

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of December 12, 2006

16

17
18
19
20
21
22

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Sullivan at 5:05 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, Janice Shamberg, Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Chris Birch, Dan Coffey (*participating telephonically for deliberations on the Ethics Code*), Ken Stout, Dick Traini and Pamela Jennings (*participating telephonically for a majority of the meeting*).

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Stout led the pledge.

4. MINUTES OF PREVIOUS MEETINGS There were none.

31
32
33

5. MAYOR'S REPORT

Mayor Begich introduced new Municipal Library Director Karen Keller. Chair Sullivan, Mr. Birch and Mr. Tesche welcomed and congratulated her. Ms. Keller stated that she was honored to have been selected for the position and looked forward to working with the Municipality. To Chair Sullivan, Ms. Keller responded that the sky was the limit for what could be done with a library. Mr. Tesche stated that the library was important to the city and he looked forward to discussing the Mountain View Branch Library revitalization. To Mr. Birch, she responded that she wanted to expand some library branch hours to six days a week. Mayor Begich stated there would be a worksession on library renewal efforts scheduled for February or March, 2007.

To Mayor Begich, Anchorage Fire Department (AFD) Chief Craig Goodrich reported that the Anchorage Police Department (APD) had recently lost the Guns and Hoses hockey game. Police Chief Rob Heun responded that because he had lost the bet, he was now forced to wear a used AFD hockey sweater every Friday for the rest of December. Mayor Begich stated that the game had raised a lot of money for the American Diabetes Association. To Mr. Tesche, Chief Heun responded that he had eaten a lot of crow that week.

Mayor Begich handed out fliers and reported that the website and travel agency ORBITZ had recently classified Anchorage as the #9 Top U.S. and International Summer City Destination.

Mayor Begich introduced newly appointed board and commission members, including Marissa Flannery to the Board of Ethics, and Greg Miller and Marshall White to the Military and Veterans Affairs Commission. Chair Sullivan thanked them for volunteering to serve.

54
55
56

6. ASSEMBLY CHAIR'S REPORT

Chair Sullivan reported that he, Mr. Coffey, Ms. Jennings and Municipal Clerk Barbara Gruenstein, as the Ombudsman Selection Committee, had reviewed 30 applicants and had finalized their search to four candidates for filling the position of Municipal Ombudsman. They would announce their selection by the end of the week.

60
61
62

7. COMMITTEE REPORTS

Ms. Ossiander requested that the Title 21 Committee Meeting, scheduled for the following morning, be postponed, due to Mr. Coffey's and Ms. Jennings's health concerns. Ms. Ossiander stated the committee was to discuss subdivision standards, which had high public interest.

Mr. Bauer reported that a Public Safety Committee Meeting was scheduled for 4:00 p.m. on Thursday, December 14th at the Assembly Conference Room in City Hall. Police Chief Rob Heun would present a brief on police recruitment.

Mr. Traini reported that he had just returned from a recent National League of Cities Meeting in Reno. He, Chair Sullivan and Mr. Birch welcomed Kathie Wasserman, as the new Executive Director of the Alaska Municipal League (AML). Ms. Wasserman thanked Mr. Traini, Mr. Birch, Chair Sullivan and Municipal Clerk Barbara Gruenstein for their work with the AML. She stated that the AML kept informed on all state and federal issues that affect local communities and lobbied in support of all Alaska cities and boroughs. She welcomed any matters that needed to be addressed in the Anchorage Community. Mr. Traini stated that Alaska needed municipal revenue sharing and it was important for

75

1 the state to support small towns. Ms. Wasserman responded that she was formerly the Mayor of Pelican, which had
2 suffered severely from state revenue cuts.

3
4 Mr. Birch reported that he had attended the recent Chugach State Park Citizen's Advisory Board Meeting, which had
5 discussed matters concerning a large portion of the park in his district. State Representative-elect Lindsey Holmes
6 and Representatives Sharon Cissna and Mike Hawker had been present to discuss the importance of the park to the
7 community.

8 9 **8. ADDENDUM TO AGENDA**

10
11 Chair Sullivan called for a motion and read the Addendum items. He called for additional items and there being none,
12 he called for a vote to incorporate the Addendum items into the Consent Agenda.

13
14 Ms. Ossiander moved, to approve the inclusion of the Addendum items
15 Ms. Fairclough seconded, into the Consent Agenda,
16 and this motion was passed.

17
18 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
19 *telephonically*).

20 NAYES: None.

21 ABSENT: Coffey, excused.

22
23 Chair Sullivan called the Question on the Consent Agenda.

24
25 Mr. Tesche moved, to approve the Consent Agenda,
26 Mr. Traini seconded,

27
28 Chair Sullivan called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
29 discussion.

30 31 **9. CONSENT AGENDA**

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

33 9.A.1. Resolution No. AR 2006-311, a resolution of the Anchorage Municipal Assembly recognizing the
34 contributions of the **Fairview Community Council** on the occasion of its 30th Anniversary; Mayor
35 Begich; Assemblymembers Tesche, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander,
36 Shamberg, Stout, Sullivan and Traini.

37
38 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)

39
40 9.A.2. Resolution No. AR 2006-315, a resolution of the Anchorage Municipal Assembly remembering the life
41 and contributions of **Thomas R. Stahr** to Municipal Light & Power and the City of Anchorage; Mayor
42 Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander,
43 Shamberg, Stout, Tesche and Traini.

44
45 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (*See item 10.A.2*)

46 47 **9.B. RESOLUTIONS FOR ACTION - OTHER**

48 9.B.1. Resolution No. AR 2006-312, a resolution of the Municipality of Anchorage appropriating the sum of
49 \$50,000 from the Department of Justice, Community Capacity Development Office, Russian
50 Jack/Muldoon Weed & Seed Site Office and \$1,030 as a contribution from the 2006 Anchorage Police
51 Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the Federal Categorical
52 Grants Fund (241) Anchorage Police Department, for this **Weed & Seed Program Coordination**
53 **Grant**; Anchorage Police Department.

54 a. Assembly Memorandum No. AM 857-2006.

55 9.B.2. Resolution No. AR 2006-313, a resolution of the Municipality of Anchorage appropriating \$10,000 as a
56 donation from ConocoPhillips to the Miscellaneous Operational Grants Fund (261) for the support of
57 the **Westchester Saturday Family Skate**; Office of Economic & Community Development
58 Department.

59 a. Assembly Memorandum No. AM 858-2006.

60 9.B.3. Resolution No. AR 2006-316, a resolution of the Anchorage Municipal Assembly amending Assembly
61 Resolution AR 2005-222 to include the requirement that **Club Oasis** secure and record a revised
62 Joint-Use Parking Agreement on or before September 13, 2007; Assemblymember Traini.

63
64 **9.C. BID AWARDS** There were none.

65 66 **9.D. NEW BUSINESS**

67 9.D.1. Assembly Memorandum No. AM 871-2006, **Board of Ethics** appointment (Marissa Flannery); Mayor's
68 Office.

69 9.D.2. Assembly Memorandum No. AM 872-2006, **Heritage Land Bank Advisory Commission**
70 appointment (James Balamaci); Mayor's Office.

71 9.D.3. Assembly Memorandum No. AM 873-2006, **Public Transit Advisory Board** appointments
72 (Charmaine Ramos, Sally Spieker); Mayor's Office.

73 9.D.4. Assembly Memorandum No. AM 874-2006, **Human Resources Advisory Board** appointment
74 (Cassandra Anderson); Mayor's Office.

75 9.D.5. Assembly Memorandum No. AM 875-2006, **Military and Veterans Affairs Commission**
76 appointments (Gregory Miller, Marshall White); Mayor's Office.

77 9.D.6. Assembly Memorandum No. AM 876-2006, **Women's Commission** appointments (Cady Lister,
78 Maureen McGlone); Mayor's Office.

- 1 9.D.7. Assembly Memorandum No. AM 844-2006, **2007/2008 Liquor License Renewals**: Asia
2 Gardens/Brandy's, Joey's – Beverage Dispensary; Peking Wok, Arigato Japanese Restaurant
3 (Taku/Campbell, Campbell Park, Spenard, Sand Lake Community Councils); Clerk's Office.
4

5 Ms. Jennings requested this item be pulled for review on the Regular Agenda. (See item 10.D.7)

- 6
7 9.D.8. Assembly Memorandum No. AM 878-2006, 2007/2008 Liquor License Renewal: **Bungalow Lounge**
8 #3781 – Beverage Dispensary (Downtown Community Council); Clerk's Office.
9 9.D.9. Assembly Memorandum No. AM 879-2006, **Tap Root Café #4677** – New Restaurant/Eating Place
10 Liquor License (Huffman-O'Malley Community Council); Clerk's Office.
11 9.D.10. Assembly Memorandum No. AM 862-2006, Amendment No. 2 to the professional services agreement
12 with Barnes Architecture, Inc. for the **J.M. Asplund Wastewater Treatment Facility Building**
13 **Improvements Project** (\$244,000); Anchorage Water & Wastewater Utility.
14 9.D.11. Assembly Memorandum No. AM 863-2006, **Sullivan – Ben Boeke Water Upgrade** - Annette's
15 Trucking Inc. Change Order No. 2 (\$83,042); Anchorage Water & Wastewater Utility.
16 9.D.12. Assembly Memorandum No. AM 864-2006, **PZ 411 Water Intertie** – Amendment No. 4 to contract for
17 professional services with MWH Americas, Inc. PO 0000246086 (\$32,400); Anchorage Water &
18 Wastewater Utility.
19 9.D.13. Assembly Memorandum No. AM 865-2006, proprietary purchase for **underground locate services**
20 with Alaska DigLine Inc. dba Locate Call Center of Alaska, Inc. for the Municipality of Anchorage,
21 various utilities and departments (\$69,780); Purchasing.
22 9.D.14. Assembly Memorandum No. AM 866-2006, recommendation of award to Engineered Solutions Group,
23 Inc. for providing professional **electrical engineering consulting services** for electrical transmission
24 and distribution facilities on an "as required" basis to the Municipality of Anchorage, Municipal Light &
25 Power (RFP 26-P042) (\$400,000); Purchasing.
26 9.D.15. Assembly Memorandum No. AM 867-2006, proprietary purchase from Potelcom Supply for
27 **Schlumberger Quantum Q-1000 meters** for the Municipality of Anchorage, Municipal Light and
28 Power (\$34,400); Purchasing.
29 9.D.16. Assembly Memorandum No. AM 868-2006, recommendation of award to Trawver Land Services and
30 HDR Alaska, Inc. for providing professional **right-of-way land acquisition services** on an "as
31 required" basis to the Municipality of Anchorage, Project Management and Engineering Department
32 (RFP 26-P045) (\$600,000); Purchasing.
33 9.D.17. Assembly Memorandum No. AM 869-2006, Amendment No. 3 to the professional services contract
34 with DOWL Engineers for the **Creekside Parkway Road Improvements**, Project No. 02-12
35 (\$360,400); Project Management & Engineering.
36

37 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.17)

- 38
39 9.D.18. Assembly Memorandum No. AM 870-2006, Contract Amendment No. 2 to Seacoast Construction Co.,
40 Inc. for the construction of the **Maplewood Street Sidewalk Improvements, Northwestern Avenue**
41 **to Bannister Drive**, Project No. 03-34 (\$23,950); Project Management & Engineering.
42 9.D.19. Assembly Memorandum No. AM 880-2006, **T.G.I. Friday's #4279** – Restaurant Designation Permit for
43 a Beverage Dispensary Liquor License (Midtown Community Council); Clerk's Office. (**Addendum**)
44 9.D.20. Assembly Memorandum No. AM 883-2006, **Howard Johnson Plaza Hotel #4682** – New Beverage
45 Dispensary Tourism Liquor License (Downtown Community Council); Clerk's Office. (**Addendum**)
46 1. Information Memorandum AIM No.132-2006. (**Laid on the Table**)
47

48 Following approval of the Consent Agenda, Mr. Traini requested this item be reviewed on the Regular Agenda. He
49 moved, seconded by Mr. Tesche, for reconsideration of AM 883-2006. There were no objections. (See item 10.D.20.)
50

- 51 9.D.21. Assembly Memorandum No. AM 882-2006, **Chugiak-Eagle River Parks and Recreation Board of**
52 **Supervisors** appointment (Sarah Wright); Mayor's Office. (**Addendum**)
53

54 **9.E. INFORMATION AND REPORTS**

- 55 9.E.1. Information Memorandum No. AIM 119-2006, Internal Audit Report 2006-16 - **Minor Repair Program**
56 **Follow-up, Department of Neighborhoods**; Internal Audit Department.
57 9.E.2. Information Memorandum No. AIM 121-2006, Internal Audit Report 2006-17 - **Weatherization**
58 **Assistance Program Follow-up, Department of Neighborhoods**; Internal Audit Department.
59 9.E.3. Information Memorandum No. AIM 124-2006, **Executive Appointments** (Cliff Boltz, Special Admin
60 Assistant II; Donna Boltz, Deputy Port Director; Clare Charlie, Special Admin Assistant I; John
61 Falconer, Application Services Manager; Susanne Green, Special Admin Assistant I; Robert Heun,
62 Police Chief; Jody Karcz, Public Transportation Director; Ross [Plumber] Plummer, Deputy Police
63 Chief; Mara Rabinowitz, Program and Policy Director; James N. Reeves, Municipal Attorney; Stephen
64 Smith, Deputy Police Chief, Michael Sweeney, Application Services Manager; Seneca Theno,
65 Municipal Attorney I; A. Gail Turner, Computer Ops Manager; Karen Turner, Records and Benefits
66 Director; Fred Traber, Management Systems Officer II); Mayor Begich.
67

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

- 69
70 9.E.4. Information Memorandum No. AIM 125-2006, Notice of Award to Consolidated Contracting &
71 Engineering for the **Planning & Development Center Headbolt Installation** for the Municipality of
72 Anchorage, Maintenance and Operations Department (26-C074) (\$179,777); Purchasing.
73 9.E.5. Information Memorandum No. AIM 126-2006, Notice of Intent to issue a Joint Proposal (Cooperative
74 Purchase) for the purchase and installation of a replacement **Supervisory Control and Data**
75 **Acquisition/Energy Management System** (SCADA/EMS) with Chugach Electric Association (CEA)
76 and the Municipality of Anchorage, Municipal Light & Power Utility; Purchasing.
77 9.E.6. Information Memorandum No. AIM 127-2006, **contracts awarded between \$50,000 and \$100,000**
78 **through formal competitive processes** for the month of October 2006; Purchasing.

1 9.E.7. Information Memorandum No. AIM 128-2006, **Sole Source Procurement Report** for the month of
2 October 2006; Purchasing.
3

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

5 9.F.1. Ordinance No. AO 2006-175, an ordinance of the Anchorage Municipal Assembly repealing and
6 reenacting Anchorage Municipal Code Section 4.60.030 to create an **Historic Preservation**
7 **Commission** promoting a broader community purpose for historic preservation, and amending
8 Section 6.100.020, financing historic preservation projects; Assemblymembers Tesche and Shamberg.
9 (*Public Hearing 1-09-07*)

10 a. Assembly Memorandum No. AM 855-2006.

11 9.F.2. Ordinance No. AO 2006-176, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
12 providing for the borrowing from the State of Alaska Drinking Water Fund of an aggregate amount not
13 to exceed \$17,310,000 for the purpose of financing a portion of the costs of various **AWWU 2007**
14 **Capital Improvement Plan (CIP) Water Improvements Projects** in the Municipality, and providing
15 for related matters; Anchorage Water & Wastewater Utility. (*Public Hearing 1-09-07*)

16 a. Assembly Memorandum No. AM 859-2006.

17 9.F.3. Ordinance No. AO 2006-177, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
18 providing for the borrowing from the State of Alaska Clean Water Fund of an aggregate amount not to
19 exceed \$8,591,500 for the purpose of financing a portion of the costs of various **AWWU 2007 Capital**
20 **Improvement Plan (CIP) Sewer Improvements Projects** in the Municipality, and providing for
21 related matters; Anchorage Water & Wastewater Utility. (*Public Hearing 1-09-07*)

22 a. Assembly Memorandum No. AM 860-2006.

23 9.F.4. Ordinance No. AO 2006-178, an ordinance authorizing withdrawal of **Heritage Land Bank (HLB)**
24 **Parcel No. 4-043** (former Hollywood Vista Apartments Site) from the Heritage Land Bank Inventory,
25 less one portion reserved for the Parks Department and one portion reserved for the Government Hill
26 Snow Dump Site, and transfer to the Anchorage Community Development Authority; Heritage Land
27 Bank. (*Public Hearing 1-09-07*)

28 a. Assembly Memorandum No. AM 861-2006.
29

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

31
32 and the motion, as amended, was passed.

33
34 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
35 *telephonically*).

36 NAYES: None.

37 ABSENT: Coffey, excused.
38

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

41 **END OF CONSENT AGENDA**
42

43 **10. REGULAR AGENDA**

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

45 10.A.1. Resolution No. AR 2006-311, a resolution of the Anchorage Municipal Assembly recognizing the
46 contributions of the **Fairview Community Council** on the occasion of its 30th Anniversary; Mayor
47 Begich; Assemblymembers Tesche, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander,
48 Shamberg, Stout, Sullivan and Traini.
49

50 Mr. Tesche moved, to approve AR 2006-311,
51 Ms. Ossiander seconded,
52 and this was unanimously passed,
53 with Mr. Coffey as an excused absence.
54

55 Mr. Tesche read and Ms. Ossiander presented the resolution, recognizing the contributions of the Fairview Community
56 Council on its 30th Anniversary. Council members accepted the resolution, thanked the Assembly for the honor and
57 recognized several active volunteers in Fairview. Mr. Tesche stated that Fairview was the perfect example of a
58 community which had had many concerns and, with dedicated volunteers, had created a vibrant community.
59

60 10.A.2. Resolution No. AR 2006-315, a resolution of the Anchorage Municipal Assembly remembering the life
61 and contributions of **Thomas R. Stahr** to Municipal Light & Power and the City of Anchorage; Mayor
62 Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch, Coffey, Jennings, Ossiander,
63 Shamberg, Stout, Tesche and Traini.
64

65 Ms. Fairclough moved, to approve AR 2006-315,
66 Ms. Ossiander seconded,
67 and this was unanimously approved,
68 with Mr. Coffey as an excused absence.
69

70 Ms. Fairclough read and Mr. Bauer and Municipal Light and Power (*ML&P*) General Manager Jim Posey presented the
71 resolution, remembering the life and contributions of Thomas Stahr, for his many years as General Manager of ML&P.
72 Ms. Anne Stahr accepted the resolution on behalf of her late husband and stated that he had come before the
73 Assembly many times, always supporting the rate payers. Mayor Begich stated that while he had been an
74 Assemblymember, Mr. Stahr had spoken his mind, pounded his fists and had argued that buying into the Beluga Gas
75 Field was in the best interest of rate payers. The Assembly had debated and finally approved the matter, 6-5, which
76 had not been supported by the Administration. ML&P rates had subsequently decreased significantly, saving millions
77 of dollars.
78

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

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

Chair Sullivan read the resolution title and reported the history, which had included postponement to allow the Fur Rendezvous and the Anchorage Convention and Visitor's Bureau (ACVB) to meet and discuss details of the resolution. Members of the ACVB and the Fur Rendezvous had requested an additional worksession with Ms. Shamberg and Mr. Stout, who served as Advisors to the ACVB Board, and had requested to participate in the Assembly Meeting of December 19th.

Mr. Traini moved, *to postpone AR 2006-290(S) to December 19, 2006,*
Mr. Stout seconded,
and this passed without objection, 10-0,
with Mr. Coffey as an excused absence.

- 11.B. Ordinance No. AO 2006-93, an ordinance amending Anchorage Municipal Code Section 21.05.030C., the Chugiak-Eagle River-Eklutna element of the Municipality of Anchorage Comprehensive Plan, to **adopt the April 2006 Update to the 1993 Chugiak-Eagle River Comprehensive Plan**; Planning Department.
1. Assembly Memorandum No. AM 415-2006.
 2. Ordinance No. AO 2006-93(S), an ordinance amending Anchorage Municipal Code Section 21.05.030C., the Chugiak-Eagle River-Eklutna element of the Municipality of Anchorage Comprehensive Plan, to adopt the April 2006 Update to the 1993 Chugiak-Eagle River Comprehensive Plan; Planning Department.
 3. Assembly Memorandum No. AM 839-2006.
 4. Ordinance No. AO 2006-93(S-1), an ordinance amending Anchorage Municipal Code Section 21.05.030C., the Chugiak-Eagle River-Eklutna element of the Municipality of Anchorage Comprehensive Plan, to adopt the April 2006 Update to the 1993 Chugiak-Eagle River Comprehensive Plan; Assembly Vice-Chair Ossiander.
 5. Assembly Memorandum No. AM 856-2006.
(Public Hearing was Closed 11-21-06; Action was Postponed from 11-21-06)

Chair Sullivan read the ordinance title and gave the history.

Ms. Ossiander moved, *to approve AO 2006-93(S-1),*
Ms. Fairclough seconded,

Ms. Ossiander proposed two minor corrections to the additions that were approved at the last meeting. One involved rewording of the definitions of urban, suburban and rural. The Planning Department staff had helped with the changes.

Mr. Stout moved, *to amend AO 2006-93(S-1) in Attachment A-1, Page 4,*
Ms. Fairclough seconded, *Number 32, by substituting to read:*
and this was later amended,

~~[Urban: area in and surrounding the commercial section of Eagle River, medium to slightly higher density (from 3 to 25 dwellings per acre), mixed business and residential district with full city services.~~

~~Rural: low density primarily residential areas (1 or less dwellings per acre) with on-site septic systems and wells, and more limited city services, with large lots permitting greater flexibility in residential uses. Generally located in the alpine areas of South Fork, upper Eagle River Valley and the northern community of Chugiak, particularly the neighborhoods of Birchwood, Peters Creek and Eklutna.~~

~~Suburban: medium to low density primarily residential areas (2 to 6 dwellings per acre) with city services, located throughout Chugiak-Eagle River, but predominately in the Eagle River area outside of the commercial district.]~~

"Urban: An area with higher intensity development that includes and is adjacent to the downtown area and contains a variety of commercial, residential and community facilities. It is well served by public infrastructure. The downtown core area integrates retail uses, professional and public services, and community facilities. Residential densities generally range from 16 to [25] "30" dwellings per acre, with a lower density of 7 to 15 dwellings per acre near and immediately around the downtown core.

Suburban: A predominantly single family residential area with city services located near, but outside the downtown

1 core. It contains 3 to 6 dwellings per acre, but may also
2 include isolated areas with a lower density of 1 to 2 dwellings
3 per acre with public water and sewer.

4
5 Rural: An area of low density development primarily
6 consisting of detached houses on lots one acre or larger (one
7 or less dwelling per acre) with on site well and septic
8 systems. This development results from environmental
9 constraints, preferred life style choices and limited city
10 services. Incidental neighborhoods may be semi rural
11 consisting of single family homes on half acre or larger lots
12 (one to two dwellings per acre). The area may also include
13 some low intensity commercial and industrial uses,
14 particularly in the form of home based businesses. It is
15 generally located in the areas of South Fork, upper Eagle
16 River Valley, and Chugiak (the neighborhoods of Birchwood,
17 Peters Creek and Eklutna Valley).;"

18
19 To Mr. Birch, Ms. Ossiander responded that these proposed changes would decrease density, particularly in the
20 downtown Eagle River area. Some developments with up to 35 dwellings per acre had caused some community
21 concern. She was proposing 25. It was her intent to define these terms, to be able to better protect the rural
22 designation in the future. Mr. Birch stated that areas of Anchorage were facing issues of limited availability of land with
23 a growing population. If the density were reduced, people would be pushed further out of town.

24
25 To Mr. Tesche, Planning Director Tom Nelson responded that the Administration supported all of Attachment A-1, with
26 the exception of numbers 34 and 38. He proposed to reduce the numbers of dwelling units per acre from 35 to 25 in
27 the town area of Eagle River. The issue had to do more with good design than density. Mr. Tesche proposed to take
28 action on those items in question by the Administration, numbers 34 and 38, to be able to move ahead.

29
30 Chair Sullivan requested the discussion and action be focused on the motion on the floor, with the Ossiander
31 Amendments of definitions of urban, suburban and rural.

32
33 Mr. Stout moved,
34 Ms. Fairclough seconded,
35 and this was approved without objection,
36 with Mr. Coffey as an excused absence.

to amend the Ossiander Amendments, definition of Urban,
on Line 5, *by changing*: Residential densities generally range
from 16 to ~~[25]~~ "**30**" dwelling units per acre, (*Clerk's Note:*
This amendment was included with original motion, above.)

37
38 To Ms. Fairclough, Mr. Nelson responded that there were many existing multi-family structures that were greater than
39 25, with the highest one at 48 dwelling units per acre. The process of lowering density would involve changing the
40 underlying zoning regulations and addressing density with land use, consistent with the comprehensive plan for that
41 area, which currently recommended 16 to 35.

42
43 To Mr. Tesche, Ms. Ossiander stated her amendments were intended to replace item 32 on Page 4 of Attachment A-1.
44 She proposed to make the density number change uniform throughout the document. There were no objections.

45
46 and the motion, as amended, was approved without objection,
47 with Mr. Coffey as an excused absence.

48
49 Ms. Ossiander stated there was a group actively creating an overlay district for downtown Eagle River. Mr. Nelson's
50 recommendation was to include language that authorized and recognized the overlay district, offering clarity and
51 greater flexibility with density language for development design standards. She urged adoption.

52
53 Ms. Ossiander moved,
54 Ms. Fairclough seconded,
55 and this was approved without objection,
56 with Mr. Coffey as an excused absence.

to amend the Chugiak-Eagle River Comprehensive Plan
Update, 2006, on Page 59, *Relationship to Other Planning*
Elements, by adding the following paragraph:

57
58 "This plan supports the provision of a Town Center Overlay
59 District to implement the adopted 2003 Eagle River Central
60 Business District Revitalization Plan. This Plan does not
61 preclude consideration for a residential density range within
62 the overlay district that differs from this Plan, as long as there
63 are appropriate designs standards that are consistent with the
64 community design goals and objectives.;"

65
66 Ms. Fairclough urged support of Attachment A-1, item 34, dealing with traffic and road connectivity, with proposed
67 language 'important' instead of 'appropriate.' She requested understanding the topographical challenges, unique
68 characteristics and costs of transportation in Chugiak-Eagle River. She urged that road connectivity inside
69 neighborhoods not be forced, if it was not important to do so and not needed for emergency access.

70
71 Ms. Fairclough moved,
72 Ms. Ossiander seconded,
73 and this was later substituted.

to amend AO 2006-93(S-1) A-1, No. 34, Page 5, *by adding*
to read:

74
75 34. Provide connectivity to and between subdivisions where
76 it is ~~[appropriate]~~ "important" to accommodate emergency
77 traffic, recognizing "physical and environmental constraints
78 and" the need to minimize cut-through traffic within residential
neighborhoods.;

1 Mr. Nelson opposed the proposed changes, which would not allow adequate street connectivity, important between
2 subdivisions. There was recognition of environmental constraints in areas of steep slopes or other natural features
3 that would make connectivity impractical. It was desirable to have connectivity on and between subdivisions to
4 disperse traffic, lessen traffic congestion and accommodate normal and emergency traffic.
5

6 Ms. Ossiander stated this was a major issue for all people in the Chugiak-Eagle River area. It had been discussed at
7 every community council meetings and was a large part of the community concern and opposition to the Long Range
8 Transportation Plan. There was a strong desire not to force connectivity, and people did not support a grid-like pattern
9 to mirror road structures in metropolitan areas.
10

11 Mr. Birch supported the Administration's view. His South Anchorage district struggled with lack of road connectivity
12 daily. With development of new subdivisions, a grid-like road system needed to be supported. There needed to be
13 connectivity between subdivisions to support pedestrians and vehicular traffic. He supported deletion of item 34. Mr.
14 Tesche concurred.
15

16 Mr. Tesche moved,
17 Mr. Birch seconded,
18 and this was later amended,
19

["to delete"] [to approve] "to substitute" item 2.g in the
Chugiak-Eagle River Comprehensive Plan Update, Page 53,
for the Fairclough Amendment, to read:

20 2.g. Provide connectivity to and between subdivisions
21 where [appropriate] "important" to accommodate normal as
22 well as emergency traffic recognizing "**physical and**
23 **environmental constraints and**" the need to minimize cut-
24 through traffic within residential neighborhoods.;
25

26 Ms. Fairclough stated that past planners had determined that road connectivity was not possible in some areas. A
27 constituent should be allowed to build a home in an inaccessible area if they chose. She opposed the deletion.
28

29 Ms. Ossiander opposed. The amendment to item 34 only addressed the unique characteristics of the area,
30 recognizing physical and environmental constraints. Many residents chose isolation, a rural life style and did not want
31 increased traffic close to their homes.
32

33 To Mr. Tesche, Mr. Nelson responded that if item A-1.34 was deleted entirely, he would recommend adding 'the
34 physical and environmental constraints,' to the version found in the Comprehensive Plan on Page 53. Mr. Tesche
35 accepted this as a friendly amendment.
36

37 To Chair Sullivan, Mr. Nelson read the substitute amendment, as amended. Chair Sullivan put the Question.
38

39 and the motion to substitute, as amended, was passed, 6-4.
40

41 AYES: Tesche, Shamberg, Bauer, Birch, Traini and Jennings (*participating telephonically*).

42 NAYES: Fairclough, Sullivan, Ossiander and Stout.

43 ABSENT: Coffey, excused.
44

45 (*Clerk's Note: Chair Sullivan Changed the Order of the Day to take up 12.A. Following completion of the Executive*
46 *Session, he returned the body to complete discussion and action on this item.*)
47

48 To Ms. Ossiander, Mr. Nelson responded that a special study area was being recommended for the area of Yosemite
49 Drive. Implementation would require identifying the study area on the comprehensive plan, a more detailed process,
50 determining appropriate use and impacts on the surrounding area. Ms. Ossiander stated there was a capped land fill
51 and land that was designated for residential and commercial development by the Mental Health Land Trust, which
52 conflicted with the Planning Department's recommendation. Mr. Nelson responded that language addressing the
53 special study area, on Page 72, had been included in the previous plan.
54

55 To Ms. Ossiander, Tim Potter, with Dowl Engineers, representing the Mental Health Land Trust Office, responded the
56 Trust was concerned this may involve a multi-step process, with a special study and a master plan which would affect
57 the zoning and would be a long process involving the Planning and Zoning Commission and the Assembly. The
58 Trust's preference was to identify the property as Development-Reserve, which would require a much more simple
59 process and would allow them to begin development. He urged consideration of waiving the requirements, to speed
60 the process. Ms. Ossiander responded that it was still unclear if the land was developable. Mr. Nelson responded that
61 it was important to determine the most appropriate use. Doing a special study and a public process and completion of
62 a master plan could be completed concurrently to save time. Mr. Potter stated for the record, that a concurrent
63 process could be allowed, and a multi-step process could be avoided, so the Land Trust could get the property on the
64 market. This would not be a special study completed by the city, but could brought forward by the property owner. Mr.
65 Nelson concurred. Ms. Ossiander stated that it was her intent to simplify the process.
66

67 Chair Sullivan put the Question. Mr. Coffey requested to abstain, because he had just connected telephonically and
68 had not been involved with the previous discussion and action on the matter.
69

70 and the main motion, as amended, was passed, 9-0.
71

72 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Jennings (*participating*
73 *telephonically*).

74 NAYES: None.

75 ABSTAIN: Coffey.

76 (*Clerk's Note: Mr. Traini was temporarily out of Chambers at the time of the vote.*)
77

1 (Clerk's Note: Upon completion of Agenda item 14.S, Ms. Fairclough moved, seconded by Ms. Ossiander, for
2 reconsideration of AO 2006-93(S-1). There were no objections and Chair Sullivan returned the body to this item.)
3

4 Ms. Fairclough requested that the Planning Department staff contact the Anchorage School District and confirm the
5 updated school enrollment capacity with current attendance numbers, and the new statistics be added to the
6 document.
7

8 Ms. Fairclough moved, to amend AO 2006-93(S-1) on Page 24, Table 4, *School*
9 Ms. Ossiander seconded, *Enrollment Capacity*, by substituting an updated table with
10 and this was approved without objection, new 2006-2007 attendance numbers, once Planning
11 with Mr. Coffey and Ms. Jennings Department staff confirms the updated numbers with the
12 as excused absences. ASD,
13

14 Ms. Fairclough moved, to approve AO 2006-93(S-1), as amended,
15 Ms. Ossiander seconded,
16 and the main motion, as amended, was passed, 9-0.
17

18 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.
19 NAYES: None.
20 ABSENT: Coffey and Jennings, excused.
21

22 11.C. Ordinance No. AO 2006-140(S), an ordinance repealing and reenacting Anchorage Municipal Code
23 Chapter 1.15, **Code of Ethics**; amending AMC Chapter 1.25, Public Meetings, to incorporate
24 reference to applicable state law; amending AMC Section 2.30.070, Rules of Procedure, to be
25 consistent with AMC Chapter 1.15; and amending AMC Chapter 2.35, Regulations of Lobbying, to
26 prohibit certain persons from registration or action as a municipal lobbyist; Assemblymember Stout.

27 1. Ordinance No. AO 2006-140(S-1), an ordinance repealing and reenacting Anchorage
28 Municipal Code Chapter 1.15, Code of Ethics; amending AMC Chapter 1.25, Public Meetings,
29 to incorporate reference to applicable state law; amending AMC Section 2.30.070, Rules of
30 Procedure, to be consistent with AMC Chapter 1.15; and amending AMC Chapter 2.35,
31 Regulations of Lobbying, to prohibit certain persons from registration or action as a municipal
32 lobbyist; Assemblymember Stout.

33 2. Information Memorandum No. AIM 123-2006.

34 (*AO 2006-140(S) was Amended 11-21-06; Action was Postponed from 11-21-06*)
35

36 Chair Sullivan read the ordinance title and stated there was a motion to approve the S-version on the floor. He called
37 the Question.
38

39 Mr. Stout moved, to approve [~~AO 2006-140(S)~~] "AO 2006-140(S-1),"
40 Mr. Tesche seconded,
41

42 Mr. Stout stated that all floor amendments approved at the last Assembly meeting had been incorporated into the new
43 substitute version (*S-1 version*), with an effective date proposed for January 1, 2007. This Code revision would affect
44 the Assembly, the Anchorage School Board (*ASB*), the mayor, the service boards, all municipal employees and public
45 members appointed to boards and commissions, with some variations offered for each group. There were still areas of
46 concern, including requirements of fund raising by municipal lobbyists and consideration of reports and records of
47 boards and commissions becoming public record. Floor Amendment 21 proposed changes affecting lobbyist
48 regulations.
49

50 Mr. Stout stated that State Finance Laws were inadequate to prevent government from being run "under the table."
51 Members of the Assembly did not want to depend on the Federal Government to be an enforcement agency in this
52 area. Not only was selling a vote prohibited, but a conflict of interest was recognized when fund raising activities were
53 organized to elect officials and candidates for elected municipal office by registered municipal lobbyists.
54

55 Mr. Stout moved, to amend AO 2006-140(S-1) by approving **Floor**
56 Ms. Fairclough seconded, **Amendment 21**, on Page 14, Line 29, *by changing* to read:
57 and this was later amended,
58

59 H. *Gifts*. (Municipal Employees)
60

61 3. A campaign contribution to a "municipal
62 employee as" candidate for elective municipal [~~;~~
63 ~~STATE OR NATIONAL~~] office is allowed if the
64 contribution "otherwise" complies with "this chapter,
65 and the" laws and regulations "applicable to
66 municipal lobbying." [~~GOVERNING~~] elections and
67 campaign disclosure.;
68

69 And, on Page 31, Line 35, *by changing* to read:
70

71 O. *Gifts*. (Elected Officials)
72

73 4. A campaign contribution to an "elected official or"
74 [A] candidate for elective municipal [~~;~~
75 ~~STATE OR~~
76 ~~NATIONAL~~] office is allowed if the contribution
77 "otherwise" complies with "this chapter, and the" laws
78 and regulations "applicable to municipal lobbying."
[~~GOVERNING~~] elections and campaign disclosure.
[~~A campaign contribution to a candidate for elected~~

1 municipal office from a municipal lobbyist as lobbyist
2 is defined in AMC 2.35.020 is allowed if the municipal
3 lobbyist is eligible to vote in an election district served
4 by the candidate, or will be eligible on the date of the
5 election.];
6

7 And, on Page 53, Line 42, *by changing* to read:

8 Regulations of Lobbying AMC 2.35.120. Prohibitions.

9
10
11 A. A lobbyist "or immediate family member" may not:
12 8. "Fundraise or serve" [SERVICE] as a campaign
13 manager or director, or serve as a campaign
14 treasurer or deputy campaign treasurer on a finance
15 or fund-raising committee for municipal elections; this
16 paragraph does not apply to a volunteer lobbyist as
17 defined in regulations of the Alaska Public Office
18 Commission [~~AND DOES NOT PROHIBIT A~~
19 ~~LOBBYIST FROM MAKING PERSONAL~~
20 ~~CONTRIBUTIONS TO A CANDIDATE AS~~
21 ~~AUTHORIZED BY AS 15.13 OR PERSONAL~~
22 ~~ADVOCATING ON BEHALF OF THE CANDIDATE.];~~
23

24 9. Offer, solicit, initiate, facilitate, or provide to or on
25 behalf of a person covered by the Code of Ethics,
26 chapter 1.15, a gift "under the Code of Ethics", other
27 than food or beverage for immediate consumption.;

28 10. Make or offer [A GIFT] a campaign contribution
29 [WHOSE ACCEPTANCE BY THE PERSON TO
30 WHOM IT IS OFFERED WOULD VIOLATE THE
31 CODE OF ETHICS, CHAPTER 1.15.];
32
33

34 To Mr. Tesche, Assembly Counsel Julia Tucker responded that the intent for the first amendment on Page 14 was to
35 remove the state or national seats that were included in the original language, which would better tie into the lobbying
36 regulations and the elections and campaign disclosures, applicable to municipal employees. To Mr. Tesche's
37 question, Ms. Tucker responded that it was not intended for municipal employees who were candidates for elected
38 office to be at a disadvantage because they could not collect campaign contributions. Ms. Tucker stated that Page 53,
39 Line 42, A.8 and A.10, would preclude municipal registered lobbyists from acting as fund-raisers for, or making
40 donations to, or serving as a campaign treasurer to candidates for municipal office. Mr. Tesche stated that a municipal
41 lobbyist would be sacrificing rights to participate in the electoral process, including making campaign contributions.
42

43 To Ms. Ossiander, Ms. Tucker responded that reference of "state or national" was deleted because the provision was
44 to be directed to municipal elections. Removing those words would allow contributions to state or national elections.
45 Ms. Ossiander approved of the change. To her question, Ms. Tucker responded that the definition of a registered
46 lobbyist was defined in 2.35. Chair Sullivan responded that, as author of the original lobbyist ordinance, the definition
47 of a municipal lobbyist involved individuals who had professional expertise in a certain field and may represent clients
48 as a professional in that field, as compared to a paid lobbyist who did not have a particular expertise in a field, but was
49 a paid professional, hired to influence a decision-making governing body. It was important to make the distinction
50 between the two. To Ms. Ossiander, Chair Sullivan responded those passionate individuals in a district who were
51 trying to influence an Assemblymember were not included because they were not professionals being paid to influence
52 a vote. Ms. Fairclough responded that the original lobbyist ordinance used the act of being paid to influence decisions
53 to discern the difference between registered lobbyists and residents of a district, who did not lobby as a job, were not
54 paid, but were passionate about a particular issue and contacted an Assemblymember.
55

56 Ms. Fairclough moved,
57 Mr. Coffey seconded,

58 to amend Floor Amendment 21, *by adding* to read:
59 A. A lobbyist "or immediate family member" may not:
60 (Clerk's Note: This amendment is included with the
61 previous, original motion.)
62

63 Ms. Fairclough stated that she and Ms. Tucker had discussed this language and also 'household member' but the
64 Ethics Code offered a definition of 'immediate family member.' Members within a household shared access to the
65 same checkbook and finances and would be considered an influence to others in the household. Ms. Tucker
66 responded while immediate family member was defined in the Ethics Code, 'household member' was a sub-category
67 within that definition. Historically in Anchorage, 'household member' had traditionally been used, but also applied to
68 the conditions under the Assisted Living Ordinance, which involved individuals who would not be influencing. She did
69 not see a constitutional issue with the use of 'immediate family member.' Municipal Attorney Jim Reeves concurred.
70

71 Mr. Traini supported the Fairclough Amendment.

72 To Chair Sullivan, Ms. Tucker responded that under the Lobbyist Code of 'immediate family members' was defined as
73 'the household.' Ms. Fairclough and Mr. Reeves had concurred.

74 Mr. Coffey proposed to clarify, by adding 'as defined in Title 2' or 'as defined herein.' Chair Sullivan responded the
75 definitions were clear in the amendment, referring to lobbyist.
76

77 and the Fairclough Amendment was passed, 11-0.
78

1 and the main motion, as amended, was approved unanimously.

2
3 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey (*participating telephonically*),
4 Stout, Traini and Jennings (*participating telephonically*).

5 NAYES: None.

6
7 Mr. Stout moved,
8 Ms. Jennings seconded,
9 and this was approved, 11-0.

to amend AO 2006-140(S-1) *by adding*
Ms. Jennings as a cosponsor,

10
11 Mr. Stout moved,
12 Ms. Ossiander seconded,

to amend AO 2006-140(S-1) by approving **Floor**
Amendment 22, on Page 41, Line 42 to Page 42, Line 7,
1.15.070 *by changing* to read:

13
14
15 E. *Conduct of investigation and standard of proof.*

16
17 1. The respondent and the person who filed the
18 notification of potential violation may identify other
19 individuals and documents that "each" [~~THE~~
20 ~~RESPONDENT~~] would like the board to interview and
21 review.

22
23 2. If an individual with information bearing on the
24 notification of potential violation is unwilling to come
25 forward with information, the respondent and the person
26 who filed the notification of potential violation may "each"
27 request the board to subpoena the person and any
28 documentary evidence.;

29
30 Mr. Stout stated that Amendment 22 was a housekeeping item.

31
32 Ms. Fairclough stated that currently only the respondent was entitled to request people listed in documents to be
33 heard. This amendment included the complainant and the person responding to the complaint, creating evidence for
34 the Ethics Board to review.

35
36 and this motion was unanimously passed, 11-0.

37
38 Mr. Stout moved,
39 Ms. Fairclough seconded,
40 and this was later amended,

to amend AO 2006-140(S-1) by approving **Floor**
Amendment 23, on Page 42, Line 39, 1.15.070, *by changing*
to read:

41
42 E. *Conduct of investigation and standard of proof.*

43
44 "10. When the board's investigation is conducted in
45 executive session, the public shall be excluded and the
46 session shall be electronically recorded. The recording
47 shall be available for access as a public record after
48 publication by the municipal clerk of the proposed
49 resolution and settlement under subsection H or the
50 board's written report under subsection I of 1.15.070.;"

51
52 Mr. Stout stated that Amendment 24 would allow the Ethics Board executive sessions to remain private, with an
53 electronic recording, which would be made publicly available after publication of the proposed findings.

54
55 Mr. Tesche stated that this amendment clarified that the public was excluded from the board's executive sessions.
56 Upon conclusion of the matter, whether by settlement or by referral of the case to a higher authority, the record would
57 become publicly available.

58
59 To Chair Sullivan, Ethics Board Member James Liszka responded that deliberation should be kept confidential and off
60 the record. He opposed the amendment.

61
62 To Ms. Ossiander, Ms. Tucker responded that S-1 provisions included a written report of the Ethic Board being given
63 to the Assembly and the Municipal Clerk, for electronic publication. This would also make public a record of the
64 proceedings. Mr. Stout responded that it was important to keep the integrity process intact. Ms. Tucker responded
65 that the Ethics Board investigation, formerly called the 'hearing and the taking of the testimony,' by Code was held in
66 executive session. Added was the provision of the proceeding being handled electronically by the Municipal Clerk's
67 Office. Ms. Ossiander stated that she supported the findings being made public, but not necessarily the deliberations.
68 Mr. Liszka responded that currently each was distinct and the deliberations were not made into a public document.
69 Ms. Ossiander concurred.

70
71 Mr. Coffey referred to Page 41, Line 38, describing that the Board's investigation be conducted in executive session,
72 unless the respondent requested to make it public. The current law required a vote of the Assembly to release the
73 findings. Under this provision all records were automatically released. The Ethics Board's process of investigation,
74 the release of the information and recommendations needed to be respected and he supported the amendment.

75
76 Mr. Stout concurred with Mr. Coffey.

77

1 Mr. Bauer stated it was clear that a body should be allowed to hold meetings with investigations held confidential from
2 the public. The electronic means of recording the session held the integrity of the process. Outside influences would
3 interfere and possibly taint the investigation and needed to be avoided. The electronic release of the findings after
4 finalization was addressed.

5
6 To Ms. Fairclough, Mr. Liszka responded that there was no problem with the investigation being made public record.
7 There may be concern from some members with publicly releasing members' opinions on these delicate matters.
8 Traditionally they had not been made public record.

9
10 To Ms. Ossiander, Mr. Liszka responded that the board had not strictly followed the statute, but member's discussions
11 and opinions had not been made public record. Former Ethics Board Chair Al Bramstedt (*from the audience*)
12 concurred. Chair Sullivan requested that the record show that Mr. Bramstedt nodded, affirming Mr. Liszka's statement.
13 Ms. Ossiander proposed a change.

14
15 Ms. Ossiander moved, to amend Amendment 23 *by adding* to read:
16 Ms. Fairclough seconded,
17 and this was later withdrawn.

"10. When the board's investigation is conducted in executive session, the public shall be excluded and the session shall be electronically recorded. The recording **"with the exception of the deliberations"** shall be available for access as a public record after publication by the municipal clerk of the proposed resolution and settlement under subsection H or the board's written report under subsection I of 1.15.070.;"

18
19
20
21
22
23
24
25
26 Mr. Liszka supported Ms. Ossiander's amendment.

27
28 Ms. Ossiander stated that the recording included interrogating a witness, and statements and documents presented for
29 the investigation. Under the current process, the deliberations were conducted later. This would legitimize the current
30 process used by the Ethics Board.

31
32 Mr. Coffey concurred. He offered additional clarity in a new subsection 11, following subsection 10.

33
34 Mr. Coffey moved, to amend Amendment 23, *by adding*, a new subsection 11,
35 Ms. Ossiander seconded, to read:
36 and was later withdrawn.

"11. At the conclusion of the investigation the board shall engage in deliberations for the purpose of making its recommendations. The deliberations shall be held in executive session and shall not be part of the public record. Deliberations of the board shall be conducted in executive session. The board shall reconvene in open session when deliberations are complete.;"

37
38
39
40
41
42
43
44
45 To Mr. Stout, Ms. Tucker responded that the language in subsection E. described the conduct of the investigation.
46 Subsection F. described the deliberations. To Chair Sullivan, Mr. Tucker responded subsection F. already provided
47 those provisions and the Coffey Amendment would provide a transition between the subsections. Additional language
48 could be added to F, on Page 42. Currently, there was unintended confusion.

49
50 Mr. Coffey stated that the added provisions could be added to either section, but it would be simpler to add one
51 sentence to subsection F. Ms. Ossiander concurred.

52
53 Chair Sullivan requested that Ms. Fairclough provide the motion.

54
55 Ms. Fairclough moved, to amend AO 2006-140(S-1) by approving **Floor**
56 Ms. Ossiander seconded, **Amendment 23**, on Page 42, Line 39, 1.15.070, *by changing*
57 and this was later amended, to read:

58
59 E. *Conduct of investigation and standard of proof.*

"10. When the board's investigation is conducted in executive session, the public shall be excluded and the session shall be electronically recorded. The recording shall be available for access as a public record after publication by the municipal clerk of the proposed resolution and settlement under subsection H or the board's written report under subsection I of 1.15.070.;"

60
61
62
63
64
65
66
67
68
69 And, on Page 42, beginning on Line 40, *by changing* to read:

70
71 F. *Deliberations of the board.* Deliberations of the board
72 shall be conducted in executive session. **[The board**
73 **shall reconvene in open session when deliberations**
74 **are complete.]**

75
76 "1. **The deliberation of the board shall not be**
77 **recorded.**"

2. The board shall reconvene in open session when deliberations are complete.;

Mr. Tesche recommended approval of the amendment, as amended.

and the motion to approve the Fairclough Amendment was passed, 11-0.

Chair Sullivan thanked Mr. Liszka and put the Question on the motion to approve Amendment 23.

and the main motion, as amended, was passed, 11-0.

Mr. Stout moved,
Mr. Traini seconded,

to amend AO 2006-140(S-1) by approving **Floor Amendment 24**, on Page 54, Line 13, AMC 2.35 by adding to read:

Regulations of Lobbying, 2.35.120 Prohibitions.

D. Employees ", excluding employees providing service to a bargaining representative." and the elected or appointed public officials of any municipal, borough, or state government including Alaska, and members of their household are prohibited from registration or action as a lobbyist under this chapter during the term of public service, except for official action within the scope of the public employment.;

Mr. Traini stated that his intent was to exclude employees who were representing a bargaining unit, so they could represent the interests of the bargaining unit before an elected official, specifically dealing with people of the Anchorage Fire Department (AFD) and the Anchorage Police Department (APD), which did not hire professional lobbyists.

Mr. Tesche recommended approval.

Mr. Coffey stated that if the representatives were not lobbyists, they would be allowed to lobby for or against a contact before the Assembly. Chair Sullivan stated that this further defined 'municipal employees.' Chair Sullivan stated that if the Assembly were to find it problematic, the Assembly could revisit the matter in the future.

Ms. Shamberg questioned the term, 'bargaining unit,' as opposed to 'bargaining representative.' Ms. Tucker responded that 'representative' was the operative language in Code. Mr. Tesche concurred.

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

Mr. Stout stated that Amendment 25 and Amendments 26.A and 26.B were strictly housekeeping items.

Mr. Stout moved,
Mr. Traini seconded,

to amend AO 2006-140(S-1) by approving **Floor Amendment 25**, on Page 27, Lines 14-19, by adding to read:

K. Financial disclosure during term of elected office.

1. Identification of the municipal contract; the date the elected official acquired the interest; the amount of the economic interest held in the contract by the elected official, "or" a member of the elected official's immediate family. The disclosure shall include a description of the duties and activities to be performed by the elected official or household member under the contract; "any opportunity for official action the elected official may have regarding the municipal contract." and the preventive measures that shall be taken to manage any potential for conflict [~~ANY OPPORTUNITY FOR OFFICIAL ACTION THE ELECTED OFFICIAL MAY HAVE REGARDING THE MUNICIPAL CONTRACT.~~];

To Mr. Traini, Ms. Tucker responded that pertaining to financial disclosure, the use of 'immediate family' and 'household member' were each specifically used as intended in this amendment.

and the motion was unanimously approved, 11-0.

To Mr. Stout, Ms. Tucker responded that the language for 26A had been recommended by Employee Relations Senior Labor Analyst Will Askren and Employee Relations Director Dave Otto.

Mr. Stout moved,
Mr. Traini seconded,
and this was approved, 11-0.

to amend AO 2006-140(S-1) by approving **Floor Amendment 26A**, on Page 7, Line 18, by adding to read:

C. Contemporaneous service and employment.

3. Full time temporary and "regular" [~~PERMANENT~~] municipal employees engaging or intending to engage in

contemporaneous service or employment outside scheduled work-hours shall notify the administrative supervisor in writing. Personnel rules and policies applicable to the various classifications and types of municipal employees shall provide for disclosure, administrative review, and management of potential conflicts of interest in contemporaneous employment. Notification of contemporaneous service or employment by employees of the Anchorage School District shall be as determined by the Anchorage School Board, the prohibition against less restrictive requirements in subsection 1.15.025 A.2. notwithstanding.;

1
2
3
4
5
6
7
8
9
10
11
12
13
14 Mr. Stout moved,
15 Mr. Traini seconded,
16 and this was approved, 11-0.

to amend AO 2006-140(S-1) by approving **Floor Amendment 26B**, on Page 46, Line 23, *by adding* to read:

17 **1.15.090 Ethics education program.**

18
19 B. To facilitate understanding and support compliance with the provisions of this chapter by employees, the mayor "and school board" shall designate one or more ethics officers. Members appointed to the board, the municipal clerk or designee, and all ethics officers shall be given appropriate training and education in the provisions of this chapter. Upon successful completion of training, a training certificate shall be issued and a copy kept on file with Employee Relations.;

20
21
22
23
24
25
26
27
28
29 Ms. Jennings moved,
30 Ms. Fairclough seconded,

to amend AO 2006-140(S-1) on Page 34, Line 55, B. When to File, *by changing* the last sentence to read: Notification of receipt of gift forms shall be filed within [40] "30" days of receipt of the gift.;

31
32
33
34 Ms. Jennings stated this change would make the allowances consistent with those offered on Page 30, Line 24. Ms. Tucker concurred and responded that the intent was to file within 30 days.

35
36
37 and the motion was approved without objection, 11-0.

38
39 Ms. Jennings moved,
40 Mr. Tesche seconded,

to amend AO 2006-140(S-1) on Page 31, Line 22, *Elected Officials*, *by changing* to read:

41
42 g. A non-monetary gift or award such as a plaque or other commemorative article signifying civic appreciation from a group of citizens or community organization. [~~A municipal employee~~] "An elected official" shall disclose a commemorative gift in excess of \$300.00.;

43
44
45
46
47
48 Ms. Tucker stated that this was in the section that covered Elected Officials.

49
50 and the motion was approved without objection, 11-0.

51
52 To Ms. Ossiander, Ms. Tucker responded that Section F., Page 25, *Consultation, representation and appearance on behalf of private interests on a matter of municipal government*, would preclude an elected official from continuing to work as a paid consultant for an agency or representing an employer, before any public board or agency. Ms. Tucker responded that an elected official could conduct constituent services without accepting a fee. An elected official's duty to the public was paramount to making a living as a paid consultant or representative. Mr. Coffey, Chair Sullivan, Ms. Fairclough, Mr. Stout and Mr. Traini concurred.

53
54
55
56
57
58
59 Mr. Coffey thanked Mr. Stout and Ms. Tucker for their work on completing the document. He was proud of all Assemblymember's participation, working together to make improvements to the Code. Public trust of elected officials is at an all-time low and it was difficult to understand why an elected official would sell their votes. The improvements that the Anchorage Assembly had made to the Ethics Code would help reestablish public trust.

60
61
62
63
64 Ms. Shamberg concurred with Mr. Coffey. She stated that copies of the revised Municipal Ethics Code should be sent to Washington D.C. and to the State Capital in Juneau.

65
66
67 Mr. Tesche recommended approval.

68
69 Mr. Traini thanked Mr. Stout and Ms. Tucker for taking on this task. There were obvious concerns with State Legislators who lobbied before the Assembly on matters other than state government. The Municipal Legal Department had responded to his questions, stating that the Assembly had legal authority to enact the measure, that no provision in the measure would be prohibited by state or federal law and the measure did not violate any personal constitutional rights of anyone to whom it applied. He supported the ordinance and urged approval.

70
71
72
73
74
75 Ms. Ossiander appreciated the effort that had gone into the revisions and the final document. Addressing the many things included in the document was necessary because of the current governmental climate and the common distrust of government. There were still sections that would continue to be refined, to become a practical working document. Because of her past involvement as an elected official on the Anchorage School Board (ASB), she would no longer be

1 allowed to speak at an ASB Meeting. Because of the current political climate, she would support the document's
2 thoroughness. There were strong inclusions, including requiring and documenting ethics education and requiring
3 disclosure of all outside employment, which would change the direction of local political and municipal service.
4

5 Mr. Stout stated he had enjoyed his work with the Ethics Code revisions and thanked many people for their
6 involvement, including current board members Paul Davis, James Liszka, Gregory Kimura, Constance Jones; former
7 members Rick Benjamin, Elaine Brown, Ramona McAleese, Jim Maley, Al Bramstedt, Tricia Lillibridge, Ken
8 Peavyhouse, Jean Saban and Karen Turner. Others who assisted with the rewrite included Steve Aufrecht and former
9 Municipal Clerks LeJane Ferguson, Greg Moyer and current Municipal Clerk Barbara Gruenstein and Deputy
10 Municipal Clerk Linda Heim. He thanked, in particular, Assembly Counsel Julia Tucker, who had spent hours and
11 hours working on the document. Without Ms. Tucker's help, the rewrite would not have been possible. He
12 appreciated the Assemblymember's support and input and thanked Mr. Tesche and Mr. Coffey for their valuable help.
13 He was looking forward to seeing the document become law.
14

15 Mr. Birch thanked Mr. Stout for his good effort, along with the contributions of the many Rotarians who had
16 participated. The document was extensive and would continue to be a work in progress, with future review and
17 improvements. He supported the ordinance.
18

19 Ms. Jennings thanked the efforts of the Board of Ethics, which initially had addressed the needed changes. She
20 thanked Mr. Stout and Ms. Tucker for their remarkable work in creating a document in a clean and organized manner.
21 She hoped the document would instill the peoples' faith that had been lost in many levels of government.
22

23 Mr. Bauer thanked Mr. Stout, Ms. Tucker, the Ethics Board and all those who had worked with Assemblymembers to
24 create the document. Mr. Stout had brought all recommendations to a conclusion for code revisions, creating a good
25 document.
26

27 Ms. Fairclough thanked Mr. Stout for accepting the task, and for his and Ms. Tucker's efforts of revising the Code,
28 which was an inclusive process that involved all factions of the community. She appreciated their openness, bringing
29 all matters before the body and the Assembly's ability to respectably discuss each of the policy issues, whether it
30 affected the mayor, the school superintendent or municipal employees. She urged unanimous Assembly approval.
31

32 Chair Sullivan stated that there was a Municipal Ethics Code that was taken very seriously, but this effort had
33 determined there were areas of the Code that needed new language to meet new situations, particularly in areas
34 concerning functions of the Ethics Board and to better define activities of elected officials and lobbyists. Specifics had
35 been addressed and redefined, so there was no gray area, which was better for everyone, including the public who
36 viewed government actions and for elected officials who wanted to conduct activities properly. It had been a very good
37 process of completing these revisions and he recognized Mr. Stout and Ms. Tucker's outstanding work with creating
38 the final document. He put the Question on the main motion, as amended.
39

40 and the main motion, as amended, was passed, 11-0.

41
42 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey (*participating telephonically*),
43 Stout, Traini and Jennings (*participating telephonically*).

44 NAYES: None.
45

46 (*Clerk's Note: Mr. Coffey disconnected telephonically and was an excused absence for the remainder of the meeting.*)
47

48 11.D. **Resolution No. AR 2006-264**, a resolution of the Anchorage Assembly approving the **Heritage Land**
49 **Bank 2007 Work Program** and 2008-2012 Five-Year Management Plan; Heritage Land Bank.

50 1. Assembly Memorandum No. AM 721-2006.

51 2. Information Memorandum No. AIM 120-2006.

52 3. Information Memorandum No. AIM 120-2006 (**Laid on the Table**)

53 (*Public Hearing was Closed 10-24-06; Action was Postponed from 10-24-06; Plan Amended 11-14-06;*
54 *Action was Postponed from 11-14-06*)
55

56 Chair Sullivan gave the history of the resolution, which included a motion to approve on the floor.
57

58 Mr. Coffey had moved, to approve AR 2006-264,
59 Mr. Traini had seconded,

60
61 Ms. Jennings moved, to amend AR 2006-264 on Page 24, Section, 'Acquiring
62 Ms. Ossiander seconded, Municipal Entitlement Lands,' *by adding* to the end of the
63 and this was approved without objection, paragraph to read: "The Municipality will continue to work
64 with Mr. Coffey as an excused absence. toward conveyance of lands specified in the 1986 Agreement
65 for the Conveyance of Land of the State of Alaska to the
66 Municipality of Anchorage, and the Settlement of Land
67 Related Issues ("the 1986 Agreement"), specifically Parcel
68 #68 Pt. Woronzof (ADL 223363) and Parcel #21 Airport North
69 (ADL 201573).;"
70

71 Ms. Jennings moved, to amend AR 2006-264 on Page 29, Section, 'Ted Stevens
72 Ms. Ossiander seconded, Anchorage International Airport Master Plan,' *by changing* to
73 and this was approved without objection, read: [~~HLB will continue to work with the airport...~~]
74 with Mr. Coffey as an excused absence. "Anchorage 2020 Comprehensive Plan recognizes that the
75 West Anchorage District Plan is intended to be the vehicle for
76 resolution of airport/community land issues. In the absence
77 of the West Anchorage District Plan, HLB will continue to

1
2
3
4 Ms. Jennings moved,
5 Ms. Ossiander seconded,
6 and this was approved without objection,
7 with Mr. Coffey as an excused absence.
8
9

work with the airport and the West Anchorage community councils.;

to amend AR 2006-264 on Page 29, Section 'HLB Parcel #4 033: Clitheroe,' *by replacing* the last paragraph to read: [~~HLB and Parks...~~] "Heritage Land Bank will include West Anchorage community councils in discussion regarding potential future uses of HLB Parcel #4-033, so that the community can be an early part of the decision-making process regarding the future use of this public parcel.;"

11
12 Ms. Jennings moved,
13 Ms. Ossiander seconded,
14 and this was approved without objection,
15 with Mr. Coffey as an excused absence.
16

to amend AR 2006-264 on Page 30, Section 'Compensatory Mitigation Program,' *after* 'Municipal Use' *by adding* to read: "HLB parcels in Region 3 in the Campbell Tract will continue to be examined for use for compensatory mitigation of wetlands impacts associated with various projects in the Campbell Creek watershed.;" And, *after* 'U.S. Army Corp of Engineers (COE) permitting process...' *by adding* to read: "...including the establishment of an In-Lieu Fee Agreement with the COE..." And, at the end of the paragraph, *by adding* to read: "Subject to approval by the COE, HLB will propose that the Wetlands Advisory Group, established as a part of the In-Lieu Fee Agreement, shall conduct open meetings, and that notice of the meetings and opportunity to comment will be provided to the community.;"

17
18 Ms. Jennings moved,
19 Ms. Ossiander seconded,
20 and this was approved without objection,
21 with Mr. Coffey as an excused absence.
22

to amend AR 2006-264 on Page 30, Chapter 3 of the Work Plan, *by adding* to read: "Eagle River Cemetery – The Heritage Land Bank will work collaboratively with the Eagle River Parks Department and with the community to locate a suitable parcel for a local cemetery that will serve municipal areas north of Anchorage.;"

23
24 Ms. Jennings moved,
25 Ms. Ossiander seconded,
26 and this was approved without objection,
27 with Mr. Coffey as an excused absence.
28

to amend AR 2006-264 on Page 31, Section 'Acquiring State Entitlement Lands,' at the end of the paragraph, *by adding* to read: "Certain lands within the Ted Stevens Anchorage International Airport boundaries were specified in the 1986 Agreement. Heritage Land Bank will continue to effect that transfer of those specific lands, identified as Parcel #68 Pt. Woronzof (ADL 223363) and Parcel #21 Airport North (ADL 201573).;"

29
30 Ms. Jennings moved,
31 Ms. Ossiander seconded,
32 and this was approved without objection,
33 with Mr. Coffey as an excused absence.
34

to amend AR 2006-264 on Page 34, Section, 'Northeast Anchorage Bowl,' *after* the sentence ending with '...municipal use,' *by adding* to read: "One such strategy would be the establishment of an In-Lieu Fee Agreement with the Corps of Engineers (COE). Subject to approval by the COE, HLB will propose that the Wetlands Advisory Group, established as part of this In-Lieu Fee Agreement, will conduct open meetings and that notice of meetings and opportunity to comment will be provided to the community councils.;"

35
36 and the main motion, as amended, was approved unanimously, 9-0.
37

38
39 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating telephonically*).

40
41 NAYES: None.

42
43 ABSENT: Coffey, excused.

44
45 (*Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.*)
46

47 48 12. APPEARANCE REQUESTS

49
50 12.A. **Marty Margeson**, regarding exorbitant rent increase at [Fairview] "Spenard" Recreation Center for Sunflower School. (*Clerk's Note: Chair Sullivan requested a correction to "Spenard."*)
51

52
53 MARTY MARGESON, with Sunflower School, opposed the 350% rent increase in the Spenard Recreation Center, where she had been a renter for the past 17 years. Their school used 450 square feet and accommodated ten students of financially-challenged families. She requested that the rent increase deadline on December 31st be extended, to allow time to find a suitable spot for their school. A professional fair market rent analysis had calculated that the current rent was accurate. Other rooms in the recreation center were not facing an increase and their school was being singled-out. She had been told that the school was an independent business and must be treated differently from others. The school was in partnership with the Municipality and the teacher was an independent contractor, who did not collect tuition, but could be described as a municipal quasi-employee. Ms. Margeson urged the Municipality to work out a solution. Ms. Ossiander stated it was unreasonable to expect a 60% room utilization for 9-hours per day minimum, for a school. She stated that it would be good policy for the city to make preschool and day care affordable and available. Mayor Begich concurred, but the room being used by the school was only used 4 hours per day and there was a demand of over 800 students waiting for space for recreational activities. Parks and Recreation Division Manager Mari Steinbach responded that the Administration had proposed many options and was trying to help resolve the problem. Ms. Margeson responded the school was not a day care and would not take
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78

1 students all day long. Mr. Stout stated that normally a rented space was charged per square foot and was not required
2 to share. He recommended that the Municipal Real Estate Services help find appropriate space to accommodate the
3 school. Chair Sullivan stated there was a demand for recreational space, but he urged the Administration to be flexible
4 with the December 31st deadline. To his question, Ms. Margeson responded that she had not asked Northwood
5 Elementary School, which had cultural education classes, about available space.
6

7 **13. CONTINUED PUBLIC HEARINGS**

8 13.A. Ordinance No. AO 2006-64, an ordinance amending Anchorage Municipal Code Chapters 21.35,
9 21.40, 21.45 and 21.60 to establish design, location, and conditional use standards, and set the
10 maximum heights for **high voltage transmission towers**; Planning Department.

- 11 1. Ordinance No. AO 2006-64(S), an ordinance amending Anchorage Municipal Code Chapters
12 21.35, 21.40, 21.45, and 21.50 to establish design, location, and conditional use standards,
13 and set the maximum height for high voltage transmission towers (Planning and Zoning
14 Commission Case 2006-074), Planning Department.
- 15 2. Assembly Memorandum No. AM 769-2006.
- 16 3. Ordinance No. AO 2006-64(S-1), an ordinance amending Anchorage Municipal Code
17 Chapters 21.35, 21.40, 21.45, and 21.50 to establish design, location, and conditional use
18 standards, and set the maximum height for high voltage transmission towers (Planning and
19 Zoning Commission Case 2006-074); Planning Department. **(Addendum)**
- 20 4. Assembly Memorandum No. AM 881-2006. **(Addendum)** (Continued from 7-11-06, 9-12-06,
21 10-10-06 and 10-31-06)
22

23 Chair Sullivan opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

24 Ms. Ossiander moved, to approve AO 2006-64(S-1),
25 Ms. Shamberg seconded,
26

27
28 Ms. Ossiander urged Assembly approval. The S-1 version would better address the concerns of the utility companies,
29 while still addressing the fundamental public concerns of the obtrusive towers, including landscaping.

30 and this motion was approved, 9-0.
31

32
33 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
34 *telephonically*).

35 NAYES: None.

36 ABSENT: Coffey, excused.

37 (Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.)
38

39 **14. NEW PUBLIC HEARINGS**

40 14.A. Ordinance No. AO 2006-157, an ordinance authorizing a lease between the Municipality and Dobson
41 Cellular Systems, Inc. of ground space for telecommunication equipment on municipal property legally
42 described as **Abbott Road Subdivision, Tract B** (per Plat 99-120, Anchorage Recording District),
43 commonly referred to as the Water Reservoir Compound West of Service High School; Anchorage
44 Water & Wastewater Utility.

- 45 1. Assembly Memorandum No. AM 840-2006.
46

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

49 Ms. Ossiander moved, to approve AO 2006-157,
50 Mr. Bauer seconded,
51 and this was approved, 10-0.
52

53
54 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
55 *telephonically*).

56 NAYES: None.

57 ABSENT: Coffey, excused.
58

59 14.B. Ordinance No. AO 2006-158, an ordinance authorizing a lease between the Municipality and Cook
60 Inlet Housing Development Corporation d/b/a Mary Conrad Center of ground space for overflow
61 parking on municipal property legally described as **Lot 9, Section 7, T13N, R2W S.M. Alaska**
62 (Anchorage Recording District), south of the Municipality's Ship Creek Water Treatment Facility Site;
63 Anchorage Water & Wastewater Utility.

- 64 1. Assembly Memorandum No. AM 841-2006.
65

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

68 Ms. Ossiander moved, to approve AO 2006-158,
69 Mr. Bauer seconded,
70 and this was approved, 10-0.
71

72
73 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
74 *telephonically*).

75 NAYES: None.

76 ABSENT: Coffey, excused.
77

- 1 14.C. Ordinance No. AO 2006-159, an ordinance authorizing a maintenance easement across a portion of
2 municipal property legally described as **Eagle Glenn Subdivision, Tract B**, per Plat 1982-048
3 (Anchorage Recording District), and located at 11727 Glenn Highway, Eagle River, Alaska, Tax
4 #05011147; Anchorage Water & Wastewater Utility.
5 1. Assembly Memorandum No. AM 842-2006.
6

7 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
8 and called the Question.
9

10 Ms. Ossiander moved, to approve AO 2006-159,
11 Mr. Bauer seconded,
12 and this was approved, 10-0.
13

14 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
15 *telephonically*).
16 NAYES: None.
17 ABSENT: Coffey, excused.
18

- 19 14.D. Ordinance No. AO 2006-152, an ordinance amending Anchorage Municipal Code Sections 9.28.020
20 and 9.28.040 regarding **operating under the influence** and recovery of reasonable costs of
21 emergency services responding to a motor vehicle accident; Legal Department.
22 1. Assembly Memorandum No. AM 838-2006.
23

24 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
25 and called the Question.
26

27 Ms. Ossiander moved, to approve AO 2006-152,
28 Mr. Bauer seconded,
29

30 To Ms. Jennings, Anchorage Police Chief Rob Heun responded that the .04 alcohol level would make a commercial
31 vehicle operator illegal.
32

33 and this was approved, 10-0.
34

35 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
36 *telephonically*).
37 NAYES: None.
38 ABSENT: Coffey, excused.
39

- 40 14.E. Ordinance No. AO 2006-173, an ordinance of the Anchorage Municipal Assembly amending
41 Anchorage Municipal Code Section 16.95.070 to reduce the costs of **municipal ambulance transport**
42 assessed to patients receiving ambulance transport services from the Chugiak Volunteer Fire
43 Department; Assemblymembers Ossiander and Fairclough.
44

45 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
46 and called the Question.
47

48 Ms. Ossiander requested to continue this matter to the next meeting to allow time for a legal opinion from Municipal
49 Attorney Jim Reeves on the Assembly's question concerning Medicare.
50

51 Ms. Ossiander moved, to *continue* AO 2006-173 to December 19, 2006,
52 Mr. Bauer seconded,
53 and this was approved, 10-0.
54

55 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
56 *telephonically*).
57 NAYES: None.
58 ABSENT: Coffey, excused.
59

- 60 14.F. Ordinance No. AO 2006-174, an ordinance amending Anchorage Municipal Code Section 21.40.200
61 related to **motorized sports conditional uses** in the I-1 (Light Industrial) District; amending
62 Anchorage Municipal Code Section 25.10.080 to allow the Assembly to waive conditional use permit
63 requirements for temporary recreational uses on municipally owned land; and waiving conditional use
64 permit requirements for Tract 4, International East Subdivision, for motorized sports uses; Real Estate
65 Services.
66 1. Assembly Memorandum No. AM 854-2006.
67 2. Ordinance No. AO 2006-174(S), an ordinance amending Anchorage Municipal Code Section
68 21.40.200 related to motorized sports conditional uses in the I-1 (Light Industrial) District;
69 amending Anchorage Municipal Code Section 25.10.080 to allow the Assembly to waive
70 conditional use permit requirements for temporary recreational uses on municipally owned
71 land; and waiving conditional use permit requirements for Tract 4, International East
72 Subdivision, for motorized sports uses; Real Estate Services. (**Laid on the Table**)
73

74 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
75 and called the Question.
76

77 Ms. Ossiander moved, to approve AO 2006-174,
78 Mr. Bauer seconded,

1
2 Ms. Jennings stated that she had expected more controversy with this matter, which would be opening the door for
3 snow machine racing at the corner of International Airport Road and Minnesota Drive. The local community councils in
4 Spenard, Turnagain and Sand Lake had unanimously supported it. She urged approval.

5
6 Chair Sullivan concurred with Ms. Jennings. He stated that a presentation was made and there were no objections
7 from the Spenard Community Council. With the location of the property, it would not negatively impact the surrounding
8 residential or commercial areas. He put the Question.

9
10 and this was approved, 10-0.

11
12 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
13 *telephonically*).

14 NAYES: None.

15 ABSENT: Coffey, excused.

16
17 (*Clerk's Note: Following completion of 14.S, Mr. Traini moved, seconded by Ms. Ossiander, to reconsider this item*
18 *and there were no objections. Chair Sullivan returned the body to Agenda item 14.F.*)

19
20 Deputy Municipal Manager Michael Abbott distributed a substitute version for Assembly consideration.

21
22 Ms. Ossiander moved, to approve AO 2006-74(S),
23 Ms. Fairclough seconded,

24
25 To Chair Sullivan, Mr. Abbott responded that the affected Motor Musers had no objection to the addition. Municipal
26 Attorney Jim Reeves responded that the original version allowed a waiver for the Motor Musers to proceed with their
27 (*snow machine*) event. The S-version included a Code waiver, which was necessary for immediate application for the
28 Motor Musers.

29
30 Mr. Traini thanked the Administration for bringing forward the S-version, which corrected some of the problems.

31
32 Chair Sullivan put the Question.

33
34 and the motion was passed, 9-0.

35
36 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

37 NAYES: None.

38 ABSENT: Coffey and Jennings, excused.

39
40 14.G. Ordinance No. AO 2006-154, an ordinance submitting to the qualified voters of the Municipality at the
41 Regular Municipal Election on April 3, 2007, a ballot proposition amending the Anchorage Municipal
42 Charter, Section 4.01 – Power, Composition and Apportionment – to synchronize **municipal**
43 **apportionment** with adoption of the final state redistricting plan under the State Constitution, and
44 conform the Charter to current state law; Assemblymembers Tesche and Stout.

45 1. Information Memorandum No. AIM 117-2006.

46 2. Assembly Memorandum No. AM 828-2006.

47 3. Assembly Memorandum No. 918-2006. (*Laid on the Table*)

48
49 Chair Sullivan read the ordinance title and opened Public Hearing.

50
51 VICKY CANTRELL supported the ordinance. She stated that service area district lines still needed to be addressed,
52 including many homes in Glenn Alps and Goldenview Subdivision that were outside the Anchorage Fire Service Area.
53 She questioned how the municipality determined district populations. Mr. Tesche responded that this ordinance had
54 been proposed at the request of the Municipal Clerk's Office and the Elections Commission. He stated that it would
55 resolve the problem of split precincts, but these districts lines would not apply to service areas.

56
57 With no additional public testimony, Chair Sullivan closed Public Hearing.

58
59 To Chair Sullivan, Deputy Municipal Clerk Linda Heim responded that the Municipal Clerk's Office was highly in favor
60 of this change. Their office had had many complicated issues regarding split precincts. Municipal Election
61 Coordinator Guadalupe Marroquin responded that the current ballot programming was complicated because of the
62 split precincts and she was pleased with the change.

63
64 Ms. Jennings stated this resolved the complicated problems with the split precincts.

65
66 Ms. Ossiander moved, to approve AO 2006-154,
67 Mr. Bauer seconded,
68 and this was approved, 10-0.

69
70 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
71 *telephonically*).

72 NAYES: None.

73 ABSENT: Coffey, excused.

74
75 (*Clerk's Note: Mr. Tesche had moved, seconded by Mr. Traini, to reconsider AO 2006-154, and this was approved*
76 *without objection. Chair Sullivan returned the body to take up item 14.G*)

77
78 Mr. Tesche moved, to amend AO 2006-154 on Page 2, **Section 4.01, Power**

1 Mr. Stout seconded, **composition and apportionment, by deleting Lines 32-33:**
2 ~~[(2) Receipt of a petition of 50 or more qualified voters~~
3 ~~alleging and containing reliable evidence that the assembly is~~
4 ~~malapportioned.];~~
5

6 Mr. Tesche stated that this section had been inadvertently placed in the ordinance and would be unchanged by the
7 ordinance. It was not intended to bring this item before the voters. It was simply a housekeeping matter by removing
8 the section. Mr. Stout concurred.

9
10 and this was approved without objection.

11
12 and the main motion, as amended, was approved without objection, 9-0,
13 with Mr. Coffey and Ms. Jennings, excused.

- 14
15 14.H. Ordinance No. AO 2006-155, an ordinance of the Anchorage Municipal Assembly amending
16 Anchorage Municipal Code Sections 28.60.040 and 28.60.050 regarding **Special Needs ballots** to
17 hospital patients, allowing personal representative assistance to disabled voters, and requiring one
18 attestation on an absentee ballot by mail; Assemblymembers Stout and Tesche.
19 1. Assembly Memorandum No. AM 829-2006.
20 2. Ordinance AO 2006-155(S) An ordinance of the Anchorage Municipal Assembly amending
21 Anchorage Municipal Code Sections 28.60.040 and 28.60.050 regarding special needs Ballots
22 to hospital patients, allowing personal representative assistance to disabled voters, and
23 requiring one attestation on an absentee ballot by mail. **(Laid on the Table)**
24 3. Assembly Memorandum 917-2006.

25
26 Chair Sullivan read the ordinance title and opened public testimony. With no one to testify, he closed Public Hearing
27 and called the Question.

28
29 Ms. Ossiander moved, to approve AO 2006-155(S),
30 Mr. Bauer seconded,

31
32 Ms. Ossiander stated that a person could fill out paperwork and become a personal representative to many people. In
33 the future the state would have provisions for electronic signature verification but the process now would be difficult to
34 validate or monitor. She moved to delete the special needs voting.

35
36 Ms. Ossiander moved, to amend AO 2006-155(S), beginning on Page 2, Line 20 to
37 Mr. Stout seconded, Page 4, Line 26, *by deleting the entire section* [~~3.—Self-~~
38 ~~designation of a personal representative.];~~
39

40 To Mr. Tesche, Elections Coordinator Guadalupe Marroquin responded that the State of Alaska had been using this
41 special needs process since 2001 and there had been no (*fraudulent*) incidents. She concurred that the State would
42 soon be able to use signature verification. She and Ms. Ossiander had discussed the potential of (*fraudulent*)
43 occurrences. The Municipal Election Office was trying to expand their services and had received many requests from
44 people wanting to assist spouses or friends, but she was not able to provide the service to them. Mr. Tesche stated
45 that it was difficult for Municipal Elections not to be able to offer the accommodations that local voters were able to use
46 during State Elections and it made it even harder for people to participate in Municipal Elections.

47
48 Mr. Bauer concurred with Ms. Ossiander with her concerns of potential fraud. The State of Alaska had the Registrar
49 Program, which offered classroom instruction with certification. Ms. Marroquin responded the State's Registrar
50 Program educated workers on registering people to vote, but there was not a service for self-designation of a personal
51 representative.

52
53 Ms. Ossiander stated that the current system of absentee ballots allowed assistance to people who had difficulty
54 getting to the polls. She would remain flexible and would consider supporting it in the future, if there were security
55 provisions of signature verification or other manners of proving the validity of a personal representative.

56
57 Ms. Jennings concurred. She requested consideration of a worksession to more thoroughly discuss the matter.

58
59 Ms. Jennings moved, to postpone AO 2006-155(S) to January 9, 2007,
60 Mr. Tesche seconded,
61 and this was passed, 7-3.
62

63 AYES: Tesche, Bauer, Sullivan, Birch, Stout, Traini and Jennings (*participating telephonically*).

64 NAYES: Shamberg, Fairclough and Ossiander.

65 ABSENT: Coffey, excused.
66

- 67 14.I. Ordinance No. AO 2006-156, an ordinance of the Anchorage Municipal Assembly amending
68 Anchorage Municipal Code Chapter 28.50 to add a new section to establish a **Youth Election**
69 **Assistant Program**; Assemblymembers Stout and Tesche.
70 1. Assembly Memorandum No. AM 830-2006.
71

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

74
75 Ms. Ossiander moved, to approve AO 2006-156,
76 Mr. Bauer seconded,
77

1 Ms. Ossiander stated that the information in the handouts had convinced her to support the matter. The involved
2 students were required to have parental permission and the principal's permission. She supported the ordinance.

3
4 Mr. Stout stated this matter was actually brought forth by Mayor Begich and was a great opportunity for students to be
5 involved with the process and learn about democracy. He supported the ordinance.

6
7 Chair Sullivan stated this was a valuable ordinance. It was important to support anything that would get youth involved
8 at a young age with a real-life experience. He supported parental and principal permission.

9
10 and this was approved, 10-0.

11
12 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings (*participating*
13 *telephonically*).

14 NAYES: None.

15 ABSENT: Coffey, excused.

16
17 (*Clerk's Note: Ms. Jennings disconnected telephonically and was excused for the remainder of the meeting.*)

18
19 Mr. Tesche moved, *for reconsideration of AO 2006-154,*
20 Mr. Traini seconded,
21 and there were no objections.

22 (*Clerk's Note: Chair Sullivan returned the body to take up item 14.G*)

23
24 14.J. Resolution No. AR 2006-298, a resolution of the Municipality of Anchorage accepting, when tendered,
25 the sum of \$992,575 from the Alaska Department of Health and Social Services as a grant to the State
26 Categorical Grants Fund (231), Department of Health and Human Services to fund **Community**
27 **Health Nursing Services**; Health and Human Services.

28 1. Assembly Memorandum No. AM 812-2006.

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

32
33 Ms. Fairclough moved, *to approve AR 2006-298,*
34 Mr. Stout seconded,
35 and this was approved, 9-0.

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

38 NAYES: None.

39 ABSENT: Coffey and Jennings, excused.

40
41 14.K. Resolution No. AR 2006-299, a resolution of the Municipality of Anchorage accepting a Federal Transit
42 Administration Section 5309 Bus and Bus-Related Earmark Allocations Grant and appropriating
43 \$1,457,667 to the Public Transportation Capital Fund (485) for the construction of a **Paratransit**
44 **Facility**; Public Transportation Department.

45 1. Assembly Memorandum No. AM 813-2006.

46
47 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
48 and called the Question.

49
50 Mr. Stout moved, *to approve AR 2006-299,*
51 Mr. Bauer seconded,
52 and this was approved, 9-0.

53
54 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

55 NAYES: None.

56 ABSENT: Coffey and Jennings, excused.

57
58 14.L. Resolution No. AR 2006-300, a resolution of the Municipality of Anchorage appropriating \$811,250
59 from the Federal Highway Administration (FHWA) to the Federal Grants Fund (241) for the Traffic
60 Department, Transportation Planning Division, **Anchorage Metropolitan Area Transportation**
61 **Solutions** (AMATS); Traffic Department.

62 1. Assembly Memorandum No. AM 814-2006.

63
64 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
65 and called the Question.

66
67 Mr. Traini moved, *to approve AR 2006-300,*
68 Mr. Bauer seconded,
69 and this was approved, 9-0.

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

72 NAYES: None.

73 ABSENT: Coffey and Jennings, excused.

74
75 14.M. Resolution No. AR 2006-304, a resolution of the Municipality of Anchorage appropriating \$256,010 as
76 a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
77 Security and Emergency Management and appropriating \$5,450 as a contribution from the 2006
78 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the

1 State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**
2 **response and prevention equipment**; Anchorage Police Department.

3 1. Assembly Memorandum No. AM 837-2006.
4

5 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
6 and called the Question.

7
8 Ms. Fairclough moved, to approve AR 2006-304,
9 Mr. Bauer seconded,
10 and this was approved, 9-0.

11
12 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

13 NAYES: None.

14 ABSENT: Coffey and Jennings, excused.
15

16 14.N. Resolution No. AR 2006-306, a resolution of the Municipality of Anchorage appropriating \$3,236,382
17 as a grant from the U.S. Department of Justice, Community Oriented Policing Services and
18 appropriating \$69,240 as a contribution from the 2006 Anchorage Police Operating Budget,
19 Anchorage Metropolitan Police Service Area Fund (151) to the Areawide Capital Project Fund (401),
20 Anchorage Police Department, for the purchase of **interoperable communications equipment**;
21 Anchorage Police Department.

22 1. Assembly Memorandum No. AM 847-2006.
23

24 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
25 and called the Question.

26
27 Ms. Ossiander moved, to approve AR 2006-306,
28 Ms. Fairclough seconded,
29 and this was approved, 9-0.

30
31 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

32 NAYES: None.

33 ABSENT: Coffey and Jennings, excused.
34

35 14.O. Resolution No. AR 2006-307, a resolution of the Municipality of Anchorage appropriating \$1,041,798
36 from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security
37 and Emergency Management to the Areawide General CIP Fund (401), Office of Emergency
38 Management, for the purchase of **interoperable communications equipment**; Office of Emergency
39 Management.

40 1. Assembly Memorandum No. AM 848-2006.
41

42 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
43 and called the Question.

44
45 Ms. Ossiander moved, to approve AR 2006-307,
46 Ms. Fairclough seconded,
47

48 Ms. Ossiander stated that the equipment had not been distributed equally to all sections of the Municipality, but she
49 had been assured that would happen in the future. She urged support.

50
51 and this was approved, 9-0.
52

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

54 NAYES: None.

55 ABSENT: Coffey and Jennings, excused.
56

57 14.P. Resolution No. AR 2006-305, a resolution of the Municipality of Anchorage appropriating \$300,000 in
58 additional projected program fees and other revenues to the Anchorage Fire Department 2006
59 Operating Budget, General Government Areawide Fund (101), and \$340,000 in additional projected
60 program fees and other revenues to the **Anchorage Fire Department 2006 Operating Budget**,
61 Anchorage Fire Service Area Fund (131); Anchorage Fire Department.

62 1. Assembly Memorandum No. AM 846-2006.
63

64 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
65 and called the Question.

66
67 Ms. Ossiander moved, to approve AR 2006-305,
68 Ms. Fairclough seconded,
69 and this was approved, 9-0.
70

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

72 NAYES: None.

73 ABSENT: Coffey and Jennings, excused.
74

75 14.Q. Resolution No. AR 2006-308, a resolution of the Municipality of Anchorage appropriating \$110,000 of
76 administrative fees from the Areawide General Fund (101) as a contribution to the Anchorage Roads
77 and Drainage Service Area CIP Fund (441), for capital improvements within the **F-Street**
78 **Connectivity Project**; Office of Economic & Community Development.

1 1. Assembly Memorandum No. AM 849-2006.
2

3 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
4 and called the Question.

5
6 Ms. Ossiander moved, to approve AR 2006-308,
7 Mr. Bauer seconded,
8

9 To Ms. Fairclough, Chief Fiscal Officer Jeff Sinz responded that the unrestricted funds were available from the State of
10 Alaska for general administrative fees associated with the parking facility and would be used for improvements directly
11 in front of the parking facility. Ms. Fairclough stated that when using unrelated money from the service area general
12 fund for other obligations, the services areas could become challenged. She urged approval.

13
14 To Chair Sullivan, Mr. Sinz responded the project involved improvements to the F Street Corridor, directly in front of
15 the parking facility and was directly related to the project to which these funds were directed.

16
17 Mr. Birch stated that as a part of this agreement, there was a \$220,000 administrative fee associated with the parking
18 garage construction north of the Atwood Building. Now \$110,000 of that fund would be diverted to projects not
19 associated with the parking garage. To his question, Mr. Sinz responded the state money given to the Municipality
20 was designed to cover a variety of costs associated with the F Street Corridor Project, and included improvements to
21 the area in front of the parking facility. Mayor Begich concurred.

22
23 and this was approved, 9-0.

24
25 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.

26 NAYES: None.

27 ABSENT: Coffey and Jennings, excused.
28

29 14.R. Resolution No. AR 2006-309, a resolution of the Municipality of Anchorage appropriating \$2,469,850
30 from interest earnings received in five major funds to pay the debt services and issuing costs
31 associated with the February 2006 **Tax Anticipation Notes**; Finance.

32 1. Assembly Memorandum No. AM 850-2006.
33

34 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
35 and called the Question.

36
37 Ms. Ossiander moved, to approve AR 2006-309,
38 Ms. Fairclough seconded,
39 and this was approved, 9-0.
40

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

42 NAYES: None.

43 ABSENT: Coffey and Jennings, excused.
44

45 14.S. Resolution No. AR 2006-310, a resolution of the Municipality of Anchorage appropriating \$166,000
46 from the Fund Balance of the Areawide General Fund for fuel purchases and \$46,000 of fuel cost
47 reimbursements to be received from VPSI, Inc. to fund the purchase of **fuel for municipal vanpool**
48 **vehicles** to the Areawide General Fund (101); Public Transportation Department.

49 1. Assembly Memorandum No. AM 851-2006.
50

51 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
52 and called the Question.

53
54 Ms. Ossiander moved, to approve AR 2006-310,
55 Mr. Bauer seconded,
56 and this was approved, 9-0.
57

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

59 NAYES: None.

60 ABSENT: Coffey and Jennings, excused.
61

62 Ms. Fairclough moved, seconded by Ms. Ossiander, for reconsideration of AO 2006-93(S-1) and there were no
63 objections. (*Clerk's Note: Chair Sullivan returned the body to 11.B*)
64

65 It was requested by Administration that item 14.F, AO 2006-174 be reconsidered. Mr. Traini moved, seconded by Ms.
66 Ossiander, for immediate reconsideration and there were no objections. (*Clerk's Note: Chair Sullivan returned the*
67 *body to Agenda item 14.F.*)
68

69 **15. SPECIAL ORDERS** There were none.
70

71 **16. UNFINISHED AGENDA** There were none.
72

73 **17. AUDIENCE PARTICIPATION**
74

75 Chair Sullivan invited a group of visiting Cub Scouts to introduce themselves. Participating Cub Scouts, who were
76 working on their community and citizenship merit badges, included Draesen Smith, Ezra Afualo, Joshua Watson,
77 Mathew Rhodes, Devry Smith, with Scout Leaders Ian Van Blankenstein, Tim Dee and Drew Smith, representing the
78 Huffman and Brayton Cub Scout Ward, sponsored by the Church of Jesus Christ of Later Day Saints.

1
2 **18. ASSEMBLY COMMENTS**
3

4 Ms. Fairclough gave formal notification of resigning her position on the Anchorage Assembly, as she moved forward as
5 an elected official to the State House of Representatives. She stated that she would deliver a copy of the new Ethics
6 Law, approved that evening by the Anchorage Assembly, to the State of Alaska. She requested that her last meeting
7 with the Anchorage Assembly be on January 5, 2007, in Eagle River. Ms. Ossiander concurred. Chair Sullivan stated
8 that he would call a Special Meeting in Eagle River, on January 5th.
9

10 **19. EXECUTIVE SESSIONS**
11

12 19.A. **Ethics Opinion #2006-01.**
13

14 *(Clerk's Note: The Assembly unanimously approved to meet for the Executive Session, which began at 6:55 p.m. and*
15 *ended at 7:05 p.m. Chair Sullivan reconvened the Assembly at 7:25 p.m., following the scheduled dinner break.)*
16

17 Ms. Ossiander stated that under the current Ethics Code, the findings of the Board of Ethics were held confidential,
18 unless the majority of the Assembly ruled otherwise.
19

20 Ms. Ossiander moved, to release a public record of the Ethics Case #2006-1,
21 Mr. Stout seconded,
22 and this was approved without objection,
23 with Mr. Coffey and Ms. Jennings excused.
24

25 *(Clerk's Note: Chair Sullivan returned the body to item 11.D, to complete discussion and action on AO 2006-93(S-1).)*
26

27 **20. ADJOURNMENT**
28

29 Chair Sullivan called for a motion to adjourn the meeting.
30

31 Ms. Ossiander moved, to adjourn the Regular Assembly Meeting,
32 Mr. Traini seconded,
33 and this motion was passed.
34

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

36 NAYES: None.

37 ABSENT: Coffey and Jennings, excused.
38

39 The Regular Assembly Meeting was adjourned at 10:48 p.m.
40
41
42
43

44 *Refer to Document Archives for Signatures*
45
46

47 _____
48 DAN SULLIVAN, Assembly Chair

49 ATTEST:
50
51
52

53 *Refer to Document Archives for Signatures*
54
55

56 _____
57 LINDA HEIM, Acting Municipal Clerk
58 Date Minutes Approved: January 30, 2007.
59 MC/BG
60

61 *(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage,*
62 *Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)*
63