memorandum No. AM 616-2007, **Board of Ethics** appointments (Greg Kimura and James Liszka); Mayor's Office.

Ms. Ossiander moved, to postpone indefinitely AM 616-2007,
Mr. Starr seconded,
and this was passed without objection, 10-0,
with Ms. Johnston as an excused absence.

10.D.16. Assembly Memorandum No. AM 619-2007, **Housing and Neighborhood Development Commission** appointments (Margaret Evans, Melinda Freeman, Glenn Gellert, and Timothy Sullivan); Mayor's Office.

Mr. Sullivan declared a possible conflict of interest because his brother was one of the appointees. Chair Coffey ruled that Mr. Sullivan did not have a conflict of interest and ordered that he participate. There were no objections.

Mr. Sullivan moved, to approve AM 619-2007,
Ms. Ossiander seconded,
and this was approved without objection.

10.E. INFORMATION AND REPORTS None were pulled for review.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.9. Ordinance No. AO 2007-138, an ordinance authorizing the sale of **Heritage Land Bank Parcel 1-007-C**, located on Jasmine Road in Chugiak, by competitive bid to the highest qualifying bidder for at least fair market value plus costs; Heritage Land Bank. (*Public Hearing 10-23-07*)
a. Assembly Memorandum No. AM 596-2007.

Ms. Ossiander moved, to postpone indefinitely AO 2007-138,
Mr. Starr seconded,
and this was approved without objection, 10-0,
with Ms. Johnston as an excused absence.

Mr. Sullivan moved, to Change the Order of the Day to take up 11.I,
Mr. Claman seconded, AO 2007-216,
and this was approved without objection.

(Clerk's Note: Chair Coffey led the body to take up Agenda item 11.I, concerning park naming.)

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Ordinance No. AO 2007-108, an ordinance repealing and re-enacting Anchorage Municipal Code Chapter 3.97 for **Naming of Municipal Buildings, Other Fixed Facilities and Public Places**; Assemblymember Claman. (*Public Hearing was Closed 9-25-07; Action Carried Over from 9-25-07*)
1. Assembly Memorandum No. AM 461-2007.
2. Ordinance No. AO 2007-108(S), an ordinance repealing and re-enacting Anchorage Municipal Code Chapter 3.97 for Naming of Municipal Buildings, Other Fixed Facilities and Public Places; Assemblymember Claman.

Mr. Claman moved, to postpone indefinitely AO 2007-108 and AO 2007-108(S),
Mr. Bauer seconded,
and this was approved without objection.

11.B. Assembly Memorandum No. AM 544-2007, Planning and Zoning Commission reappointments (Lamar Cotten, Toni Jones, Jim Palmer); Mayor's Office. (*Postponed from 9-25-07*)

Mr. Claman moved, to approve AM 544-2007,
Mr. Bauer seconded,
and this passed without objection, 10-0.

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

11.C. Assembly Memorandum No. AM 563-2007, Board of Adjustment appointment (Michael Jensen); Mayor's Office. (*Postponed from 9-25-07*)

Ms. Ossiander moved, to approve AM 563-2007,
Mr. Claman seconded,
and this passed without objection, 10-0.

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

11.D. Assembly Memorandum No. AM 578-2007, Platting Board appointments (Mike Kreger, Carol Stolpe); Mayor's Office. (*Postponed from 9-25-07*)

Ms. Ossiander moved, to approve AM 578-2007,
Mr. Claman seconded,
and this passed without objection, 10-0.

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

11.E. Assembly Memorandum No. AM 579-2007, Zoning Board of Examiners and Appeals appointments (Kenneth Burkhart, Joanna Croft, William Earnhart); Mayor's Office. (*Postponed from 9-25-07*)

Ms. Ossiander moved, to approve AM 579-2007,
Mr. Claman seconded,
and this passed without objection, 10-0.

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

1 ABSENT: Johnston, excused.

2
3 11.F. Assembly Memorandum No. AM 564-2007, Community Development Authority Board of Directors
4 appointments (Mary Jane Michael, Dana Pruhs); Mayor's Office. (Postponed from 9-25-07)

5
6 Ms. Ossiander moved, to approve AM 564-2007,
7 Mr. Claman seconded,
8 and this passed without objection, 10-0.

9
10 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

11 NAYES: None.

12 ABSENT: Johnston, excused.

13
14 11.G. Assembly Memorandum No. AM 580-2007, AWWU Authority Board of Directors appointments (Jeff
15 Sinz, Sharon Weddleton, Calvin West); Mayor's Office. (Postponed from 9-25-07)

16
17 Ms. Ossiander moved, to approve AM 580-2007,
18 Ms. Selkregg seconded,
19 and this passed without objection, 10-0.

20
21 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

22 NAYES: None.

23 ABSENT: Johnston, excused.

24
25 11.H. Assembly Memorandum No. AM 588-2007, Chugiak, Birchwood, Eagle River Rural Road Service
26 Area Board of Supervisors appointments (Arlene Voehl, Thomas Freeman, Michael Melielo);
27 Mayor's Office. (Postponed from 9-25-07)

28
29 Ms. Ossiander moved, to approve AM 588-2007,
30 Mr. Claman seconded,
31 and this passed without objection, 10-0.

32
33 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

34 NAYES: None.

35 ABSENT: Johnston, excused.

36
37 11.I. Resolution No. AR 2007-216, a resolution of the Anchorage Municipal Assembly honoring Ruth
38 Moulton, Shirley Brundage, and Avis Cupples as leaders in the creation of Town Square Park.
39 1. Assembly Memorandum No. AM 581-2007. (Postponed from 9-25-07)

40
41 Mr. Sullivan moved, to approve AR 2007-216,
42 Mr. Claman seconded,

43
44 Mr. Sullivan stated that he had confirmed there was consensus among all parties involved. The naming was
45 appropriate and he urged support.

46
47 Mr. Claman thanked all the people who had been involved, including the families of the women being honored.

48
49 Chair Coffey thanked Mr. Sullivan for his work which ensured that the women who had contributed to the park were
50 properly recognized. He thanked Mayor Begich for outlining the final process. He put the Question.

51
52 and this passed without objection, 10-0.

53
54 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

55 NAYES: None.

56 ABSENT: Johnston, excused.

57
58 *(Clerk's Note: Following the scheduled dinner break, Mr. Tesche moved, seconded by Mr. Traini, to Change the Order*
59 *of the Day to take up 14.M. Chair Coffey requested that 9.D.3 first be completed, which was accepted as a friendly*
60 *amendment by Mr. Tesche and Mr. Traini. The motion was approved without objection.)*

61
62 11.J. Ordinance No. AO 2007-96, an ordinance adopting the Anchorage Pedestrian Plan, an element of
63 the Anchorage Non-Motorized Plan, as revised elements of Anchorage 2020 – the Anchorage Bowl
64 Comprehensive Plan and amending Anchorage Municipal Code Chapter 21.01; Traffic Department.
65 1. Assembly Memorandum No. AM 419-2007. (Public Hearing was Closed 9-11-07; Plan was
66 Amended 9-11-07; Action was Postponed from 9-11-07)

67
68 Chair Coffey stated that Public Hearing was closed and amendments had been made on September 11th. He read the
69 ordinance title and stated there was a motion on the floor to approve.

70
71 Ms. Ossiander had moved, to approve AO 2007-96,
72 Mr. Traini had seconded,

73
74 Ms. Ossiander stated that approval of the Revised Project Priority List had been postponed on September 9th to allow
75 project clarification and to get public feedback. One final amendment was needed to incorporate the list into the
76 document, to which seven northeast Anchorage projects and one Chugiak project had been added.

77
78 Ms. Ossiander moved, to amend AO 2007-96 by replacing the Chart on Page 37 of

Dr. Selkregg seconded,
and this was later amended,

the March Plan with the Revised Priority Chart, dated October 9, 2007; "and, by reviewing the Project List and the Project Ranking every two years, in coordination with addressing the Capital Budget,"

Dr. Selkregg thanked Assemblymembers and the Planning Staff for their work on this final document. To her question, Non-Motorized Transportation Coordinator Lori Schanche responded the projects and their priorities were to be reviewed every two years. Chair Coffey responded that an appropriate time would be when the Capital Budget was reviewed. Dr. Selkregg proposed a review every two years, which was accepted by Ms. Ossiander. Mayor Begich responded that a brief review of the project list would be appropriate, but not the entire Plan. Dr. Selkregg concurred.

To Mr. Claman, Ms. Schanche responded the graph included additional information, including the top twenty crash locations, as identified by the Department of Transportation. She responded that DOT had ranked 5th and C Street as the highest crash site in the city for vehicle-to-pedestrian and vehicle-to-bicyclist crashes.

Mr. Traini stated that there was still much community concern that the Plan would require people to clean their sidewalks. Ms. Ossiander responded that requirements for the public removing snow from sidewalks had been removed from the Plan. She, Mayor Begich and Mr. Traini stated the topic would continue to be reviewed in the future.

Chair Coffey put the Question.

and the motion, as amended, was passed, 10-0,
with Ms. Johnston as an excused absence.

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

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

NAYES: None.

ABSENT: Johnston, excused.

Ms. Ossiander moved, to Change the Order of the Day to take up item 11.K, AO
Mr. Starr seconded, 2007-113, the Anchorage Downtown Comprehensive Plan, at
and this was approved without objection. the end of the Agenda,

Chair Coffey stated that there were sixty proposed amendments to the Downtown Plan.

Dr. Selkregg stated that plows often pushed snow onto sidewalks and she requested that staff work on strategies that addressed cleaning sidewalks, so that an undue burden would not be placed on residents. Consideration was needed for Anchorage being a northern city and alternative options needed to be explored. Chair Coffey responded that the matter would be reviewed when addressing shoveling requirements. Mayor Begich responded that all road systems that accommodated heavy traffic flow were being addressed, including roads owned by the State of Alaska, where snow was plowed onto sidewalks.

- 11.K. 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 was Closed 9-25-07; Action was Carried Over from 9-25-07*)

(Clerk's Note: Due to a lack of time, AO 2007-113 was Carried Over to October 23, 2007.)

12. APPEARANCE REQUESTS There were none.

13. CONTINUED PUBLIC HEARINGS

- 13.A. Ordinance No. AO 2007-121, an ordinance amending Anchorage Municipal Code Chapters 21.40 and 21.50 and amending Anchorage Municipal Code of Regulations 21.20.002 Schedule of Fees - Zoning to provide for **administrative site plan review and approval of restaurant or eating place alcoholic beverage license use**; Assembly Chair Coffey.
1. Ordinance No. AO 2007-121(S), an ordinance amending Anchorage Municipal Code Chapters 21.40 and 21.50 and amending Anchorage Municipal Code of Regulations 21.20.002 Schedule of Fees - Zoning to provide for administrative site plan review and approval of restaurant or eating place alcoholic beverage license use; Assembly Chair Coffey. (*Continued from 9-25-07*)
2. Memorandum No. AM 636-2007; Assembly Chair Coffey. (**Laid on the Table**)

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

Mr. Sullivan moved, to approve AO 2007-121(S),
Mr. Bauer seconded,

Dr. Selkregg stated that she had requested a summary of economic effects of the matter from the Planning Department and she moved to postpone.

Dr. Selkregg moved, to postpone AO 2007-121(S) to October 23, 2007, to allow
Mr. Claman seconded, time for the completion of a Planning Department Summary
of Economic Effects,

Dr. Selkregg stated that this was a complicated issue and she requested that the Administration provide clarification of the intent and predicted consequences to the public.

Mr. Tesche requested a recommendation from the Downtown Community Council. The Council would oppose because the ordinance eliminated community council input on conditional use permits. The Council had an active committee that reviewed alcohol licenses and made recommendations to the Assembly, upon which he relied. He supported postponing and getting additional information on the matter.

Mr. Traini and Chair Coffey also supported postponement.

and the motion was approved, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

13.B. 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*)

Ms. Ossiander stated that it was her intention to continue Public Hearing to October 23, 2007. Chair Coffey explained that the matter had been publicly noticed and Public Hearing would be open that evening and continued to the next meeting. People were allowed to testify one time to an item and those testifying that evening would not be allowed to testify again. He opened Public Hearing and there was no one to testify. He called the Question.

Ms. Ossiander moved, *to continue* Public Hearing on AO 2007-118,
Mr. Claman seconded, *to October 23, 2007,*
and this was approved without objection.

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

NAYES: None.

ABSENT: Johnston, excused.

14. NEW PUBLIC HEARINGS

14.A. Assembly Memorandum No. AM 569-2007, **Employee Relations Board** reappointment (Michael Reeves); Mayor's Office.

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

Mr. Claman moved, *to approve* AM 569-2007,
Dr. Selkregg seconded,
and this was approved, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

14.B. Ordinance No. AO 2007-127, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Drinking Water Fund of an aggregate amount not to exceed \$36,313,400 for the purpose of financing a portion of the costs of various **AWWU 2007 Capital Improvement Budget (CIB) Water Improvements Projects** and providing for related matters; Anchorage Water and Wastewater Utility.

1. Assembly Memorandum No. AM 567-2007.

Ms. Ossiander moved, *to combine* Public Hearing on AO 2007-127 and
Dr. Selkregg seconded, *AO 2007-128, items 14.B and 14.C,*
and this was passed without objection.

Chair Coffey read the ordinance titles and opened Combined Public Hearing on AO 2007-127 and AO 2007-128. There was no one to testify and he closed Public Hearing and called the Question on AO 2007-127.

Dr. Selkregg moved, *to approve* AO 2007-127,
Mr. Traini seconded,

To Ms. Ossiander, Anchorage Water and Wastewater Utility (AWWU) General Manager Mark Premo responded there was no relationship between the recent Superior Court MUSA case and AWWU incurring the debt. Ms. Ossiander stated that she wanted it stated for the record that incurring the additional debt would not be a problem for the utility. Mr. Premo responded that that was correct.

Mr. Sullivan stated that AWWU had taken on much additional debt. Mr. Premo responded there would be more debt and less equity with the additional debt incurred. In recent bond refinancing AWWU had an AA bond rating, which could be interpreted as the litmus test for the utility's financial stability.

and this passed without objection, 10-0.

1 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.
2 NAYES: None.
3 ABSENT: Johnston, excused.

- 4
5 14.C. Ordinance No. AO 2007-128, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
6 providing for the borrowing from the State of Alaska Clean Water Fund of an aggregate amount not to
7 exceed \$26,112,806 for the purpose of financing a portion of the costs of various **AWWU 2007 Capital**
8 **Improvement Budget (CIB) Sewer Improvement Projects** and providing for related matters;
9 Anchorage Water and Wastewater Utility.
10 1. Assembly Memorandum No. AM 568-2007.

11
12 *(Clerk's Note: Refer to item 14.B for Combined Public Hearing and related details.)*

13
14 Ms. Ossiander moved, to approve AO 2007-128,
15 Mr. Claman seconded,
16 and this was approved, 10-0.

17
18 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.
19 NAYES: None.
20 ABSENT: Johnston, excused.

- 21
22 14.D. Resolution No. AR 2007-208, a resolution of the Municipality of Anchorage appropriating \$200,000
23 from the Girdwood Valley Service Area Fund (106), Anchorage Parks and Recreation Department
24 2007 Operating Budget, as a contribution to the Girdwood Valley Service Area Capital Improvement
25 Project Fund (406) for the **Girdwood Community Center and Library Project**; Office of Economic &
26 Community Development.
27 1. Assembly Memorandum No. AM 552-2007.

28
29 Chair Coffey read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and
30 called the Question.

31
32 Dr. Selkregg moved, to approve AR 2007-208,
33 Ms. Ossiander seconded,
34 and this was approved, 10-0.

35
36 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.
37 NAYES: None.
38 ABSENT: Johnston, excused.

- 39
40 14.E. Resolution No. AR 2007-210, a resolution of the Municipality of Anchorage appropriating \$148,000 as
41 a grant from the Rasmuson Foundation to the Areawide General CIP Fund (401), Office of Economic
42 and Community Development, for the **Girdwood Community Center and Library Project**.
43 1. Assembly Memorandum No. AM 570-2007.

44
45 Chair Coffey read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and
46 called the Question.

47
48 Dr. Selkregg moved, to approve AR 2007-210,
49 Mr. Claman seconded,
50 and this was approved, 10-0.

51
52 AYES: Tesche, Traini, Sullivan, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.
53 NAYES: None.
54 ABSENT: Johnston, excused.

55
56 *(Clerk's Note: Chair Coffey led the body to take up 14.L, to complete time-sensitive items identified by the*
57 *Administration.)*

- 58
59 14.F. Resolution No. AR 2007-211, a resolution of the Municipality of Anchorage appropriating \$496,000
60 from the United States Department of Housing and Urban Development to the Anchorage Parks and
61 Recreation Service Area Capital Improvement Fund (461) for the purpose of funding the construction
62 of an **irrigation system** for the Kincaid Outdoor Center's Multi-Use Fields; Anchorage Parks &
63 Recreation Department.
64 1. Assembly Memorandum No. AM 571-2007.

65
66 Chair Coffey read the resolution title and opened Public Hearing. There was no one to testify and he closed Public
67 Hearing and called the Question.

68
69 Mr. Traini moved, to approve AR 2007-211,
70 Ms. Ossiander seconded,

71
72 To Dr. Selkregg, Economic and Community Development Director Mary Jane Michael responded that this involved
73 Community Development Block Grant (CDBG) dollars. Dr. Selkregg stated that the MOA had been previously cited for
74 misuse of CDBG funds and requested that this be postponed and parameters of appropriations be understood. Ms.
75 Michael concurred.

76
77 Dr. Selkregg moved, to postpone AR 2007-211 to October 23, 2007,
78 Mr. Claman seconded,

Mr. Sullivan stated that this appropriation was for a soccer field irrigation system and it was not necessary to postpone. This project would qualify because facilities like this would be for the whole community.

Dr. Selkregg questioned the legality of using the CDBG funds for a sprinkler system in Kincaid Park. There were needs for housing and support in low income areas, where there was little funding available

and this was approved, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

14.G. Resolution No. AR 2007-212, a resolution of the Municipality of Anchorage appropriating \$957,136 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants Fund (231), Department of Health and Human Services to fund **Community Health Nursing Services**.

1. Assembly Memorandum No. AM 572-2007.

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.

Ms. Ossiander moved, to approve AR 2007-212,
Mr. Claman seconded,
and this was passed, 8-0.

AYES: Tesche, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Johnston, excused.

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

14.H. Resolution No. AR 2007-213, a resolution of the Municipality of Anchorage appropriating \$621,455 as a 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 **Family Planning Services**.

1. Assembly Memorandum No. AM 573-2007.

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 2007-213,
Mr. Claman seconded,
and this was passed, 8-0.

AYES: Tesche, Starr, Coffey, Ossiander, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Johnston, excused.

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

14.I. Resolution No. AR 2007-214, a resolution of the Municipality of Anchorage appropriating \$545,000 to the State Categorical Grants Fund (231), Department of Public Transportation a federal health and human services grant award through the State of Alaska, the Department of Health and Social Services to assist in the funding of **coordinated transportation services** for senior citizens within the Municipality of Anchorage; Public Transportation Department.

1. Assembly Memorandum No. AM 575-2007.

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.

Ms. Ossiander moved, to approve AR 2007-214,
Dr. Selkregg seconded,
and this was passed, 9-0.

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

NAYES: None.

ABSENT: Johnston, excused.

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

14.J. Ordinance No. AO 2007-129, an ordinance amending Anchorage Municipal Code Section 4.60.090, Parks and Recreation Commission, and AMC 4.60.190, Public Facilities Advisory Commission, and AMC 21.15.133, Approval of Street Name Alterations, to make corrections in **conformity with adoption of Anchorage Municipal Code changes on naming public places**; Assemblymember Bauer.

Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Bauer moved, to approve AO 2007-129,
Mr. Claman seconded,

and this was approved, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

14.K. Ordinance No. AO 2007-126, an ordinance authorizing disposal of **Heritage Land Bank Parcel 2-144**, located on Potter Valley Road, by competitive bid sale to the highest qualifying bidder; Heritage Land Bank.

1. Assembly Memorandum No. AM 553-2007.

Chair Coffey read the ordinance title and opened Public Hearing.

ROBERT MILLER testified that the property description did not include the west boundary utility easement or a 24-foot easement to the Miller property, both of which would affect the appraisal. The extension to Potter Valley Road was listed as being maintained by the Municipality, but was privately maintained. He opposed the location of the buffer, which should be on the southern boundary. To Mr. Sullivan, Mr. Miller responded that the parcel had received a lot of interest before the roadway was realigned at South Pointe. To Mr. Sullivan, he responded the appraisal was six months out-of-date. To Chair Coffey, Mr. Miller responded the buffer would be more appropriately placed to separate the R3 and the R10 zoned areas. To Chair Coffey, Heritage Land Bank (HLB) Executive Director Bill Mehner responded the HLB was following the 1999 Potter Valley Land Use Study, which recommended certain buffer zones within the parcel prior to the sale. Mr. Miller responded that the map had included a 300-foot elevation error and the buffering was misplaced.

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

Dr. Selkregg moved,
Mr. Sullivan seconded,

to approve AO 2007-126,

Mr. Sullivan stated that Mr. Miller brought up a good point about the placement of buffers, separating R3 and R10 zoning districts and he proposed postponing, to further examine the matter. Mr. Mehner responded that buffering and zoning issues could be revisited when the platting process was addressed with the successful bidder.

To Chair Coffey, Mr. Mehner responded that the property would be disposed as it currently was zoned, which was PLI. The sale would include the southern 12.5 acres and the northern 5 acres designated as park, as defined in the Potter Valley Land Use Analysis, which would be addressed by the Planning and Zoning Commission. Chair Coffey stated that addressing the buffering in the platting process would be difficult with an approved ordinance that defined the particulars. Mr. Mehner responded that Mr. Miller would have the opportunity to address the matter during the platting process.

To Mr. Birch, Mr. Mehner responded that HLB's objective was to pass on platting costs to a successful bidder, saving taxpayers an estimated \$30,000 in fees. Chair Coffey responded the property could be sold before it was rezoned. Mr. Birch stated there was a parcel off of South Goldenvue that had not been rezoned when it was sold and was now the responsibility of the new owner. An uncertainty of the final zoning remained to the surrounding neighbors, along with a potential financial impact to the city, because property zoned R10 was more valuable. Mayor Begich responded the city was not in a position to act as a quasi-developer, but the Assembly could direct the Administration to have the property rezoned and attempt to get higher sale pricing. Mr. Birch stated the city needed to identify the zoning and he was uncomfortable with the city selling PLI-zoned land. Mayor Begich responded that instructions from the appraiser were to have the property rezoned to R10 or R10SL, which was included in the property price. Mr. Mehner concurred.

To Mr. Sullivan, Mr. Mehner responded the document language included "more or less" and the acreage listed was an approximation.

Dr. Selkregg stated that PLI was to be used for large sections of land that had not been designated, to encourage the type of development that would be compatible with the surrounding areas. The HLB process needed strategies that would allow the city to get the highest price with the best use. Mayor Begich stated the process strategies were developed by the Anchorage Development Authority.

Mr. Claman stated this was consistent with the development in the area and he urged a YES-vote.

To Mr. Sullivan, Mr. Mehner responded that the 1999 Land Use Analysis recommended R10SL and Public Hearing would be scheduled when the matter was reviewed by the Platting Board.

and this was passed, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

14.L. Ordinance No. AO 2007-130, an ordinance approving acquisition of real property described as **Lot 35A, Lintner Subdivision**, in an amount not to exceed \$352,000 with previously appropriated Anchorage Fire Service Area Capital Improvement Fund (431) 2006 General Obligation Bond Proceeds, in the amount of \$254,320 and with an appropriation of \$97,680 in Short-Term Interest Earnings from the Anchorage Fire Service Area Capital Improvement Fund (431) to the Anchorage Fire Department, Anchorage Fire Service Area Capital Improvement Fund (431); Heritage Land Bank.

1. Assembly Memorandum No. AM 586-2007.

Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Dr. Selkregg moved, to approve AO 2007-130,
Mr. Claman seconded,

Mr. Claman stated that this acquisition involved property owned by an Anchorage fireman that would be used by the Spenard Fire Station. Mayor Begich responded this was a good deal for the city. Mr. Claman urged a YES-vote.

Chair Coffey stated this acquisition involved property next to the station house and it was a good opportunity to provide expansion that would offer additional public protection. He urged a YES-vote.

Mr. Sullivan urged a YES-vote.

and this was approved, 10-0.

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

NAYES: None.

ABSENT: Johnston, excused.

(Clerk's Note: Upon completion of the time-sensitive items that needed to be addressed that evening, Chair Coffey moved to body to complete the remainder of the Agenda, beginning with item 11.J.)

- 14.M. Ordinance No. AO 2007-122, 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 Bauer, Ossiander, Starr, Sullivan, Tesche and Traini.
1. Assembly Memorandum No. AM 537-2007.
 2. Ordinance No. AO 2007-122(S), 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. ***(Laid on the Table)***

(Clerk's Note: Upon completion of item 9.D.3, Chair Coffey moved the body to take up 14.M.)

Chair Coffey stated that because there were time-sensitive matters on the Agenda that needed to be addressed that evening, Public Hearing would be limited to one and one half hours. Mr. Traini proposed that Public Hearing run until 8:30 p.m., the time-sensitive matters be addressed, and the Assembly could complete this matter at 10:30 p.m.

Ms. Ossiander assumed as Chair, allowing Mr. Coffey to disclose a possible conflict of interest. Mr. Coffey stated that he had owned four Express Lube stores until June 1, 2007, which performed motor vehicle emissions inspection and maintenance (I/M) testing. While the business had sold, there was still a financial interest because he was receiving payment from the new owner. He was not aware of any personal interest he had in the matter.

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

Acting Chair Ossiander stated there was a substitute version (S-Version) of the ordinance, sponsored by Mr. Traini. Mr. Traini responded the changes in the S-Version included effective dates of December 31, 2009, or 30 days after ADEC provided written notice that all conditions have been met by all associated parties and had accepted and approved termination of the program. Acting Chair Ossiander opened Public Hearing.

DR. GEORGE STEWART supported the I/M Program. The Sierra Research Study indicated vehicle emissions were much improved after the program was started in the 1980's. The Task Force recommended not eliminating the program. The federal government required emissions standards. Once the program was eliminated, it would be difficult and expensive to re-implement. To Mr. Claman, Dr. Stewart responded he was a retired lung specialist. He responded that if the program was terminated air pollutants would increase and there would be an increase of asthma and lung disease. To Mr. Tesche, he responded that new vehicles had improved emissions controls and he supported extending testing on new cars to six years. To Dr. Selkregg, Dr. Stewart responded the overall quality in the community was good, but during fire season and temperature inversions many people were affected by poor air quality.

KATHY LAMOINES testified in support of I/M testing. An I/M test had determined that her 2000 model vehicle had had a plugged catalytic converter. Repealing the program would cause more smog in the city and she wanted clean air.

RON WEST opposed I/M testing, and stated that it was a political matter. High pollutants were corrected by catalytic converters. To Mr. Starr, he responded that the information and graph in the Sierra Research Study were flawed. New engines were more precise and ultra-clean now.

WALLY HOPKINS, Chief Executive Officer of Quik Lube and the Emissions Testing Center, supported the program. Quik Lube completed a customer survey and of the 553 responses, 225 supported continuing the program, 126 supported continuing the program with modifications and 202 supported eliminating the program. To Mr. Sullivan, Mr. Hopkins responded that his shops also completed vehicle maintenance and offered State of Alaska vehicle registration. Mr. Sullivan stated if the program was eliminated it would take a couple of years for it to be decertified.

1 EMILY NENON, American Cancer Society Alaska Government Relations Director, supported additional review of the
2 program, and did not support elimination. Her car had failed I/M testing that day and a \$6 modification had cleaned it
3 up and her car would now get better mileage with less pollution.
4

5 BRAD CUTWAY, an I/M mechanic, supported the program. Improper modifications contributed to air pollution. If the
6 program was eliminated, all cars that had been banned would be back, with tremendous pollution. One out of ten
7 vehicles caused bad pollution. To Mr. Sullivan, Mr. Cutway responded that people did not like the time and money
8 involved. To Mr. Tesche, Mr. Cutway responded that he was a Jiffy Lube Manager. The bulk of the population did
9 minimum maintenance to get by.
10

11 SUE STAFFORD, a registered nurse, supported I/M testing. Bad air affected people with asthma and lung disease.
12 She and her family supported the Clean Air Challenge and the Lung Association. She shared the story of a woman
13 who had died from a severe asthma attack. She urged Assemblymembers to make their decisions based on facts.
14

15 ANDY BAKER, a clean energy consultant, supported keeping the program. He owned two cars that had failed I/M
16 tests and improvements had made those vehicles run better and were now more valuable. Standards were needed for
17 used cars. Eliminating I/M testing would affect the economy because the program created jobs and the shops
18 invested in expensive I/M equipment, which would not be marketable.
19

20 WES HIBBEN supported eliminating I/M testing and having people make their own modifications. Currently the laws
21 would not allow him to make modifications to his vehicles to increase fuel efficiency.
22

23 CLARE STOCKERT, with the Alaska Center for the Environment and an I/M Task Force member, supported keeping
24 the program. The city needed to maintain clean air. Alaska had high levels of benzene which was a carcinogen and
25 she urged that the program be continued until 2011, when the laws would be changed concerning benzene. To Mr.
26 Starr, she responded that Valley commuter traffic should be tested. Mr. Claman thanked Ms. Stockert for her
27 contribution. To Dr. Selkregg, she responded that the Task Force had not addressed commuter traffic.
28

29 MATTHEW ROGERS, a research scientist with UAA, testified that the Clean Air Act took continual maintenance and
30 he urged the city to have responsible stewardship to protect the environment. A majority of people in Anchorage
31 supported maintaining the program. Mr. Starr stated that 60% of those responding to the Task Force survey supported
32 eliminating the program. To Mr. Bauer, Mr. Rogers responded that global pollution was affecting air quality in the U.S.
33 To Dr. Selkregg, Mr. Rogers responded that there was reference to a random phone survey which had indicated 74%
34 supported the program.
35

36 KELLY DAUGHTY, a certified I/M Quik Lube mechanic, testified in support of the program. Everyone benefited from
37 clean air. The program could be modified and he would support amendments. Newer vehicles still polluted. To Dr.
38 Selkregg, Mr. Daughty responded about half of the people who had cars that failed the test, knew their car would fail.
39

40 NATHAN VICTORY testified the program forced people to maintain their vehicles, which made cars run cleaner. The
41 I/M Program was a service to the community.
42

43 DR. GARY FERGUSON, a naturopathic doctor, supported the program, which helped keep the air clean.
44

45 DR. MARY ELLEN GORDIAN, a Task Force member, supported the program, which would keep cars maintained.
46 70% of air pollutants came from tailpipes. Cars should be taxed to pay for the program. There were more cases of
47 asthma caused by pollution in Alaska. To Mr. Claman, Dr. Gordian responded that traffic emission was a growing
48 cause for asthma becoming epidemic in the developed world. She was compiling research to report on the association
49 of air pollution and health effects. To Mr. Starr, she responded that dust was an aggravating factor of asthma. To Dr.
50 Selkregg, Dr. Gordian responded that Alaska had worse air than Los Angeles because of high levels of benzene, a
51 carcinogen that caused leukemia and cancer. She had tracked children with asthma and the highest affected victims
52 lived close to traffic.
53

54 EDWARD PEACE, a Task Force member, supported I/M testing. Simple vehicle maintenance would reduce
55 emissions. To Mr. Starr, he responded the vehicle model and year were important, but maintenance was the key
56 factor. To Dr. Selkregg, Mr. Peace responded that he was a cancer victim and city air was hard to breath at times.
57

58 BARBARA GARNER testified in support of the testing program. Ambient inversions in the winter brought pollutants
59 into Anchorage. Her home was located in a very polluted area and she now had to use an inhaler. There were many
60 victims that suffered from asthma in Anchorage.
61

62 VICKY CLAUSEN, with the I/M Testing Center, testified that her shop had taken a survey and over 50% of her
63 customers supported the I/M Program. She read portions of the Ivan Moore report, which addressed vehicles and
64 emissions. Clean air was important.
65

66 MICHELLE LANCASTER, Quik Lube Manager, testified in support of the program. She had a young daughter with
67 medical issues and she supported clean air. There would be an economic impact if I/M mechanics lost their jobs.
68

69 EDDIE BURKE, a former gas station owner that performed I/M testing, testified that 97% of clean air did not come from
70 I/M testing. Modifications to cars caused less gas mileage. To Mr. Tesche, Mr. Burke responded that many people
71 involved with the matter had an economic interest. Policy should not be based on the irresponsibility of a few people
72 who did not maintain their cars. To Mr. Claman, he responded that doctors had testified about their asthma patients,
73 but asthma was not caused by the I/M issue. Mr. Claman stated that doctors had testified that pollutants affected
74 patients and I/M testing reduced air pollutants.
75

76 Acting Chair Ossiander stated that the allowed time for public testimony had been exceeded and there were time-
77 sensitive Agenda items that needed to be addressed that evening. Mr. Sullivan, Mr. Tesche, Mr. Traini and Mr.

1 Claman responded that they supported completing I/M Public Hearing. Acting Chair Ossiander continued Public
2 Hearing for an additional 30 minutes.

3
4 CODY DOWNS, a resident of Anchorage and a Chaplain at Guantanamo Bay, stated that he had been cited twice in
5 the city for vehicle emissions, which had been unfounded. The police needed to spend more of their time on public
6 safety and arresting drug dealers. The I/M Program was not working the way it was intended.

7
8 PAUL ERICKSON, an I/M mechanic who supported the program, stated the program was an easy way to complete
9 total car maintenance.

10
11 JIM PFEIFFER reported the Task Force findings had included much information supplied from the Health Department.
12 Six of the nine Task Force members supported amending and three supported terminating the program. The
13 overriding reasons in support of keeping the program included the difficulty of replacing the program with a different
14 control measure; reduction of air pollution, including benzene levels; costs of monitoring and controlling pollutants
15 belonged to vehicle owners, and; vehicles would not be properly maintained if the I/M requirements were discontinued.
16 To Dr. Selkregg, Mr. Pfeiffer responded that the Task Force recommendation was to modify exemptions for new
17 vehicles from four years to six years, to exempt vehicles over 25 years old, and to allow engine replacements with non-
18 stock parts, providing the tailpipe standards were met.

19
20 DEBORAH WILLIAMS, Alaska Conservation Solutions President, supported I/M testing. Global warming was being
21 addressed and there was money available to cities that were proactive with reducing the carbon footprint. The
22 Assembly needed to support the Task Force recommendation. To Mr. Tesche, Ms. Williams responded the CO2
23 levels were less today because of I/M testing, newer cars, warmer winter temperatures and other mitigation measures
24 that had been taken. If the program was eliminated, cars that had violated the standards would be allowed back on
25 the road. Mr. Tesche stated that newer cars were cleaner and more information was needed. Ms. Williams responded
26 that there was no proof there would be acceptable carbon monoxide levels if the testing was eliminated and it would
27 cost the city a lot of money to reconstitute the program. To Mr. Starr, she responded that in the 1980's they had
28 wanted to include Mat-Su Valley with the program. The matter could be addressed by the State. To Mr. Claman, Ms.
29 Williams responded that his proposal for an emissions check station for commuter vehicles was an interesting idea.

30
31 DAN COFFEY stated that he had attended some of the meetings and had heard both sides of the matter. Carbon
32 monoxide levels in Anchorage had not been exceeded in eleven years. I/M testing would not eliminate the benzene
33 levels in Alaskan fuel. He supported eliminating the program.

34
35 JOHN WALDEN, an I/M mechanic, supported the program. To Mr. Starr, Mr. Walden responded that a visual
36 inspection was part of a thorough inspection and illuminated engine lights were addressed. Good car maintenance
37 helped keep air clean. To Dr. Selkregg, he responded that about 60% of vehicles failed testing the first time.

38
39 LOIS EPSTEIN, Alaska Transportation Priorities Project Director, testified in support of the program. Anchorage had
40 periodically exceeded levels of carbon monoxide as recently as 2001 and ran a high risk of violating emission
41 standards. She was disappointed to find the Assembly in conflict with the Task Force recommendation and that they
42 had already made up their minds. Mr. Tesche stated that all Assemblymembers were taking this important matter
43 seriously, were listening to public testimony and considering all information. To Mr. Sullivan, Ms. Epstein responded
44 the modeling timeframe of eliminating the program should be longer than 2009. The city would be at high risk for a
45 violation. To Mr. Starr, Ms. Epstein responded that more information was needed.

46
47 TIM SCHRAGE, Quik Lube President and father of a three-year-old with severe asthma, testified in support of I/M
48 testing. Quik Lube shops inspected vehicles to make sure they met the standards that the community expected.

49
50 BILL REINER testified the Sierra Report had bad information. All testimony had not been factual. He had attended
51 many Task Force Meetings and the discussion and action had not really addressed the problem.

52
53 VAN BAKEL, an I/M testing shop owner and father, testified that Assemblymember Traini and Mayor Begich had
54 already concluded to eliminate the I/M Program before reviewing the I/M Task Force recommendations. It did not
55 make sense. Eliminating the program would cause air quality to go wild. He supported Mr. Sullivan's idea of
56 conducting additional research. Mr. Starr stated the Task Force had followed the public process and had addressed
57 the bottom line. The initiative to repeal was not sent out until after the recommendation had been made. To Dr.
58 Selkregg, Mr. Bakel responded that 12% or about 1000 cars failed I/M testing a month, which was 12,000 cars each
59 year and those cars would be back on the road if the program was eliminated. Dr. Selkregg stated that the number of
60 cars that failed the test was probably higher.

61
62 BENEDICT RIDER supported I/M testing. The cost was reasonable to be able to maintain safe air quality standards.
63 The city needed to take responsibility.

64
65 PAUL D. KENDALL testified the report was inconclusive and inaccurate. Many of the people who testified had
66 conflicts of interest. The Assembly needed to be addressing bigger issues in the city and he stated that use of
67 hydrogen fuel needed to be considered. He requested that Mayor Begich put cameras in the Marston Theatre.

68
69 RANDY FLORDUE, an I/M mechanic, supported the testing program. Most people did not maintain their vehicles. To
70 Dr. Selkregg, he responded that two or three cars a day did not pass the test. He responded that a bad car would plug
71 their machines and mechanics told vehicle owners what to fix first, before coming back and having the test. Dr.
72 Selkregg stated that the real number of failing cars could be higher than predicted.

73
74 RICH KLINE, owner of Kline's Tesoro which performed about 2000 I/M tests per year, supported the program. He
75 stated a test site to test commuters could be put set up on Glenn Highway. Many people did not repair their vehicles
76 like they should.

77
78 With no additional testimony, Acting Chair Ossiander closed Public Hearing and called the Question.

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

Mr. Coffey resumed as Assembly Chair and identified Agenda items that were time-sensitive and needed to be addressed that evening. He called the Question.

Mr. Traini moved, to Change the Order of the Day to take up 11.A, 11.B, 11.C,
Mr. Traini seconded, 11.D, 11.E, 11.F, 11.G and 11.H and new Public Hearing
and this was approved without objection. items, 14.B, 14.C, 14.D and 14.L,

(Clerk's Note: There was no time to return to this matter and it was Carried Over to October 23, 2007.)

- 14.N. 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.

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

- 14.O. 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.

(Clerk's Note: Due to a lack of time, AO 2007-25(S) was Carried Over to October 23, 2007.)

15. SPECIAL ORDERS

- 10.B.6. Resolution No. AR 2007-230, a resolution of the Anchorage Municipal Assembly adopting recommendations of the Board of Ethics in the matter of Ethics Board Case Number 2007-1 regarding a violation of Ethics Code § 1.15.070.K by **Assembly Member Paul Bauer** in submitting documents for filing with the Ethics Board alleging an ethics violation and subsequently holding a press conference to discuss the same alleged ethics violation; Assembly Chair Coffey, Assembly Vice Chair Ossiander and Ethics Committee Chair Sullivan. ***(Laid on the Table)***

(Clerk's Note: See Agenda Item 9.B.5 and 9.B.6, for details of AR 2007-228 and AR 2007-230.)

Chair Coffey stated that under AMC Section 1.15.100.A.3, the Assembly was charged with responding to recommendations of the Ethics Board. He stated that he, Ethics Committee Chair Dan Sullivan and Assembly Vice Chair Ossiander had responded by creating the resolution.

Mr. Sullivan moved, to approve AR 2007-230,
Mr. Traini seconded,

Mr. Bauer stated that the issue had been very important to him and he had felt duty-bound to discuss it with the public. He now knew that in his haste and zealous move to bring things out to the public, he had made a mistake with the timing of his allegations. He had intended to file a complaint, but had not. He regretted the incident had occurred and being forced to involve fellow Assemblymembers and others with the matter. He stated that this was not admonishment for any other violation or personal or financial gain on his part, but a violation of Code procedure, in relation to breaking confidentiality on an issue.

Chair Coffey put the Question.

and this was approved, 9-0.

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

- 10.B.5. Resolution No. AR 2007-228, a resolution of the Anchorage Municipal Assembly officially admonishing **Assembly Member Paul A. Bauer** for knowingly violating Sections 1.15.070(K)(1), 1.15.070(K)(2), 1.15.070(K)(3) of the Code of Ethics by publicly disclosing the content of a Notice of Possible Violation of the Code before the Board had the opportunity to complete its preliminary review of the claim and requiring Assembly Member Bauer to attend and complete ethics training within six months; Assemblymember Tesche.

(Clerk's Note: See Agenda Item 9.B.5 and 9.B.6, for details of AR 2007-228 and AR 2007-230.)

Mr. Tesche moved, to postpone indefinitely AR 2007-228,
Mr. Traini seconded,
and this was passed without objection,

with Mr. Bauer abstaining,
and Ms. Johnson as an excused absence.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Chair Coffey welcomed Cub Scout Pack 104, which included Cub Scouts Ethan Norman, Steven Beelman, Zac Schneider, Nathaniel Roberts, Joshua Roach and Andrew Behm. Den Leaders Michelle Leibold and Quinn Simpson accompanied the scouts, who were working on Citizenship Badges.

Ms. Ossiander stated that the I/M issue would be addressed on October 23rd and the document before the Assembly would be AO 2007-122(S).

To Chair Coffey, Planning Department Director Tom Nelson responded that P&Z would complete their report in November on AO 2007-139, regarding Correctional Community Residential Centers.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Coffey called for a motion to adjourn the meeting.

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

The Regular Assembly Meeting was adjourned at 10:50 p.m.

See Archived Document for Signatures

DAN COFFEY, Assembly Chair

ATTEST:

See Archived Document for Signatures

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

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