

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of May 20, 1997

1. **CALL TO ORDER:**

The meeting was convened at 5:00 p.m. by Chairman Mark Begich in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. **ROLL CALL:**

Present: Charles Wohlforth, Bob Bell, Dan Kendall, George Wuerch, Mark Begich, Kevin Meyer, Fay Von Gemmingen, Cheryl Clementson, Ted Carlson, Joe Murdy.
Absent: Pat Abney (excused.)

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Kendall.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - January 7, 1997

Mr. Wuerch moved, to approve the minutes of the
seconded by Mr. Meyer, January 7, 1997 regular meeting.
and it passed without
objection,

5. **MAYOR'S REPORT:** None.

6. **ADDENDUM TO AGENDA:**

Mr. Murdy moved, to amend the agenda to include
seconded by Mr. Kendall, the addendum items.

Chairman Begich read the addendum items.

Question was called on the motion to amend the agenda and it passed without objection.

7. **CONSENT AGENDA:**

Mr. Murdy moved to approve all items on the
seconded by Mr. Wuerch, consent agenda as amended.

A. **BID AWARDS:**

1. Assembly Memorandum No. AM 431-97, recommendation of award to Oil Spill Consultants, Inc. for the **1997 park playground package** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 97-C14), Purchasing.
2. Assembly Memorandum No. AM 432-97, recommendation of award to Primary Care Associates, Inc., for providing **physical examinations** on an "as required" basis for the Municipality of Anchorage, Employee Relations Department (ITB 97-36), Purchasing.
3. Assembly Memorandum No. AM 433-97, recommendation of award to Pacific North Equipment Company and Yukon Equipment, Inc. for furnishing **miscellaneous heavy equipment** to the Municipality of Anchorage, Department of Property and Facility Management (ITB 97-11), Purchasing.
4. Assembly Memorandum No. AM 434-97, recommendation of award to Cal Worthington Ford for furnishing **full and mid-size sedans and utility wagons** to the Municipality of Anchorage, Department of Property and Facility Management (ITB 97-33), Purchasing.
5. Assembly Memorandum No. AM 435-97, recommendation of award to M-B Contracting Co., Inc. for the **18th Avenue storm drain improvement project** for the Municipality of Anchorage, Department of Public Works (ITB 96-C94), Purchasing.
6. Assembly Memorandum No. AM 436-97, recommendation of award to various firms for furnishing **uniform rental and garment cleaning** to the Municipality of Anchorage, Purchasing Department (ITB 97-24).
7. Assembly Memorandum No. AM 460-97, recommendation of award to The Agency Group for furnishing **miscellaneous utility electrical items** to the Municipality of Anchorage, Municipal Light and Power (ITB 97-28), Purchasing.

8. Assembly Memorandum No. AM 461-97, recommendation of award to The Agency Group for furnishing a **15KV metal clad switchgear and non-segregated phase bus duct** to the Municipality of Anchorage, Municipal Light and Power (ITB 97-40), Purchasing.
- B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:
 1. Ordinance No. AO 97-80, an ordinance of the Municipality of Anchorage creating Paving Special Assessment District No. 1P97 - **East Thirty-Second Avenue Paving and Street Lights from Denali Street** to Gambell Street and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 468-97.
 2. Ordinance No. AO 97-81, an ordinance of the Municipality of Anchorage creating Paving Special Assessment District No. 2P97 - **West 7th/8th Avenue Alley Paving** from "H" Street to "I" Street and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 469-97.
 3. Ordinance No. AO 97-82, an ordinance of the Municipality of Anchorage creating Paving Special Assessment District No. 3P97 - **West 8th/9th Avenue Alley Paving** from "F" Street to "G" Street and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 470-97.
 4. Ordinance No. AO 97-83, an ordinance of the Municipality of Anchorage creating Paving Special Assessment District No. 4P97 - **West 5th/6th Avenue Alley Paving** from "I" Street to "K" Street and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 471-97.
 5. Ordinance No. AO 97-84, an ordinance of the Municipality of Anchorage creating Paving Special Assessment District No. 5P97 - **"K"/"L" Street Alley Paving** from West 7th Avenue to West 8th and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 472-97.
 6. Ordinance No. AO 97-85, an ordinance adopting **amendments to the Official Streets and Highways Plan (OS&HP)** as an element of the Anchorage Comprehensive Plan (AMC 21.05.030K) concerning Boston Street, 10th Avenue to DeBarr Road, from a local roadway to a Class IC Neighborhood Collector; and East 12th Court, Muldoon Road to Boston Street, from a local roadway to a Class IC Neighborhood Collector, Community Planning and Development. public hearing 6-3-97.
 - a. Assembly Memorandum No. AM 473-97.
 7. Resolution No. AR 97-111, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$560,187 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant, and \$62,243 from the CY 1997 Police Department Operating Budget to the Federal Categorical Grants Fund (0241) for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department. public hearing ~~6-10-97~~ 6-3-97.
 - a. Assembly Memorandum No. AM 437-97.

Operations Manager George Vakalis asked this item be considered on the regular agenda. See 8.C.

8. Resolution No. AR 97-112, a resolution confirming and levying assessments for the **sewer special improvements within Levy-Upon-Connection Roll 96-S-3**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility. public hearing 6-10-97.
 - a. Assembly Memorandum No. AM 438-97.
9. Ordinance No. AO 97-86, an ordinance of the Municipality of Anchorage creating Street Reconstruction Special Assessment District 5SR96 - **Street, Street Light and Drainage Reconstruction of the streets in the Kempton Hills Subdivision Area** and determining to proceed with proposed improvements therein, Public Works. public hearing 6-10-97. (addendum)
 - a. Assembly Memorandum No. AM 476-97.
10. Resolution No. AR 97-118, a resolution of the Municipality of Anchorage providing for a loan not to exceed \$600,000 from the Areawide General Fund (0101), and appropriating the proceeds to the Areawide General Capital Improvement Fund (0401) for the **design and construction of improvements at the Anchorage Golf Course**, and providing for a surcharge for purposes of loan repayment, Property and Facility Management. public hearing 6-3-97. (addendum)
 - a. Assembly Memorandum No. AM 478-97.

Mr. Meyer asked this item be considered on the regular agenda. See 8.C.

11. Resolution No. AR 97-120, a resolution of the Municipality of Anchorage appropriating \$15,000 of unappropriated interest from the Miscellaneous Capital/Pass-Thru Fund (Fund 0409) to the Areawide Capital Improvement Fund (0401), \$315,000 of various unappropriated revenues from within the Areawide Capital Improvement Fund (0401) and \$170,000 as a contribution from the Anchorage Roads and Drainage Capital Improvement Fund (0441) to the

Areawide Capital Improvement Fund (0401) for a \$500,000 grant to the State of Alaska Department of Transportation and Public Facilities for **infrastructure enhancements on Fifth and Sixth Avenues** in Anchorage, Office of Management and Budget. public hearing 6-3-97. **(addendum)**

- a. Assembly Memorandum No. AM 481-97.
12. Ordinance No. AO 97-87, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code Chapter 9.28 relating to the filing in court of cases seeking **impoundment or forfeiture of motor vehicles** towed pursuant to an arrest for driving while intoxicated as against all those who are not the person arrested, Legal Department. public hearing 6-3-97. **(addendum)**
 - a. Assembly Memorandum No. AM 482-97.
13. Ordinance No. AO 97-88, an ordinance amending Anchorage Municipal Code Section 24.30.020 to provide for an **annual sidewalk right-of-way encroachment permit** for placing customer advertising or direction signs, tables, chairs, benches, flower boxes, trash receptacles and similar customer amenities and decorative items on sidewalks in the Central Business Zoning Districts B-2A and B-2B, providing for conditions of the permit and penalties for violations and amending Anchorage Municipal Code Sections 24.30.100 to establish the sidewalk encroachment permit fee and 14.60.030 to establish the authority and fine schedule for enforcement hearings on sidewalk encroachment violations before the Administrative Hearing Officer, Public Works. public hearing 6-3-97. **(addendum)**
 - a. Assembly Memorandum No. AM 483-97.

Ms. Von Gemmingen asked this item be considered on the regular agenda. See 8.C.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-113, a resolution authorizing the granting of a **tax refund to Elisa S. and John H. Mattison as a result of manifest clerical error on real property** Parcel 014-233-51, Finance.
 - a. Assembly Memorandum No. AM 439-97.

Mr. Wuerch asked this item be considered on the regular agenda. See 8.D.

2. Resolution No. AR 97-114, a resolution authorizing the granting of a **tax refund to George F. and Priscilla C. Herben as a result of manifest clerical error on real property** Parcel 015-273-38, Finance.
 - a. Assembly Memorandum No. AM 440-97.

Mr. Wuerch asked this item be considered on the regular agenda. See 8.D.

3. Resolution No. AR 97-115, a resolution of the Anchorage Municipal Assembly approving a minor amendment to an existing conditional use for sales of alcoholic beverages (Beverage Dispensary Tourist) to (Restaurant/Eating Place) located on US Survey 3201, Lot 27, T10N, R1W Section 10 SM Alaska, generally located on the Seward Highway at Milepost 101 (Erik H. Lambertsen d.b.a. **Bird Ridge Cafe and Bakery**) (Case 97-107), Community Planning and Development.
 - a. Assembly Memorandum No. AM 441-97.
4. Resolution No. AR 97-116, a resolution of the Municipality of Anchorage providing for the acceptance and appropriation of \$7,500 to the Federal Categorical Grants Fund (0241) from the National Park Service for **improvement of the Girdwood Iditarod Trail**, Cultural and Recreational Services.
 - a. Assembly Memorandum No. AM 459-97.
5. Resolution No. AR 97-119, a resolution **adopting the 1997 Annual Action Plan of the Municipality of Anchorage Housing and Community Development Consolidated Plan** which constitutes the application to the United States Department of Housing and Urban Development for Community Development Block Grant, HOME Investment Partnerships and Emergency Shelter Entitlement grants, Community Planning and Development. **(addendum)**
 - a. Assembly Memorandum No. AM 479-97.

Operations Manager George Vakalis asked this item be considered on the regular agenda. See 8.D.

6. Resolution No. AR 97-121, a resolution of the Anchorage Municipal Assembly providing **policy direction to the Administration on use of the cost savings resulting from the decrease in the employer contribution percentage for the Public Employee Retirement System (PERS)**, Assemblymembers Begich, Abney, Carlson, Kendall, and Von Gemmingen. **(addendum)**
 - a. Resolution No. AR 97-121(S), a resolution of the Anchorage Municipal Assembly providing policy direction to the Administration on use of the cost savings resulting from the decrease in the employer contribution percentage for the Public Employee Retirement System (PERS), Assemblymembers Kendall, Begich, Bell, Carlson, and Meyer. **(addendum)**

Mr. Bell asked this item be considered on the regular agenda. See 8.D.

7. Resolution No. AR 97-122, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Sergeant George Russell Boatright for his 28 years of service** with the Anchorage Police Department, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Murdy asked this item be considered on the regular agenda. See 8.D.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 427-97, **Arctic Zebra** - Transfer of Ownership of a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.

Ms. Clementson asked this item be considered on the regular agenda. See 8.E.

2. Assembly Memorandum No. AM 428-97, **1997-1998 Liquor License Renewals** Bottle Barn #6 (Package Store); China Express (Restaurant/Eating Place); Gallo's Mexican Restaurant (Beverage Dispensary), Clerk's Office.
3. Assembly Memorandum No. AM 429-97, **Cheers** - Transfer of Ownership of a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.
4. Assembly Memorandum No. AM 430-97, **Yamaya Restaurant** - New Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Downtown Community Council), Clerk's Office.

Ms. Clementson asked this item be considered on the regular agenda. See 8.E.

5. Assembly Memorandum No. AM 442-97, proprietary purchase of a **subscription renewal for periodical indexing services** to Information Access Company for the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
6. Assembly Memorandum No. AM 443-97, change order No. 1 to purchase order 61302 to exercise the first option period with Rent-A-Can Toilet Company for **portable toilet rental** to the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
7. Assembly Memorandum No. AM 444-97, proprietary purchase of **computer hardware and software maintenance** from Digital Equipment Corporation (DEC) for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
8. Assembly Memorandum No. AM 445-97, change order No. 2 to purchase order 62083 with Betz Dearborn to furnish **boiler and cooling water treatment chemicals** on an "as needed" basis to Municipal Light and Power.
9. Assembly Memorandum No. AM 446-97, change order No. 4 to purchase order 43747 with Kempel, Huffman & Ellis, P.C. for providing **legal services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
10. Assembly Memorandum No. AM 447-97, change order No. 2 to purchase order 62592 with Netherland, Sewell & Associates, Inc. for providing a **report on the Beluga Field Gas Reserve** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
11. Assembly Memorandum No. AM 448-97, change order No. 6 to the AWWU **1994 asphalt patching and concrete repair contract**, Water and Wastewater Utility.
12. Assembly Memorandum No. AM 449-97, **Chester Creek trunk emergency replacement** - Change Order No. 3. Water and Wastewater Utility.
13. Assembly Memorandum No. AM 450-97, recommendation of award to R & M Consultants, Inc. for providing professional engineering services to the **Eagle River Reservoir and Eagle River Water Improvements 1998 Project** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 66-96), Purchasing.
14. Assembly Memorandum No. AM 451-97, recommendation of award to The Perkin Elmer Corporation to furnish and install **laboratory equipment** at the Point Woronzof Laboratory for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 67-96), Purchasing.
15. Assembly Memorandum No. AM 452-97, recommendation of award to Montgomery Watson Laboratories, Inc. for providing **laboratory services** in compliance with the Information Collection Rule for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 16-97), Purchasing.

Mr. Wuerch asked this item be considered on the regular agenda. See 8.E.

16. Assembly Memorandum No. AM 453-97, amendment No. 8 to purchase order 03834 with Morgan, Lewis & Bockius for professional **legal services** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.
17. Assembly Memorandum No. AM 454-97, recommendation of award to Allvest Inc. for furnishing **animal control services** for the Municipality of Anchorage, Department of Health and Human Services (RFP 11-97), Purchasing.

Mr. Bell asked this item be considered on the regular agenda. See 8.E.

18. Assembly Memorandum No. AM 455-97, recommendation of award to ALLVEST, Inc. to provide services to **operate a Community Service Patrol and Transfer Station** for the Municipality of Anchorage, Department of Health and Human Services (RFP 18-97), Purchasing.

Ms. Clementson asked this item be considered on the regular agenda. See 8.E.

19. Assembly Memorandum No. AM 456-97, change order No. 1 to purchase order 61540 to exercise the option periods with High Country Landscaping or furnishing **landscaping services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
20. Assembly Memorandum No. AM 457-97, recommendation of award to Davies Consulting for professional services as a **Gas Field Operations Manager** for the Municipality of Anchorage, Municipal Light and Power (RFP 15-97), Purchasing.

Mr. Bell asked this item be considered on the regular agenda. See 8.E.

21. Assembly Memorandum No. AM 458-97, change order #6 (Contract Amendment #4) to purchase order 50274, RFP 95-C14, Rockford Corporation, Phase I, Plant 2, **tank repairs/painting of the existing (old) bulk storage fuel oil tank**, Municipal Light and Power.
22. Assembly Memorandum No. AM 464-97, contract amendment No. 1 to the professional services contract with DOWL Engineers for the **Fairview Area Traffic Safety Improvements**, DPW No. 96-08, Public Works.
23. Assembly Memorandum No. AM 465-97, change order No. 1 to purchase order 62032 with Faulkner, Banfield, Doogan and Holmes to provide **legal services** for the Municipality of Anchorage, Police and Fire Retirement System/Purchasing.
24. Assembly Memorandum No. AM 474-97, change order No. 1 to purchase order 71039 to Woodward Governor Company -- **increase of funding from \$100,000 to \$150,000**, Municipal Light and Power.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 66-97, **Monthly Financial Report** - March 1997, Finance.
2. Information Memorandum No. AIM 67-97, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of April 1997, Purchasing.
3. Information Memorandum No. AIM 68-97, Anchorage Water and Wastewater Utility construction contract change orders for **Anchorage Loop Water Transmission Main, Phases I and II**, Water and Wastewater Utility.
4. Information Memorandum No. AIM 70-97, Internal Audit Report 97-10 - **Procedures for Selecting Engineering Consultants, Port of Anchorage**, Assemblymember Begich.

This item was reconsidered later in the meeting. See 8.E.

5. Information Memorandum No. AIM 72-97, **Sole Source Procurement Report** for the month of April 1997, Purchasing.
6. Information Memorandum No. AIM 73-97, **1997 State Legislative Capital Budget Appropriations**-Senate Bill 107, Office of Management and Budget.
7. Information Memorandum No. AIM 74-97, **PERS Savings**, Office of Management and Budget.

Mr. Meyer asked this item be considered on the regular agenda. See 8.F.

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

8. REGULAR AGENDA:

- A. TIME CRITICAL ITEMS: None.
- B. BID AWARDS: None.
- C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Resolution No. AR 97-111, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$560,187 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant, and \$62,243 from the CY 1997 Police Department Operating Budget to the Federal Categorical Grants Fund (0241) for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department.
public hearing ~~6-10-97~~ 6-3-97.
 - a. Assembly Memorandum No. AM 437-97.

Messrs. Kendall, Bell and Murdy joined in introducing this resolution.

Mr. Kendall moved, to schedule the public hearing on
seconded by Mr. Murdy, AR 97-111 for June 3, 1997.
and it passed without
objection,

2. Resolution No. AR 97-118, a resolution of the Municipality of Anchorage providing for a loan not to exceed \$600,000 from the Areawide General Fund (0101), and appropriating the proceeds to the Areawide General Capital Improvement Fund (0401) for the **design and construction of improvements at the Anchorage Golf Course**, and providing for a surcharge for purposes of loan repayment, Property and Facility Management. public hearing 6-3-97. **(addendum)**
 - a. Assembly Memorandum No. AM 478-97.

Mr. Meyer moved, to introduce AR 97-118 for public
seconded by Mr. Wuerch, hearing on June 3, 1997.
and it passed without
objection,

Mr. Meyer requested information prior to the public hearing regarding the financial status of the Course.

Ms. Clementson asked the information include Russian Jack Golf Course fees and operation costs.

Chairman Begich requested information about the terms and scope of the Anchorage Golf Course management contract.

3. Ordinance No. AO 97-88, an ordinance amending Anchorage Municipal Code Section 24.30.020 to provide for an **annual sidewalk right-of-way encroachment permit** for placing customer advertising or direction signs, tables, chairs, benches, flower boxes, trash receptacles and similar customer amenities and decorative items on sidewalks in the Central Business Zoning Districts B-2A and B-2B, providing for conditions of the permit and penalties for violations and amending Anchorage Municipal Code Sections 24.30.100 to establish the sidewalk encroachment permit fee and 14.60.030 to establish the authority and fine schedule for enforcement hearings on sidewalk encroachment violations before the Administrative Hearing Officer, Public Works. public hearing 6-3-97. **(addendum)**
 - a. Assembly Memorandum No. AM 483-97.

Ms. Von Gemmingen, Ms. Clementson and Mr. Wohlforth joined in introducing this ordinance. The public hearing was scheduled for June 3, 1997.

In response to Ms. Von Gemmingen, Operations Manager George Vakalis said the ordinance was forwarded to the Downtown Anchorage Association.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-113, a resolution authorizing the granting of a **tax refund to Elisa S. and John H. Mattison as a result of manifest clerical error on real property** Parcel 014-233-51, Finance.
 - a. Assembly Memorandum No. AM 439-97.
2. Resolution No. AR 97-114, a resolution authorizing the granting of a **tax refund to George F. and Priscilla C. Herben as a result of manifest clerical error on real property** Parcel 015-273-38, Finance.
 - a. Assembly Memorandum No. AM 440-97.

Mr. Wuerch moved, to approve AR 97-113.
seconded by Mr. Kendall,

Mr. Wuerch requested in the future, documents such as these which grant tax refunds include the amount of the refund.

Question was called on the motion to approve AR 97-113 and it passed without objection.

Mr. Wuerch moved, to approve AR 97-114.
seconded by Mr. Kendall,
and it passed without
objection,

3. Resolution No. AR 97-119, a resolution **adopting the 1997 Annual Action Plan of the Municipality of Anchorage Housing and Community Development Consolidated Plan** which constitutes the application to the United States Department of Housing and Urban Development for Community Development Block Grant, HOME Investment Partnerships and Emergency Shelter Entitlement grants, Community Planning and Development. **(addendum)**
 - a. Assembly Memorandum No. AM 479-97.

Mr. Wuerch moved, to approve AR 97-119.
seconded by Ms. Clementson,

Operations Manager George Vakalis noted two technical corrections of the document were necessary.

A Community Planning and Development staff member outlined the suggested corrections. She noted a delay in approval of the document would pose a significant problem.

Mr. Wohlforth moved, to postpone action on AR 97-119
seconded by Mr. Murdy, until later in the meeting to
and it passed without allow time to review the proposed
objection,
amendments.

(Clerk's Note: See before item 11 for further action on this item.)

4. Resolution No. AR 97-121, a resolution of the Anchorage Municipal Assembly providing **policy direction to the Administration on use of the cost savings resulting from the decrease in the employer contribution percentage for the Public Employee Retirement System (PERS)**, Assemblymembers Begich, Abney, Carlson, Kendall, and Von Gemmingen. **(addendum)**
 - a. Resolution No. AR 97-121(S), a resolution of the Anchorage Municipal Assembly providing policy direction to the Administration on use of the cost savings resulting from the decrease in the employer contribution percentage for the Public Employee Retirement System (PERS), Assemblymembers Kendall, Begich, Bell, Carlson, and Meyer. **(addendum)**

Mr. Bell moved, to approve AR 97-121(S).
seconded by Mr. Kendall,

Mr. Bell felt the windfall cost savings should be used to relieve the taxpayers, rather than support additional bureaucracy. He supported the "S" version, which details a policy direction which would further that goal.

Mr. Kendall noted this was the first time in his term as Assembly member that he has had an opportunity to act on an item which would provide such "savings" to the taxpayer. He felt it was appropriate to direct this windfall to tax relief.

Mr. Wohlforth noted he supported the resolution. However, he noted it would really not "lower" taxes. Unless the funds were appropriated for a specific purpose, the funds would automatically remain in fund balance.

Mr. Murdy and Mr. Wuerch asked to be added as sponsors of the resolution.

Question was called on the motion to approve AR 97-121(S) and it passed:

AYES: Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: Wohlforth.

5. Resolution No. AR 97-122, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Sergeant George Russell Boatright for his 28 years of service** with the Anchorage Police Department, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Murdy moved, to approve AR 97-122.
seconded by Mr. Kendall,
and it passed without
objection,

Mr. Carlson read the resolution, and Mr. Murdy presented it to Sergeant Boatright.

Sergeant Boatright thanked the Assembly. He spoke about his pride in the helping nature of the Alaskan people. He said leaving the Anchorage Police Department was a very difficult decision. He appreciated the opportunity to serve the community.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 427-97, **Arctic Zebra** - Transfer of Ownership of a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.

Ms. Clementson moved, to postpone action on AM 427-97
seconded by Mr. Wohlforth, until June 3, 1997, pending
and it passed without further investigation of the
objection, license and operators.

2. Assembly Memorandum No. AM 430-97, Yamaya Restaurant - New Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Downtown Community Council), Clerk's Office.

Ms. Clementson moved, to postpone action on AM 430-97
seconded by Mr. Wohlforth, until after action on item 12.Z,
and it passed without AR 97-117.
objection,

(Clerk's Note: See minutes of June 3, 1997 for further action.)

3. Assembly Memorandum No. AM 452-97, recommendation of award to Montgomery Watson Laboratories, Inc. for providing **laboratory services** in compliance with the Information Collection Rule for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 16-97), Purchasing.

Mr. Wuerch moved, to approve AM 452-97.
seconded by Ms. Clementson,

In response to Mr. Wuerch, Purchasing Officer Ted Chenier indicated all responses were from firms outside Alaska. He said the RFP was duly published in the local newspaper and mailed to eighteen local firms.

Water and Wastewater General Manager Mark Premo explained the type of sampling required was very sophisticated. There were no local laboratories certified to perform the work.

Question was called on the motion to approve AM 452-97 and it passed without objection.

4. Assembly Memorandum No. AM 454-97, recommendation of award to Allvest Inc. for furnishing **animal control services** for the Municipality of Anchorage, Department of Health and Human Services (RFP 11-97), Purchasing.

Mr. Bell moved, to approve AM 454-97.
seconded by Mr. Kendall,

Mr. Bell expressed concern about the process in this award. He felt the system was manipulated, and the previous contractor, TLC, Inc., was mistreated. He felt Allvest would not perform animal control services as well as TLC.

In response to Mr. Meyer, Purchasing Officer Ted Chenier said TLC did bid on the RFP. He said he could not reveal the TLC bid until after award of the contract.

Mr. Wuerch noted the scope of the contract had changed, in part due to a revision of Title 17 of the Municipal Code.

Ms. Von Gemmingen noted TLC has performed animal control services for five years. The amount paid to date was \$4.5 million, or \$890,551 annually.

Ms. Clementson noted the bids were based on the scope of work, rather than the procedure used in an Invitation to Bid.

In response to Mr. Wohlforth, Health and Human Services Director Elaine Christian confirmed the term of the proposed contract was eighteen months, with four one-year renewal options. She said the initial term was six months longer than usual in part to get the funds into the budget cycle, and in part to allow the contractor to learn the new Title 17, and develop procedures and implementation based on the new law. She said if the Assembly was unhappy with service from Allvest, the contract could be canceled at the end of the first term, December 31, 1998.

Question was called on the motion to approve AM 454-97 and it passed:

AYES: Wohlforth, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: Bell.

5. Assembly Memorandum No. AM 455-97, recommendation of award to ALLVEST, Inc. to provide services to **operate a Community Service Patrol and Transfer Station** for the Municipality of Anchorage, Department of Health and Human Services (RFP 18-97), Purchasing.

Ms. Clementson moved, to postpone action on AM 455-97
seconded by Mr. Murdy, until June 3, 1997.
and it passed without
objection,

6. Assembly Memorandum No. AM 457-97, recommendation of award to Davies Consulting for professional services as a **Gas Field Operations Manager** for the Municipality of Anchorage, Municipal Light and Power (RFP 15-97), Purchasing.

Mr. Bell moved, to approve AM 457-97.
seconded by Ms. Clementson,

In response to Mr. Bell, Municipal Light and Power General Manager Tom Stahr and Mary Ann Pease addressed the Assembly.

Mr. Stahr said the first Request for Proposal (RFP) generated three responses. However, no proposals were accepted, because the RFP was found to be inadequate. The RFP was revised and re-advertised.

Ms. Pease said the recommended contractor had extensive knowledge and experience in operation of the Beluga River gas field. She said in the second RFP, the contractor received 60 points for experience, 20 points for scope of work, 5 points for available resources, 5 points for work effort, and 10 points for cost.

Mr. Bell moved, to postpone action on AM 457-97
seconded by Mr. Murdy, until June 3, 1997 pending further
and it passed without information about the bids and
objection,
contractor.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 74-97, **PERS Savings**, Office of Management and Budget.

Mr. Meyer moved, to accept AIM 74-97.
seconded by Mr. Kendall,

In response to Chairman Begich, Gene Dusek of the Office of Management and Budget discussed the AIM.

Question was called on the motion to accept AIM 74-97 and it passed without objection.

Ms. Clementson moved, to reconsider action on item
seconded by Mr. Kendall, 7.E.4, AIM 70-97.
and it passed without
objection,

2. Information Memorandum No. AIM 70-97, Internal Audit Report 97-10 - **Procedures for Selecting Engineering Consultants, Port of Anchorage**, Assemblymember Begich.

Ms. Clementson moved, to postpone action on AIM 70-97
seconded by Mr. Kendall, until
June 3, 1997, pending
and it passed without receipt of the document.
objection,

9. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:

- A. Assembly Memorandum No. AM 401-97, change order No. 2 to purchase order 51515 to exercise the last option period with Pacific Rehab Construction to **pump and maintain the septic system at the Clitheroe Center** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
 1. Information Memorandum No. AIM 75-97. (**addendum**)
(POSTPONED FROM 5-6-97)

This item was considered later in the meeting. See item 16, Unfinished Agenda.

- B. Ordinance No. AO 97-60, an ordinance amending Anchorage Municipal Code Section 6.50.030 to **add corporate bonds and money market mutual funds as permitted investments**, defining and clarifying certain terms, and including brokers within the procedures governing notices to bid on municipal investments, Finance.
 1. Assembly Memorandum No. AM 303-97.
 2. Information Memorandum No. AIM 71-97.
(POSTPONED FROM 4-29-97 AND 5-6-97)

This item was postponed until June 3, 1997 by a motion passed later in the meeting.

- C. **NOTICE TO AMEND SOMETHING PREVIOUSLY ADOPTED:** Ordinance No. AO 97-51, an ordinance **creating the Downtown Business Improvement District** (Assessment District 1SD97) as a special assessment district for services with two areas for different levels of services and assessments, in an area of Downtown Anchorage generally including the area west of Gambell

Street, north of 9th Avenue, east of the alley between "L" and "M" Streets and south of Ship Creek, but more specifically shown on the Special Assessment District 1SD97 map attached to this ordinance; authorizing said District to provide specified safe and clean services and establishing the basis and method of assessing, allocating and apportioning the costs of services and the rules and procedures for assessment calculations, billings, penalties, interest, costs, application of payments and enforcement of assessments and determining to proceed, Legal Department.

Resolution No. AR 97-41, a resolution confirming the assessment roll and levying special assessments for services on property specially benefited in the **Downtown Business Improvement District**, Special Assessment District 1SD97, setting the dates of assessment, and providing for assessment billing, payment due dates, application of payments, delinquency, penalties, interest and costs for delinquency and enforcement, Legal Department.
(AMENDED AND APPROVED 4-29-97; ASSEMBLY MEMBER BELL GAVE NOTICE TO AMEND SOMETHING PREVIOUSLY ADOPTED ON 5-6-97)

Mr. Bell distributed his proposed amendments to AO 97-51 and AR 97-41 and asked action be scheduled for June 3, 1997. Proposed amendments:

1. To amend Section 3, of the ordinance by amending the map assessment district 1SD97 to change the western boundary of the Downtown Business Improvement District 1SD97 from K Street north of Sixth Avenue to I Street north of Sixth Avenue extended along the eastern boundary of Block 13, Anchorage Original Townsite to the northern boundary of assessment district 1SD97. and
2. To amend Section 12. (the effective date) to read: "Section 12. Sections 2. and 5. of this ordinance shall become effective on January 1, 1998 and all other sections of [T]his ordinance shall become effective on [JANUARY 1, 1998] immediately upon passage and approval by the Assembly." and
3. To amend Section 10. to read: "Section 10. Subject to other provisions of this ordinance, Assessment District 1SD97 established hereby shall commence to exist and become effective on the effective date of this section [ORDINANCE]. Assessment District 1SD97 shall be authorized to provide services in accordance with this ordinance for three consecutive years after January 1, 1998 [ITS EFFECTIVE DATE], provided, however, no month or portion thereof during which Assessment District 1SD97 is prevented from operating due to ordinances or legislative or judicial actions or orders shall be counted or constitute interruptions in or breaches of said consecutive requirement.
4. To amend the assessment roll attached to AR 97-41 to delete properties excluded by the boundary changes effected by amendment to AO 97-51. and
5. To amend Section 3., at the end of the sentence ending on line 32 of page 1. by deleting the period and adding to such sentence: ",commencing in the tax year 1998."

Mr. Wohlforth moved, to reopen the public hearing
seconded by Ms. Clementson, on both documents on June 3, 1997, to allow public comment on the proposed changes.

Mr. Bell pointed out the proposed change was considered by the Assembly prior to adoption. He was not inclined to repeat the public testimony process.

Ms. Von Gemmingen suggested scheduling a work session to discuss the proposed changes.

Question was called on the motion to schedule a public hearing for AO 97-51 and AR 97-41 on June 3, 1997 and it failed:

AYES: Wohlforth, Begich, Von Gemmingen, Clementson, Murdy.

NAYS: Bell, Kendall, Wuerch, Meyer, Carlson.

A Color Guard and Public Transportation Director Bob Kniefel presented a trophy to Mr. Bell for his participation in the 1997 Bus Rodeo. Mr. Kniefel also presented a plaque to Ms. Clementson, who also competed in the Rodeo competition.

10. APPEARANCE REQUESTS:

- A. **Erin Street and Kori Callison**, Anchorage KidsPlace Project, to present the final report from the 1997 Anchorage Youth Summit.

Ms. Callison and Ms. Street appeared and identified themselves as students at West High School, and facilitators for the Youth Summit.

Ms. Street explained the Summit was an opportunity for junior high students to assemble and discuss issues important to youth. She said discussions are reduced to booklet form, which will be distributed to the Assembly, local schools and the Internet.

Ms. Callison stressed the Summit was important to give kids a way to face and participate in mitigating issues that were unheard of ten years ago. Gang violence, teen pregnancy and drugs are now an everyday part of life for young people. An avenue to discuss these problems in a structured forum is crucial to feeling part of the solution rather than part of the problem. She said publishing the discussions in the community fosters further debate and gives credibility to kids' feelings and views.

B. **Kelly B. Leseman**, concerning penalties accrued from the aircraft tax registration. **(addendum)**

Mr. Leseman said when he purchased his airplane, he inquired about the luxury tax on aircraft. Municipal staff informed him the tax had been abolished. He described further numerous contacts with Municipal staff after he was notified of taxes and penalties due.

In response to Mr. Bell, Chief Fiscal Officer Jerry Anderson explained the tax and penalty schedule. He said five notices were mailed to Mr. Leseman. The Municipality was not notified of Mr. Leseman's address change until February, 1997.

Mr. Bell felt a \$25 per month penalty for a \$75 bill was excessive. He felt the penalties and interest should be forgiven in a case such as this.

Chairman Begich pointed out the penalties are mandated by the Municipal Code.

Mr. Anderson advised the Assembly that others have been fined for the same situation as Mr. Leseman. All these people should be exempted from paying the fines, if the Assembly chooses to exempt Mr. Leseman.

Mr. Bell urged the administration to find an equitable solution for Mr. Leseman. If that does not occur, he vowed to remedy the situation legislatively.

Mr. Anderson replied he did not have the authority to waive provisions of the Municipal Code; that authority rests with the Assembly.

C. **Ray Faust**, regarding Law Enforcement Officers Torch Run. **(addendum)**

Mr. Faust, State Director of the Torch Run, explained the program involved ten communities in the State, including Anchorage. He said the program is one of those that raises funds for Special Olympics. He introduced **Jim Bellmese**, executive director of Special Olympics, and **Chris Vance**, an athlete. Mr. Faust said the program began in the 1970's as the State Troopers SOME Run, and has evolved to the present Torch Run involving all law enforcement agencies. Prosecutors, district attorneys and others in law enforcement also participate. He said this year's goal was to raise over \$40,000; the ultimate goal is to raise \$100,000 with the program. He noted all fifty states participate in the program. Internationally, the program raises over \$11 million for Special Olympics. He submitted a pledge sheet for his participation to the Assembly. Lastly, he noted the International Torch Run Conference will be held in Anchorage soon, with about four hundred fifty law enforcement officers attending from around the world.

Mr. Bellmese explained Special Olympics is a year-round sports training and competition program for people with mental disabilities. He said about five hundred Alaskan athletes participate.

Mr. Vance thanked the Assembly for supporting the Torch Run program. He described the importance of Special Olympics to people to participate in sports and find new friends.

D. **Randolph C. Smith**, President - Mountain View Community Council, to request street closures at Mountain View Drive on Flower, Klevin, Park and Hoyt Streets. **(addendum)**

Mr. Smith asked for Assembly support of a Mountain View program that has been in existence for about three years. He noted residents have worked hard in the last few years to improve Mountain View's image. He thanked the Anchorage Police Department (APD) and the Mountain View CAP team for helping enhance community pride and create programs to reduce crime problems. He said a program to close certain streets would discourage access by drivers who are in the area to pursue illegal activities. Also, the closure slows local drivers, who often speed through the neighborhood. He stressed there has been overwhelming support from the community for the closure program. However, because of objections from a small number of people, the program seems to be at a standstill. He urged the Assembly to help bring the project to fruition.

In response to Mr. Wohlforth, Mr. Smith confirmed the CAP team had studied the issue thoroughly, and concluded the closures would be a effective way to stem the flow of criminal traffic. Also, the closures would provide another tool for police to apprehend suspects in flight from the community. The CAP team and APD support the measure.

In response to Ms. Clementson, Operations Manager George Vakalis said the proposal was introduced to the administration in February, 1997. He said there was a lot of initial opposition and concerns by various departments and the Anchorage School District about potential impact. Most parties agreed to try the program based on an immediate need for police support. However, it is felt a comprehensive study is needed such as one performed in Fairview. The Mayor directed the Community Development and Planning Department to pursue Community Development Block Grant funds to fund a study.

In response to Chairman Begich, Mr. Vakalis agreed to return a report to the Assembly on June 10, 1997 detailing the status of this issue.

Mr. Wohlforth moved, to change the orders of the day
seconded by Ms. Von Gemmingen, to consider item 13, Board of
and it passed without Adjustment/Assembly Appeals.
objection,

Assembly Memorandum No. AM 426-97, REQUEST FOR RECONSIDERATION: Board of Adjustment Appeal 95-179 and 179B - **National Bank of Alaska/Native Village of Eklutna**, Clerk's Office.

At Chairman Begich's request, Donald McClintock, an attorney advising the Board of Adjustment, addressed the body. Mr. McClintock outlined his review and options available to the Assembly. One option was to affirm the Board of Adjustment's prior action and reject the petition for reconsideration. Another was to grant the petition and remand the appeal to the Planning and Zoning Commission (P&Z) for further findings and review of their consideration of the archaeological study. A third option was to grant the petition and affirm the decision of P&Z.

Ms. Clementson noted she was absent when the Assembly last discussed this issue.

Chairman Begich agreed Ms. Clementson should not participate in the Assembly's decision.

Mr. McClintock confirmed the Board of Adjustment's first decision was whether to grant National Bank of Alaska's petition for reconsideration of the March 4, 1997 decision in the case. He elaborated further on factors in the appeal and distinctions of the proposed decisions he drafted for the Board's consideration if the petition for reconsideration was granted.

Mr. Wohlforth moved, to approve AM 426-97, granting a
seconded by petition for reconsideration of
Ms. Von Gemmingen, the
Board of Adjustment's March 4, 1997 decision on
appeal 95-179 and 179B.

Mr. Wohlforth felt it was clear that the Board of Adjustment erred. Considering the record was quite voluminous, it was easy to overlook a piece of information. In light of this error, he felt the Board was obliged to reconsider.

Question was called on the motion to approve AM 426-97, granting the petition for reconsideration, and it passed without objection.

Mr. Wohlforth moved, to adopt the decision labeled
seconded by Mr. Kendall, "B-2."

Mr. Wohlforth said he was concerned about the archaeological and ethnographic aspect of this decision. He felt insufficient consideration was given to that issue, and that not enough was done to ensure it had been reviewed in detail.

Mr. Wuerch felt the B-2 decision would bypass the normal process, and impose upon the Planning and Zoning Commission (P&Z) a requirement to answer each and every question that may be raised during the course of a project at the onset. This was contrary to current practice of conditioning approvals by means such as subsequent plan reviews, or archaeological concurrence by the State Historic Preservation Officer.

Mr. Wuerch moved, to substitute the decision
seconded by Mr. Meyer, labeled "C-2."

Mr. Wuerch noted C-2 affirmed the P&Z decision. He felt the preponderance of the evidence supported their decision, and that the Assembly should indicate support.

Mr. Wohlforth disclosed ex parte contact he had on this issue. He explained he received a phone message recording from Dr. Nancy Davis. The message was about thirty seconds; Dr. Davis indicated there were serious archaeological issues that should be reviewed. He did not return the call.

Question was called on the motion to substitute decision C-2 and it passed:

AYES: Bell, Wuerch, Begich, Meyer, Von Gemmingen, Carlson, Murdy.
NAYS: Wohlforth, Kendall.
ABSTAIN: Clementson.

Question was called on the motion to adopt decision C-2 and it passed:

AYES: Bell, Wuerch, Begich, Meyer, Von Gemmingen, Carlson,
NAYS: Wohlforth, Kendall, Murdy.
ABSTAIN: Clementson.

(Clerk's Note: See AM 498-97 for findings and conclusions on this appeal.)

The meeting recessed at 6:55 p.m. and reconvened at 7:35 p.m.

The Assembly then returned to item 8.D.3, AR 97-119.

Resolution No. AR 97-119, a resolution **adopting the 1997 Annual Action Plan of the Municipality of Anchorage Housing and Community Development Consolidated Plan** which

constitutes the application to the United States Department of Housing and Urban Development for Community Development Block Grant, HOME Investment Partnerships and Emergency Shelter Entitlement grants, Community Planning and Development. **(addendum)**

a. Assembly Memorandum No. AM 479-97.

Mr. Wohlforth moved, to amend AR 97-119 in the
seconded by Mr. Meyer, attached memorandum, the Plan,
and it passed without on page 10, Table 5, and in
objection,
Appendix E.

(Clerk's Note: These amendments are attached as Exhibit A.)

Question was called on the motion to approve AR 97-119 as amended and it passed without objection.

11. CONTINUED PUBLIC HEARINGS:

- A. Resolution No. AR 97-60, a resolution of the Anchorage Municipal Assembly establishing the effective date for implementing the **transfer of responsibilities and authority for future construction, repair and renovation of school buildings from the Anchorage School Board to the Anchorage Assembly and Administration**; specifying the future projects to which the transfer applies; and confirming the Assembly's responsibility and authority for the approval of school building designs and the selection of school building design professionals, Assemblymember Bell.
1. Assembly Memorandum No. AM 284-97.
(CARRIED OVER FROM 4-29-97; CONTINUED FROM 5-6-97)

Chairman Begich opened the public hearing and asked if anyone wished to speak.

BOB CRISTAL, Anchorage School District Superintendent, said since 1982 the District (ASD) and Municipality have operated under an agreement that construction would be performed by the District. He said a Quality Construction Practices Advisory Commission was formed to advise the administration, composed of architects, contractors, builders and engineers. The Commission's charge was to identify means to increase efficiency in spending and construction. After six months of consulting with the Commission, District officials identified which practices could be improved, and took action accordingly. Four prototype schools have been built, and two new middle schools will open shortly, with \$20 million cost savings. This money will be used to build Fairview and Northern Lights replacement schools. He praised staff members for their outstanding work in the past few years in accomplishing the goals of the Commission, and asked them to address the Assembly.

ED CONYERS, executive director of Physical Plant in the ASD Facilities Department, outlined the history of the new procedures resulting from the Commission's recommendations. He said many departments were involved in implementing the procedures, to ensure needs such as maintenance were considered in the buildings' design.

KATHY CHRISTY, director of ASD Facilities, noted since 1987, four separate studies have concluded that a transfer of construction responsibilities from the ASD to the Municipality would not be beneficial or cost effective. The most recent study concluded that consolidation would create inefficiency and increase personnel costs.

JIM FERGUSON spoke against the resolution. As an engineer, he was experienced with construction projects. He felt the resolution proposed actions which were too expansive at a pace too accelerated. He noted the Commission's report included good recommendations, but also had questions. He felt the Commission should clarify those questions for the Assembly. He did not believe the Municipality was currently in a position to assume the responsibility for ASD construction.

BOB PRICE, ASD Maintenance Director, pointed out the need for effective communication between maintenance staff and facility design staff. Without this communication, it is easy to construct a building that is difficult and cost-ineffective to maintain. He said the level of communication between the ASD Maintenance and Facility Departments is exemplary and outstanding by national standards. He expressed concern the transfer of responsibilities proposal could disturb this communication, which would prove to be a disadvantage to taxpayers. He pointed out he and Ms. Christy are members of the worldwide Association for Physical Plant Administrators. The organization's purpose was to identify the best practices in construction and maintenance. He said they worked closely with the group, and have a reputation within the group as being the initiators of some of the best practices currently followed around the world.

DEE HUBBARD spoke against the resolution. She pointed out some of the mandates in the resolution did not agree with statutory requirements. She noted the ASD currently has a good relationship with local Parent Teacher Associations in working on maintenance and construction projects. She hoped the PTA's valuable contributions would continue to be sought if the proposed resolution is approved. She raised the question of whether Mr. Bell had a conflict of interest on this issue.

SUSAN SULLIVAN, parent of a ASD student and chair of the West High building committee, discussed the current renovation of West High. She praised ASD management of the project, and noted it was completed on time and under budget. The American School and University Gold Citation award for design and implementation was awarded to the ASD for the West project. Many other projects have been completed on time and under budget, illustrating the quality of design and construction management of the ASD.

DAN SIZER, an architect, spoke in support of the current process. He said he had experience working with the ASD and the Municipality on various projects. He felt Municipal officials were more concerned with staying "on budget" than changing the plan in favor of a more efficient or sensible method, while the ASD management was more open to considering quality and efficiency issues. He pointed out designs for facilities to house children were very specialized and required adequate focus. He questioned whether Municipal officials could apply this focus as well as the ASD, since their focus is divided among facilities to house many different types of users. He felt the ASD was well-qualified to prudently spend taxpayer funds.

Chairman Begich asked if anyone else wished to speak. There was no one and he closed the public hearing.

Mr. Bell moved, to approve AR 97-60.
seconded by Mr. Kendall,

Mr. Bell spoke in support of the resolution. He explained recent ASD projects were completed well under the bid amount, as were all major construction projects in Anchorage for that time frame, because estimators based their figures on the previous years' prices, which were high. He felt removing the responsibility for construction would allow the ASD administration to concentrate more on curriculum, education, and student discipline. He discussed State statutes regarding design and construction of schools. He distributed information and presented a slide show to embellish his argument.

Ms. Clementson moved, the question "does Mr. Bell have
seconded by Mr. Wohlforth, a significant financial interest in the matter before the
Assembly?"

Ms. Clementson noted Mr. Bell owns or is a partner in several engineering firms that do jobs for the ASD. She noted one of Mr. Bell's suggestions was that the Municipality could not only take over responsibility for school construction, but turn over design work to architectural and engineering firms.

Mr. Bell pointed out the proposed resolution did not mandate any method of design and construction, it merely transferred responsibility to the Municipality.

Mr. Kendall pointed out bids were open and any firm, including Mr. Bell's were free to participate. He felt a conflict for Mr. Bell would not arise until and unless his firm bid on a specific project.

In response to Mr. Wuerch, Mr. Bell said his firm does not currently receive significant financial gain from contracts with the Municipality. He said the firm's current contract with the ASD contributed less than one percent of the firm's total revenues. He felt he would not benefit financially if the proposed resolution was approved.

In response to Ms. Clementson, Mr. Bell said his firm's past involvement with the south Anchorage middle school represented about three or four percent of the firm's revenues.

Question was called on whether Mr. Bell has a conflict of interest and it failed:

AYES: Begich, Clementson.
NAYS: Wohlforth, Kendall, Wuerch, Meyer, Von Gemmingen, Carlson, Murdy.
ABSTAIN: Bell.

In response to Ms. Clementson, Mr. Bell discussed how administration of design and construction would be staffed if responsibility was assumed by the Municipality. He said one option was to hire additional staff and place responsibility under the Department of Property and Facility Management. Another option was the Public Works Department, where the Municipal Engineer would oversee vertical construction for both the ASD and Municipality. He said there was an opportunity for private companies, the Municipality and the ASD to develop a plan for implementation. He said major maintenance such as roof repairs would be done by the Municipality; minor repair such as plumbing problems would remain the responsibility of the ASD. He said his intent was that school major maintenance would be an item in the Municipal operation budget.

In response to Ms. Clementson, Mr. Christal said the ASD has applied for State Department of Education funds for major maintenance items, but the application was unsuccessful.

In response to Mr. Meyer, Mr. Christal confirmed a study by URS Company in 1994 or 1995 concluded consolidation would increase costs. The study also recommended the issue be revisited in the future.

In response to Ms. Clementson, Assistant Municipal Attorney Bill Greene clarified the term "retroactively" in Section 7 of the resolution. He said the action of the resolution would apply to projects mentioned in the resolution which already have designated sites.

Mr. Carlson noted there was no evidence that the Municipal administration could perform design and construction more efficiently than the ASD.

Mr. Wohlforth noted public testimony supported maintaining the status quo. Also, comments from architects and engineers supported recommendations from previous task forces: to first combine capital program functions of various Municipal departments. Mr. Wohlforth pointed out various studies have concluded Municipal and ASD consolidation would not save money and was a poor concept. He opposed the resolution.

Mr. Kendall felt it would benefit the ASD, as far as competition for State grant funds, to combine its capital projects with Municipal projects. He supported combining functions if there is a way to save money and increase efficiency.

Mr. Wuerch spoke in support of the resolution. He pointed out responsibility for school construction was delegated to the ASD in the 1980's, when the Municipality was administering many more construction projects than could be handled by staff. He felt that freeing the School Board from dealing with construction issues would allow more focus on education issues, and foster an attitude of community ownership and pride in the education system.

Mr. Meyer moved, to call the previous question.
seconded by Mr. Carlson,
and it passed with
Mr. Bell objecting,

Question was called on the motion to approve AR 97-60 and it failed:

AYES: Bell, Kendall, Wuerch, Meyer, Murdy.
NAYS: Wohlforth, Begich, Von Gemmingen, Clementson, Carlson.

12. **NEW PUBLIC HEARINGS:**

- A. Resolution No. AR 97-85, a resolution authorizing the Municipality of Anchorage, Community Planning and Development to enter into a Memorandum of Agreement in the amount of \$467,000 with the Department of Transportation and Public Facilities, State of Alaska, for financing of the **Municipal Transportation Planning Model Update** and appropriating these funds to the State Categorical Grants Fund (0231), Community Planning and Development.
1. Assembly Memorandum No. AM 362-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-85.
seconded by Mr. Wuerch,

AYES: Wohlforth, Bell, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Kendall was out of the room at the time of the vote.)

- B. Resolution No. AR 97-86, a resolution of the Municipality of Anchorage accepting and appropriating \$117,647 from the Department of Community and Regional Affairs to the State Categorical Grants Fund (0231) for the **Day Care Assistance Program**, Health and Human Services.
1. Assembly Memorandum No. AM 363-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-86.
seconded by Ms. Von Gemmingen,

Mr. Wohlforth disclosed he was a board member of a child care center.

Chairman Begich ruled Mr. Wohlforth did not have a conflict of interest.

Question was called on the motion to approve AR 97-86 and it passed:

AYES: Wohlforth, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Bell and Mr. Kendall were out of the room at the time of the vote.)

- C. Resolution No. AR 97-87, a resolution of the Municipality of Anchorage accepting and appropriating \$2,102,031 from Alaska Housing Finance Corporation (AHFC) to the State Categorical Grants Fund (0231) for the **Weatherization Assistance Program**, Health and Human Services.
1. Assembly Memorandum No. AM 364-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-87.
seconded by Ms. Clementson,

In response to Ms. Clementson, Health and Human Services Director Elaine Christian clarified some expenditures. In fund 5401, \$10,000 was for a new copier; funds 5411 and 5412 were for completion of new computer hardware and software upgrades; fund 5603 was for contingency repairs; and fund 6669, \$20,000, was for fuel, maintenance and repairs for seven trucks.

Question was called on the motion to approve AR 97-87 and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

- D. Resolution No. AR 97-88, a resolution of the Municipality of Anchorage appropriating \$981,500 from within the Areawide General Capital Improvement Fund (0401) Fund Balance, \$124,500 from within the Anchorage Parks and Recreation Capital Improvement Fund (0461) Fund Balance, and \$47,000 from within the Chugiak-Eagle River Parks and Recreation Service Area Capital Improvement Fund (0462) Fund Balance for **facility improvements at the Alaska Center for the Performing Arts, William A. Egan Civic and Convention Center, George M. Sullivan Arena, Anchorage Golf Course, Ben Boeke/Dempsey Anderson Ice Arenas, and the Harry J. McDonald Memorial Center**, Property and Facility Management.
1. Assembly Memorandum No. AM 365-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-88.
seconded by Mr. Carlson,

In response to Mr. Carlson, Chairman Begich noted funds in this resolution for the Egan Center Skybridge would be further addressed later in the meeting, under item 12.H, AR 97-105.

Question was called on the motion to approve AR 97-88 and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

- E. Resolution No. AR 97-97, a resolution of the Municipality of Anchorage appropriating the sum of \$611,610 from the 1997 Police Department Operating Budget (0151) to the Federal Categorical Grants Fund (0241) as the 1997 match requirement of the **Federal COPS grant**, Anchorage Police Department.
1. Assembly Memorandum No. AM 397-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-97.
seconded by Mr. Meyer,

AYES: Wohlforth, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Bell was out of the room at the time of the vote.)

- F. Resolution No. AR 97-98, a resolution of the Municipality of Anchorage accepting when tendered \$440,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$14,665 from the Alaska State Department of Transportation and Public Facilities grant; and appropriating said grants and \$14,665 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **snow removal equipment**, Merrill Field Airport.
1. Assembly Memorandum No. AM 398-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-98.
seconded by Mr. Kendall,

AYES: Wohlforth, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Bell was out of the room at the time of the vote.)

- G. Resolution No. AR 97-99, a resolution of the Municipality of Anchorage appropriating \$2,516,160 to the Equipment Maintenance Internal Service Capital Fund (0606) from various sources for the purpose of **purchasing vehicles and equipment**, Property and Facility Management.
1. Assembly Memorandum No. AM 399-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-99.
seconded by Ms. Von Gemmingen,

AYES: Wohlforth, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Bell was out of the room at the time of the vote.)

- H. Resolution No. AR 97-105, a resolution of the Municipality of Anchorage appropriating \$303,360 in unappropriated interest from within the Areawide Capital Improvement Fund (0401) and \$70,000 contributed by the Anchorage Convention and Visitors Bureau to the Areawide Capital Improvement Fund (0401) for **construction of a skybridge connecting the Egan Convention Center and the Alaska Center for the Performing Arts**, Property and Facility Management.
1. Assembly Memorandum No. AM 420-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak.

BILL ELANDER spoke as president of the Anchorage Convention and Visitors Bureau (ACVB.) He noted two years ago the ACVB Board of Directors formed a long-range planning committee, which concluded convention bookings were declining as a result of inadequate facilities. As the economic impact of tourism and conventions is steadily increasing, improvement to facilities is a priority. The proposed skybridge was one identified improvement that would allow better utilization of the Egan Center and Alaska Center for the Performing Arts, thus attracting more and larger groups to Anchorage. He urged support of the resolution.

In response to Mr. Wohlforth, Mr. Elander discussed concerns that arts groups would have priority over convention activities when scheduling bookings. He clarified that ACVB does not reserve space; the customer negotiates for these reservations. He noted the mere existence of facilities sometimes convinces groups to travel to Anchorage, regardless of whether the facilities are actually used.

DEE HUBBARD questioned where the funds labeled "unappropriated interest" originated. She asked if the funds were listed in budget or audit documents.

Chairman Begich noted this issue would probably be addressed during the debate.

HENRY PENNY, vice chair of the Alaska Center for the Performing Arts (ACPA), referred the Assembly to a resolution passed by the ACPA Board in support of the skybridge. He related a recent event during which 2,000 children traveled from the Egan Center to the ACPA at midday. If a skybridge was available, considerable danger and logistic hurdles could have been avoided.

In response to Mr. Wohlforth, Mr. Penny said it was a goal to complete an ACPA rehearsal hall. The skybridge issue has brought this project again to the forefront. The ACPA Board president is pursuing information on costs of completion.

Chairman Begich asked if anyone else wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-105.
seconded by Ms. Von Gemmingen,

(Clerk's Note: See further action on this item after the following two items considered out of order.)

Mr. Murdy moved, to change the orders of the day
seconded by Mr. Kendall, to consider item 12.Q. and 12.T,
and it passed with AR 97-83 and AR 97-84.
Ms. Clementson objecting,

Resolution No. AR 97-83, a resolution approving **construction of water main extensions for Sunny Slopes R&R** and providing for the eventual levying of assessments on benefiting adjacent properties at the time of service extension, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 360-97.
2. Resolution No. AR 97-83(S), a resolution approving construction of water main extensions for Sunny Slopes R&R and providing for the eventual levying of assessments on benefiting adjacent properties at the time of service extension, Water and Wastewater Utility.
3. Assembly Memorandum No. AM 466-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-83(S).
seconded by Mr. Kendall,

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Carlson was out of the room at the time of the vote.)

Resolution No. AR 97-84, a resolution of the Anchorage Municipal Assembly approving the **Girdwood-Iditarod Trail Route Study** as a guide to the siting, design and construction of the Iditarod Commemorative Trail in Girdwood Valley, Community Planning and Development.
1. Assembly Memorandum No. AM 361-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak.

ANNE HERSCHLEB, chair of the Girdwood Trails Committee, discussed the origin and history of the trail project. She said the project enjoyed widespread community support in Girdwood, and asked the Assembly support this portion of the project.

Chairman Begich asked if anyone else wished to speak. There was no one and he closed the public hearing.

Mr. Wohlforth moved, to approve AR 97-84.
seconded by Mr. Bell,

Mr. Bell urged his colleagues to support this resolution.

Question was called on the motion to approve AR 97-84 and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Carlson was out of the room at the time of the vote.)

The Assembly then returned to item 12.H, AR 97-105.

Mr. Wohlforth felt the skybridge would make utilization of both facilities better, however, many of his constituents were quite concerned about the project. The main area of concern was reservation of space in the ACPA to ensure arts groups and convention groups have equitable use of the space. He felt a proposed ACPA Board policy would alleviate these concerns, and asked that the policy be reduced to writing and reported to the Assembly in an informational memorandum. He recommended a proposed escalator be included in the project, to address concerns about inadequate space and time for many people to traverse the bridge.

Mr. Wohlforth moved, to amend AR 97-105 to add a new
seconded by Section 3 to read: "That the
Ms. Von Gemmingen, initial
phase of the project shall include an escalator on the
Egan Center side of the skybridge, with funding to be
appropriated in a separate document." and renumber
the following section accordingly.

Mr. Bell opposed the amendment. He pointed out the cost of the escalator, \$350,000, could be well used on many other Municipal projects. He felt the very rare occasions when a large number of people would cross the bridge in a short time did not warrant spending the funds. An escalator could be added in the future if the need arises.

In response to Mr. Wuerch, Larry Cash, of the firm performing the skybridge design, addressed the Assembly. He said the design was complete. To keep the project on schedule, it was important to proceed soon to ensure foundation and other external work is completed before the onset of winter; if an escalator was added, the associated design could be incorporated in the current design during the winter because it would not affect the exterior work. Mr. Cash discussed changes to the Egan Center interior which would be required by the proposed skybridge.

Mr. Wuerch spoke in support of the escalator concept. He supported going forward with the bridge, keeping the option for an escalator open if and when funds are available.

In response to Ms. Clementson, Ms. Von Gemmingen and Mr. Meyer, Mr. Cash estimated an escalator would increase the bridge capacity over five hundred pedestrians. He felt the escalator would be an improvement to the design, although not necessary. He pointed out escalator maintenance issues should be considered in this debate. Maintenance costs would be a permanent part of the operation; escalators are high maintenance devices, more expensive to upkeep than elevators.

In response to Mr. Wohlforth, Don Simmons of Property and Facility Management said ACVB operates the Egan Center under a grant agreement with the Municipality. They paid for maintenance on the Center from their operating budget.

Operations Manager George Vakalis noted the project was specifically designed so an escalator could be added if and when it was agreed one was appropriate.

Question was called on Mr. Wohlforth's motion to amend and it passed:

AYES: Wohlforth, Bell, Wuerch, Begich, Von Gemmingen, Carlson.
 NAYS: Kendall, Meyer, Clementson, Murdy.

Ms. Clementson spoke in opposition to the project. She felt not enough information was available at this point; a circulation study should be completed before a final commitment was made. The project was not an item on the Municipal capital improvement program or State matching grants request, thus had not gone through the public hearing process.

Ms. Von Gemmingen pointed out she was a member of the ACVB Board.

Chairman Begich clarified as an ex-officio member, Ms. Von Gemmingen did not have a conflict.

Ms. Von Gemmingen discussed the need to expand convention space, in order to attract groups and provide availability for advanced bookings. Many and varied options were considered before this skybridge proposal was chosen as the best solution. She noted preliminary design of Egan Center and ACPA included a skybridge, but it never materialized. Money is now available because of reappropriation of State matching grant funds formerly dedicated to a Ship Creek Redevelopment Plan. She felt the skybridge would be a great benefit, and appreciated by ACPA visitors.

Mr. Meyer moved, to amend AR 97-105 to change
 seconded by Mr. Wuerch, the
 amount of the appropriation to \$103,000.

Mr. Meyer explained the cost of the original design was \$200,000 less than the current proposal. The increase was due to aesthetic improvements. He pointed out too much focus on appearance sometimes overshadowed the need to spend taxpayer dollars as efficiently as possible. He felt \$200,000 could better be spent on more significant community programs.

Mr. Wohlforth clarified \$200,000 was the difference between the original general concept estimate and the final actual design cost.

Mr. Kendall advised against trying to redesign the project at this point.

Ms. Von Gemmingen explained the design change was because the original version placed the bridge immediately adjacent to the ACPA women's restroom.

Question was called on Mr. Meyer's motion to amend and it failed:

AYES: Meyer, Murdy.
 NAYS: Wohlforth, Bell, Kendall, Wuerch, Begich, Von Gemmingen, Clementson, Carlson.

Question was called on the motion to approve AR 97-105 as amended and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Von Gemmingen, Carlson, Murdy.
 NAYS: Meyer, Clementson.

- I. Resolution No. AR 97-106, a resolution of the Municipality appropriating \$26,650,000 of proceeds of General Obligation Bonds to the Areawide General CIB Fund (0401), Girdwood Valley Service Area CIB Fund (0406), Anchorage Fire Service Area CIB Fund (0431), Anchorage Roads and Drainage Service Area CIB Fund (0441), and Anchorage Parks and Recreation Service Area CIB Fund (0461) to pay the costs of ambulances, fire protection, road, storm drainage, parks and recreation facility and related capital improvement projects; and contributing \$593,750 from the Anchorage Roads and Drainage Service Area CIB Fund (0441) to the Equipment Maintenance Internal Service Capital Fund (0606) for the **purchase of street maintenance vehicles and equipment**, Office of Management and Budget.
 1. Assembly Memorandum No. AM 421-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-106.
 seconded by Ms. Von Gemmingen,

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
 NAYS: None.

- J. Resolution No. AR 97-107, a resolution of the Municipality of Anchorage authorizing the filing and accepting of a **Federal Transit Administration Section 5307 grant** and appropriating \$4,030,810 from the Federal Transit Administration to the Public Transportation Capital Improvement Fund (0485); appropriating \$53,510 of short term interest and \$25,000 of other property sales from within the Public Transportation Capital Improvement Fund (0485) for the purchase of capital items, Public Transportation Department.
 1. Assembly Memorandum No. AM 422-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-107.
seconded by Ms. Von Gemmingen,

Mr. Wohlforth noted Proposition #8, \$750,000 in Public Transportation bonds, failed at the April 15, 1997 Municipal election. Now the Municipality is short funds to qualify for \$250,000 in Federal matching assistance. He recommended postponement to allow time to find a source of \$62,000 to qualify for the Federal monies.

Mr. Wohlforth moved, to postpone action on AR 97-107
seconded by Ms. Clementson, until June 3, 1997.

Public Transit Department Director Bob Kniefel explained the subject Federal grant would not be forfeited by the proposed action. He said approval of the resolution tonight was critical; delay would endanger the grant application.

Mr. Wohlforth withdrew his motion.

Question was called on the motion to approve AR 97-107 and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

- K. Resolution No. AR 97-108, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to file for a Federal Transit Administration Section 5303 Metropolitan Planning Program grant, enter into a Transfer of Responsibilities Agreement in the amount of \$158,000 with the State of Alaska, Department of Transportation and Public Facilities, and to appropriate these funds along with \$39,500 of local matching funds from the Public Transportation Department's CY1997 Operating Budget to the State Categorical Grants Fund (0231) for **financing of the Transit Planning Program**, Public Transportation Department.
1. Assembly Memorandum No. AM 423-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-108.
seconded by Mr. Meyer,

AYES: Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Mr. Wohlforth was out of the room at the time of the vote.)

- L. Resolution No. AR 97-102, a resolution of the Anchorage Municipal Assembly **revising the 1997 Solid Waste Disposal Utility Operating Budget**, Assemblymembers Abney and Kendall.
1. Assembly Memorandum No. AM 462-97.
 2. Assembly Memorandum No. AM 477-97, Solid Waste Service. (**addendum**)

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-102.
seconded by Mr. Meyer,

Ms. Clementson moved, to postpone action on AR 97-102
seconded by Mr. Wuerch, until June 10, 1997, to allow
and it passed without Ms. Abney to be present and
objection,
participate.

- M. Ordinance No. AO 97-72, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Subsection 9.28.020E. to **revise the definition of "previously convicted"**, Assemblymember Murdy.
1. Assembly Memorandum No. AM 392-97.
 2. Assembly Memorandum No. AM 480-97, Legal Department. (**addendum**)

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to adopt AO 97-72.
seconded by Ms. Clementson,

Mr. Murdy moved, to postpone action on AO 97-72
 seconded by Mr. Kendall, until June 10, 1997, pending
 and it passed without review of potential amendments.
 objection,

- N. Ordinance No. AO 97-75, an ordinance of the Anchorage Municipal Assembly enacting a new Section 3.85.097 of the Anchorage Municipal Code to **allow reimbursement of legal expenses incurred by successful applicants for benefits in contested cases before the Police and Fire Retirement Board**, Assemblymembers Murdy, Abney, Begich, Carlson, and Kendall.

1. Assembly Memorandum No. AM 404-97.
2. Assembly Memorandum No. AM 475-97, Employee Relations. **(addendum)**

Mr. Murdy moved, to continue the public hearing
 seconded by Mr. Wuerch, for AO 97-75 until June 10, 1997.
 and it passed without
 objection,

Mr. Wuerch moved, to extend the meeting to consider
 seconded by Mr. Meyer, items 12.O. and 12.P, and the
 and it passed without unfinished agenda.
 objection,

- O. Resolution No. AR 97-110, a resolution of the Anchorage Municipal Assembly providing for an increase in the 1997 General Government Operating Budget to appropriate funds for the **implementation of the voter approved Proposition 3**, Office of Management and Budget.

1. Assembly Memorandum No. AM 425-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Ms. Clementson moved, to approve AR 97-110.
 seconded by Ms. Von Gemmingen,

Ms. Clementson moved, to amend AR 97-110 on page 2,
 seconded by Mr. Meyer, line 6, to
 delete \$50,000 for the Health and Human Services
 Department, making the total appropriation
 \$1,026,020.

Ms. Clementson pointed out a dilemma: whether to abide by the wish of the voters, who approved Proposition #3 at the April 15 Municipal election, rejecting areawide enforcement, or whether to comply with U.S. Environmental Protection Agency requirements for clean air violation enforcement. She felt the public should indicate their resistance to enforcement to the proper authorities. She could not support appropriating funds to hire a private company to circumvent the intent of Proposition #3.

Mr. Wohlforth agreed the public dislikes enforcement of clean air requirements. However, he felt people would reject even more vigorously laws enacted as a result of non-compliance penalties.

In response to Mr. Wuerch, Health and Human Services (HHS) Director Elaine Christian explained \$50,000 would hire a contractor to identify expired or missing vehicle registration tags, and report that information to HHS staff. Citations would not be issued by the contractor. Staff would then investigate the status of those vehicles' emission tests and issue a notice of violation letter to the vehicle owner, offering thirty days to comply. A citation would not be issued until after the thirty day period. She added staff also receives information on expired tags from the Police Department. She said EPA enforcement requirements do not hinge on the identity of the enforcer, but on the level of enforcement. She has not yet spoken with EPA officials, to determine how they will view identification of ten thousand less vehicles than previous years.

Mr. Wuerch supported the amendment, pending a plan of implementation of Proposition #3 that would honor the voters wishes and comply with EPA requirements.

Mr. Meyer supported investigating alternative ways of meeting clean air requirements other than enforcement on private property, which seems to be abhorrent to the public.

Ms. Clementson added that prior to the election, the public was not generally aware that EPA mandates required a certain level of enforcement.

In response to Mr. Murdy, Chairman Begich clarified the HHS staff could issue citations under the provisions of Proposition #3, because the citations would be for violations of health laws rather than vehicle laws.

Question was called on Ms. Clementson's motion to amend and it passed:

AYES: Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
 NAYS: Wohlforth.

In response to Mr. Carlson, Operations Manager George Vakalis agreed to provide an informational memorandum detailing the administration's recommendations on how to proceed in this issue.

Question was called on the motion to approve AR 97-110 as amended and it passed:

AYES: Wohlforth, Bell, Wuerch, Begich, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: Kendall, Meyer.

- P. Resolution No. AR 97-96, a resolution of the Anchorage Municipal Assembly **directing the Administration to prepare and issue an Invitation to Bid or Request for Proposals to sell the Municipality's parking garages**, Assemblymembers Kendall, Abney, Begich, Bell, Carlson, Meyer, Murdy, and Wuerch.
1. Assembly Memorandum No. AM 467-97, Finance.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-96.
seconded by Ms. Clementson,

Mr. Meyer disclosed a potential conflict, as his employer, ARCO Alaska, might be interested in purchasing the parking garages if they are offered for sale.

Mr. Wohlforth moved, the question "does Mr. Meyer have
seconded by Mr. Kendall, a
substantial financial interest in the matter before the
Assembly?"

Mr. Meyer said he would not receive any financial benefit if ARCO purchased a garage. He might receive a covered parking spot.

Question was called on whether Mr. Meyer had a conflict of interest and it failed:

AYES: None.
NAYS: Wohlforth, Bell, Kendall, Wuerch, Begich, Von Gemmingen, Clementson, Carlson, Murdy.
ABSTAIN: Meyer.

In response to Ms. Von Gemmingen, Chief Fiscal Officer Jerry Anderson said bids would be structured so the Municipality was not obligated to accept any offer. He clarified the garages were owned by the Anchorage Parking Authority (APA) and it was their responsibility to sell those assets. The administration will work with the APA to facilitate this process. He recommended a change to Section 1 of the resolution to delete the July 29, 1997 deadline. Due to the complexity of the sale process, he felt a one-year deadline would be more realistic.

Mr. Bell moved, to amend AR 97-96 in Section 1
seconded by Ms. Clementson, to delete the text "by July 29, 1997."

Mr. Wuerch felt a year was too long. The process should be completed as soon as possible.

Mr. Wohlforth felt the Assembly should have more input in the preparation of bids or requests for proposals. He noted further discussion was necessary to address the complexity of a potential sale.

Mr. Kendall moved, to amend the amendment to insert
seconded by Mr. Carlson, the
date "December 31, 1997" in place of "July 29, 1997."

AYES: Bell, Kendall, Wuerch, Begich, Clementson, Carlson, Murdy.
NAYS: Wohlforth, Meyer, Von Gemmingen.

Mr. Wohlforth moved, to amend AR 97-96 to revise all
seconded by Ms. Clementson, of Section 1 to read: "That the administration is directed to
prepare and submit to the Assembly for review an
invitation to bid or request for proposals."

Mr. Murdy moved, to postpone action on AR 97-96
seconded by Ms. Clementson, and proposed amendments until
and it passed without June 10, 1997.
objection,

- Q. Resolution No. AR 97-83, a resolution approving **construction of water main extensions for Sunny Slopes R&R** and providing for the eventual levying of assessments on benefiting adjacent properties at the time of service extension, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 360-97.

2. Resolution No. AR 97-83(S), a resolution approving construction of water main extensions for Sunny Slopes R&R and providing for the eventual levying of assessments on benefiting adjacent properties at the time of service extension, Water and Wastewater Utility.
3. Assembly Memorandum No. AM 466-97.

This item was considered earlier in the meeting. See item 12.H.

- R. Ordinance No. AO 97-64, an ordinance **amending the Hillside Wastewater Management Plan** to include land legally described as the N1/2, SW1/4, and the N1/2, S1/2, SW1/4 of Section 2, T11N, R3W, S.M., (located immediately east of Goldenview Drive and south of 164th Avenue) entirely within the sewerage service area boundary, and to reduce the minimum required residential housing density from 3.0 to 1.5 dwelling units per acre on aforementioned property (Rabbit Creek Community Council) (Planning and Zoning Commission Case 97-005), Community Planning and Development.
 1. Assembly Memorandum No. AM 331-97.
- S. Ordinance No. AO 97-65, an ordinance amending the zoning map and providing for the rezoning from R-3SL (Multiple-Family Residential District) with Special Limitations and R-7SL (Intermediate Rural Residential District) with Special Limitations to R-7 (Intermediate Rural Residential) for N1/2 S1/2 SW1/4 and N1/2 SW1/4, T11N, R3W, Section 2, S.M., Alaska, containing approximately 120 acres, generally located on the **southeast corner of Goldenview Drive and East 164th Avenue** (Rabbit Creek Community Council) (Planning and Zoning Commission Case 97-002), Community Planning and Development.
 1. Assembly Memorandum No. AM 332-97.

Items 12.R. and 12.S. were continued until June 3, 1997.

- T. Resolution No. AR 97-84, a resolution of the Anchorage Municipal Assembly approving the **Girdwood-Iditarod Trail Route Study** as a guide to the siting, design and construction of the Iditarod Commemorative Trail in Girdwood Valley, Community Planning and Development.
 1. Assembly Memorandum No. AM 361-97.

This item was considered earlier in the meeting. See item 12.H.

- U. Ordinance No. AO 97-76, an ordinance providing for the **creation of Evenson Service Area** to provide solid waste disposal services; and building safety services in the area known as Tract A, Evenson Subdivision, Addition #3, generally located west of Katahdin Drive and north of Kincaid Road, Community Planning and Development.
 1. Assembly Memorandum No. AM 406-97.
- V. Ordinance No. AO 97-77, an ordinance providing for the **consolidation of Evenson Service Area into the Anchorage Building Safety Service Area (ABSSA) and the Anchorage Solid Waste Disposal Service Area (ASWDSA)**, Community Planning and Development.
 1. Assembly Memorandum No. AM 407-97.
- W. Ordinance No. AO 97-71, an ordinance amending Anchorage Municipal Code Chapter 23.30 to **amend the local amendments to the 1996 National Electrical Code** covering electrical installations, construction, repair, maintenance and service connections in the building industry, Public Works.
 1. Assembly Memorandum No. AM 380-97.
- X. Resolution No. AR 97-82, a resolution of the Municipality of Anchorage amending Sections 11.10.009.A and 11.10.009.B of the Anchorage Municipal Code of Regulations **increasing the rates and fares for taxicab services**, Legal Department.
 1. Assembly Memorandum No. AM 359-97.
 2. Information Memorandum No. AIM 69-97, Transportation Inspection.
- Y. Ordinance No. AO 97-79, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code Section 11.10.085 relating to **drug and alcohol testing for chauffeurs of taxicabs, limousines, and vehicles for hire** by repealing the three-year automatic termination of the ordinance, Operations Manager.
 1. Assembly Memorandum No. AM 424-97.
- Z. Resolution No. AR 97-117, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant/Eating Place) located on Anchorage Original Townsite, Block 54, Lot 9, generally located on the north side of West 6th Avenue between H and I Street (Masahide Yamada d.b.a. **Yamaya Restaurant**) (Case 97-091), Community Planning and Development.
 1. Assembly Memorandum No. AM 463-97.

The public hearings for items 12.U. through 12.Z. were continued until June 3, 1997.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:

- A. Assembly Memorandum No. AM 426-97, REQUEST FOR RECONSIDERATION: Board of Adjustment Appeal 95-179 and 179B - **National Bank of Alaska/Native Village of Eklutna**, Clerk's Office.

This item was considered earlier in the meeting. See after item 10.

14. **SPECIAL ORDERS:** See item 16, Unfinished Agenda.

15. **ASSEMBLY COMMENTS:** See item 16, Unfinished Agenda.

16. **UNFINISHED AGENDA:**

- A. Assembly Memorandum No. AM 401-97, change order No. 2 to purchase order 51515 to exercise the last option period with Pacific Rehab Construction to **pump and maintain the septic system at the Clitheroe Center** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.

1. Information Memorandum No. AIM 75-97. (**addendum**)
(POSTPONED FROM 5-6-97)

Chairman Begich gave the history of the memorandum and noted a motion to approve was on the floor.

Ms. Clementson said her questions on this item had been answered. She urged approval.

Question was called on the motion to approve AM 401-97 and it passed:

AYES: Wohlforth, Bell, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

- B. Mr. Kendall moved, to postpone action on item 9.B,
seconded by Mr. Wuerch, AO 97-60, until June 3, 1997.
and it passed without
objection,

- C. Ordinance No. AO 97-59, an ordinance amending Anchorage Municipal Code Section 21.50.220.A Conditional Use Standards - **Drive-In Banks** to exclude the B-2B (Central Business District Intermediate) and B-2C (Central Business District Periphery) from the requirement to have direct access to a street which is designated as Class 1 or greater in the Official Streets and Highways Plan, Assemblymember Wohlforth. (**LAID ON THE TABLE**)
(REFERRED TO THE PLANNING AND ZONING COMMISSION 3-25-97)

Messrs. Wohlforth, Kendall and Murdy joined in introducing this ordinance. The public hearing was scheduled for June 10, 1997.

- D. Resolution No. AR 97-123, a resolution of the Anchorage Municipal Assembly requesting that the School Budget Advisory Commission conduct a **study of the Anchorage School District's performance in constructing, repairing, and renovating school buildings** to determine if any improvements may be available, Assemblymember Bell. (**LAID ON THE TABLE**)

Messrs. Bell, Kendall and Wuerch joined in introducing this resolution. The public hearing was scheduled for June 10, 1997.

- E. Ordinance No. AO 97-89, an ordinance amending Anchorage Municipal Code Title 25 by adding a new Chapter 25.25 to **establish site identification, selection, approval and acquisition processes and standards, criteria and public hearings for school site selections and acquisitions** including but not limited to the utilization of Requests for Proposals ("RFPs") and providing for identifying site needs, conduct of site studies, establishing specific site boundaries and criteria, the applicability of specified site selection, approval and acquisition processes, criteria for reviewing evaluating and selecting sites and responses to RFPs, review by the Planning and Zoning Commission, establishing review and advisory working groups and committees, conditions of Assembly site approval, requirements as to site acquisition and management and purchasing requirements, Assemblymembers Clementson and Begich. (**LAID ON THE TABLE**)

Ms. Clementson, Ms. Von Gemmingen and Chairman Begich joined in introducing this ordinance. The public hearing was scheduled for June 10, 1997.

- F. Chairman Begich asked Mr. Murdy to chair, and Ms. Clementson, Mr. Wuerch and Mr. Wohlforth to serve on a task force to consider Community Service Patrol issues.

- G. Anchorage Telephone Utility Labor Board candidate nominations. (**addendum**)

Mr. Wohlforth moved, to choose a board member from the
seconded by Mr. Wuerch, list of applicants on June 3, 1997
and it passed without without conducting interviews.
objection,

- H. In response to Chairman Begich, Municipal Attorney Mary Hughes said she would produce a document for public review tomorrow, regarding the \$12.9 million unrestricted fund issue.

- I. Chairman Begich discussed a request for clarification of the State's responsibility to fund the Senior Citizen property tax exemption program.

- J. Mr. Murdy requested information on delays in supplements to the Municipal Code Book.
- K. Mr. Kendall recommended a work session be scheduled with the Planning and Zoning Commission and Platting Board to discuss policies and procedures.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. **ADJOURNMENT:**

The meeting adjourned at 11:30 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: September 16, 1997

VC/db

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