

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of July 22, 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, Pat Abney, Dan Kendall, George Wuerch, Mark Begich, Kevin Meyer, Fay Von Gemmingen, Cheryl Clementson, Ted Carlson, Joe Murdy.
Absent: None.

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Wuerch.

4. **MINUTES OF PREVIOUS MEETING:**

- A. Regular Meeting - March 4, 1997
- B. Regular Meeting - March 25, 1997 (Continued to 3-26-97)

Mr. Murdy moved, to approve the minutes of the
seconded by Mr. Carlson, regular meetings of March 4 and
and it passed without March 25, continued to March 26,
objection, 1997.

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

6. **ADDENDUM TO AGENDA:**

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

Chairman Begich read the addendum items.

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

Mr. Murdy moved, to suspend the rules to introduce
seconded by Mr. Kendall, visitors to the Assembly.
and it passed without
objection,

A Korean exchange student, through an interpreter, addressed the Assembly. The interpreter explained the exchange program with Anchorage's sister city, Incheon, Korea.

Mr. Murdy introduced Gwen Clark-Reed, a councilwoman from Florida, who also is a member of the National League of Cities committee for National Public Safety.

Ms. Clark-Reed distributed tee-shirts and hats from Deerfield Beach, Florida. She invited everyone to visit Florida. Ms. Clark-Reed also presented Mayor Mystrom with honorary resident status of the city of Deerfield Beach.

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:**

- 1. Assembly Memorandum No. AM 623-97, recommendation of award to Gunderson Equipment, Inc., for **1997 Park Playground Package** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 97-C28), Purchasing.

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

- 2. Assembly Memorandum No. AM 624-97, recommendation of award to Wilder Construction Company for **South Anchorage Snow Disposal Site and 97th Avenue and C Street Sedimentation Basin** for Public Works (ITB 97-C33), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 97-98, an ordinance authorizing the **sale of properties foreclosed by the Municipality** for delinquent taxes and/or special assessments, Heritage Land Bank. public hearing 8-19-97.
 - a. Assembly Memorandum No. AM 608-97.
2. Ordinance No. AO 97-99, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$18,610,000 in aggregate principal amount of General Obligation General Purpose Bonds of the Municipality for the purpose of raising funds to pay the **costs of road, storm drainage, fire protection, emergency operations and related capital improvements together with capital improvements to an emergency medical facility**; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. public hearing 8-19-97.
 - a. Assembly Memorandum No. AM 625-97.
3. Ordinance No. AO 97-100, an ordinance amending the zoning map and providing for the rezoning from R-5 (Rural Residential District) to R-2A (Two-Family Residential District) for **Hyatt Estates Subdivision, Block 1, Lot 1A**, generally located between the New Seward Highway and Lake Otis Boulevard on the southeast corner of East 68th Avenue and Hyatt Street (Abbott Loop Community Council) (Planning and Zoning Commission Case 97-040), Community and Planning Development. public hearing 8-26-97.
 - a. Assembly Memorandum No. AM 610-97.

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

4. Ordinance No. AO 97-101, an ordinance amending the zoning map and providing for the rezoning from R-4 (Multiple-Family Residential District) to R-3SL (Multiple-Family Residential District) with Special Limitations for **Tracts 1 and 2, U.S. Survey 3026, Section 8, T13N, R3W, Seward Meridian, AK**, also known as Hollywood Vista, containing approximately 15.28 acres, generally located to the south of East Bluff Road, between Elm Street and Kumquat Place (Government Hill Community Council) (Planning and Zoning Commission Case 96-040), Community Planning and Development. public hearing 8-26-97.
 - a. Assembly Memorandum No. AM 626-97.
5. Resolution No. AR 97-169, 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. public hearing 8-19-97.
 - a. Assembly Memorandum No. AM 611-97.
6. Resolution No. AR 97-170, a resolution of the Municipality of Anchorage deleting, accepting, and appropriating **State of Alaska legislative grants to the Municipality of Anchorage for the Anchorage School District** per Senate Bill 107, Office of Management and Budget. public hearing 8-19-97.
 - a. Assembly Memorandum No. AM 612-97.
7. **WITHDRAWN BY SPONSOR:** Resolution No. AR 97-168, a resolution of the Anchorage Municipal Assembly concerning the **purchase of the Bank of America Center by the State of Alaska** through its agent the Alaska Housing Finance corporation, Assemblymember Von Gemmingen.
8. Ordinance No. AO 97-102, an ordinance making technical amendments to various provisions of the **Personnel Rules** in Anchorage Municipal Code Chapter 3.30 to specify experience qualifications for Personnel Review Board members and change the Board's name; the effect of employee step placements on supervisory compensation adjustments; the designation of certification lists; eliminate the requirement to provide the reason for non-selection of candidates; and to amend the effective date for position allocations, Employee Relations. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 652-97.
9. Ordinance No. AO 97-103, an ordinance amending Anchorage Municipal Code Sections 3.30.171, 3.30.172 and 3.30.174 to **increase the number of executive pay ranges, assign executive classifications to the appropriate pay ranges, to assign minimums and maximums to the pay ranges, and to provide for periodic adjustments to the executive pay structure**, Employee Relations. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 653-97.
10. Ordinance No. AO 97-104, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 3.87.020 definition of "**Appointment to Retirement**" to provide that the appointment to retirement may occur retroactively for the purpose of determining when the Municipality shall make contributions to the Police and Fire Retiree Medical Funding Trust on behalf of a disabled member and 3.87.040 to provide for retroactive eligibility and 3.87.050 to provide retroactive payments to a member and 3.87.060 to provide that the Municipality is not required to retroactively offer coverage under the Municipality's active police or fire health insurance plan, Employee Relations. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 654-97.

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

11. Ordinance No. AO 97-105, an ordinance of the Anchorage Municipal Assembly approving an **easement for a portion of the Bird to Girdwood Bikepath** to the Alaska Department of Transportation and Public Facilities, consisting of an area of 19,090 square feet located within Lot 72, US Survey 3042, Section 19, Township 10 North, Range 2 East, Seward Meridian, within Heritage Land Bank parcel 6-043 in Girdwood, Heritage Land Bank. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 655-97.
12. Ordinance No. AO 97-106, an ordinance **approving a non-competitive, less than fair market value, lease to Environmental Recycling, Inc.** (ERI), a non-profit corporation, for approximately 12.51 acres of Heritage Land Bank (HLB) Parcel 4-033 at Point Woronzof near the Anchorage International Airport (AIA), Heritage Land Bank. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 659-97.
13. Ordinance No. AO 97-107, an ordinance amending Anchorage Municipal Code Chapters 8.50 and 14.60 to **provide for optional community work service instead of a civil fine by minors for violations of curfew and possession of tobacco products ordinances**, Assemblymembers Meyer, Murdy, Wuerch, and Carlson. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 660-97.
14. Ordinance No. AO 97-108, an ordinance amending the Anchorage Municipal Code to **provide for the independent operation and management of the Municipal Light and Power Utility** under Charter Section 16.04, Assemblymembers Begich, Abney, and Wohlforth. **(addendum)**
 - a. Assembly Memorandum No. AM 663-97.

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

15. Ordinance No. AO 97-109, an ordinance amending Anchorage Municipal Code Section 15.20.010 to **clarify that vehicles with current, valid seasonal waiver tabs constitute vehicle registration and to correct a technical defect in the definition of "Junk vehicle"**, Assemblymember Begich. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 664-97.
16. Resolution No. AR 97-175, a resolution of the Municipality of Anchorage revising the 1997 Port of Anchorage Capital Budget and appropriating \$900,000 of Port Retained Earnings (0570) to the Port of Anchorage Capital Fund (0571) to fund completion of the **Port Valve Yard Upgrade Project**, Port of Anchorage. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 656-97.
17. Resolution No. AR 97-176, a resolution of the Municipality of Anchorage authorizing **payment of the judgment in Gentile et al. v. MOA** and appropriating not to exceed \$62,530 from within the Areawide General Fund (0101) Fund Balance; not to exceed \$320,430 from within the Anchorage Fire Service Area Fund (0131) Fund Balance; and not to exceed \$398,580 from within the New Police Service Area Fund (0151) Fund Balance to pay the Municipality's portion of this judgment, and approving a loan in the amount of \$561,127.70 from the New Police Service Area Fund (0151) to the class to pay the plaintiffs' portion of this judgment, Office of Management and Budget. **(addendum)**
 - a. Assembly Memorandum No. AM 657-97.

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-171, a resolution of the Municipality of Anchorage, Alaska, accepting Alaska Clean Water Fund loan offers for **financing a portion of the costs for the Chester Creek Pump Station 48" Emergency Sewer Replacement & Rehabilitation (R&R) Project and the FY'97 Miscellaneous Wastewater Projects**, Water and Wastewater Utility.
 - a. Assembly Memorandum No. AM 613-97.
2. Resolution No. AR 97-172, a resolution of the Municipality of Anchorage providing for the appropriation of \$978 donated from numerous citizens to the Miscellaneous Operational Grants Fund (0261) for the **purchase of library books and materials**, Cultural and Recreational Services.
 - a. Assembly Memorandum No. AM 614-97.
3. Resolution No. AR 97-173, a resolution of the Anchorage Municipal Assembly **approving a Letter of Agreement dated June 6, 1997, between the Municipality of Anchorage and the International Association of Firefighters, Local 1264, ("IAFF")** amending the collective bargaining agreement between the Municipality and the IAFF covering the period of July 18, 1994 to April 18, 1998, Employee Relations.
 - a. Assembly Memorandum No. AM 627-97.

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

4. Resolution No. AR 97-174, 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 **reconstruction of the Girdwood Iditarod Trail**, Cultural and Recreational Services.
 - a. Assembly Memorandum No. AM 628-97.
5. Resolution No. AR 97-177, a resolution of the Anchorage Municipal Assembly **supporting efforts to establish a visa waiver pilot project for South Korea**, Assemblymembers Abney, Begich, Bell, Von Gemmingen, Wuerch, Kendall, and Murdy. **(addendum)**

Mr. Kendall asked his name be added as a sponsor for this item. Ms. Abney asked this item be considered on the regular agenda. See 8.D.

6. Resolution No. AR 97-178, a resolution of the Anchorage Municipal Assembly **establishing an Assembly Joint School Site Selection Committee**, Assemblymember Clementson. **(addendum)**
7. Resolution No. AR 97-179, a resolution of the Anchorage Municipal Assembly appropriating \$3,000 from Areawide General Fund Balance (0101) to Non-Departmental to provide a **contribution to assist with expenses for the third "Trash to Treasure" Conference**, Assemblymember Abney. **(addendum)**

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 615-97, **Historical & Fine Arts Commission appointment** (Tennys B. Owens), Mayor's Office.
2. Assembly Memorandum No. AM 629-97, **appointment to Pre-Funding Investment Board** (Donald Simmons), Employee Relations.
3. Assembly Memorandum No. AM 609-97, The sunset of AO 96-126(S) (AMC 10.55 and 14.60) relating to **teen nightclubs and cultural performance venues**, Clerk's Office.

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

4. Assembly Memorandum No. AM 616-97, **Anchorage Loop Water Transmission Main, Phase II** - Contract Change Order Number 8, Water and Wastewater Utility.
5. Assembly Memorandum No. AM 617-97, contract amendment No. 4 to Quality Asphalt Paving, Inc., for the **construction of the Lore Road upgrade (Brayton Drive to Lake Otis Parkway)**, File No. 93-13, Public Works.
6. Assembly Memorandum No. AM 618-97, proprietary award to Amtech Emergency Products for providing **repairs/refurbishment to modular ambulances** for the Municipality of Anchorage, Fire Department/ Purchasing.
7. Assembly Memorandum No. AM 619-97, recommendation of award to Human Resources Company to provide services for the **operation of the Job Training Partnership Act (JTPA) - State Training and Employment Programs (STEP) in the Matanuska-Susitna Borough** for the Municipality of Anchorage, Department of Health and Human Services (RFP 31-97), Purchasing.
8. Assembly Memorandum No. AM 620-97, change order No. 7 to purchase order 20728 with Wurts & Associates, Inc. for providing **investment analyst services** for the Municipality of Anchorage, Police and Fire Retirement System/Purchasing.
9. Assembly Memorandum No. AM 621-97, change order No. 1 to purchase order 70518 with H & R Management to perform **miscellaneous building repairs, upgrades, and special custodial services at City Hall** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
10. Assembly Memorandum No. AM 622-97, change order No. 1 to purchase order 62130 to exercise the first option period with Alaska Housewares for furnishing **Polaroid and 35mm film** for the Municipality of Anchorage, Purchasing Department.
11. Assembly Memorandum No. AM 630-97, change order No. 2 to construction contract with Koho Contracting, Inc. for **park parking lots and other improvements package**, Cultural and Recreational Services.
12. Assembly Memorandum No. AM 631-97, change order No. 5 to purchase order 43741 for **Retiree Medical Actuarial and Benefits Consulting** with William M. Mercer, Inc. (Chicago), Employee Relations.
13. Assembly Memorandum No. AM 632-97, approval of change order No. 1 to **1994 Risk Management legal contract** with the law firm of DeLisio Moran Geraghty & Zobel, P.C., Finance.
14. Assembly Memorandum No. AM 633-97, approval of change order No. 1 to **1994 Risk Management legal contract** with the law firm of Delaney, Wiles, Hayes, Reitman & Brubaker, P.C., Finance.
15. Assembly Memorandum No. AM 634-97, contract extension to **Salvation Army Clitheroe Center Detoxification Unit**, Health and Human Services.

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

16. Assembly Memorandum No. AM 635-97, contract amendment No. 2 to the professional services contract with DOWL Engineers or the **Fairview Area traffic safety improvements**, DPW No. 96-08, Public Works.

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

17. Assembly Memorandum No. AM 636-97, change order No. 2 to Goodyear Truck Tire Center for providing **tire foaming services** to Solid Waste Services.
18. Assembly Memorandum No. AM 637-97, amendment No. 1 to professional services agreement with Reynolds Consulting, Inc., for the **upgrade of AWWU's customer information and billing system**, Water and Wastewater Utility.

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

19. Assembly Memorandum No. AM 638-97, change orders to various purchase orders to provide **employment assistance skills training** for State Training and Employment Programs (STEP) for the Municipality of Anchorage, Department of Health and Human Services/ Purchasing.
20. Assembly Memorandum No. AM 639-97, change orders No. 1 to purchase orders 64274 and 64570 to exercise the option period with Alaska Laborer's Training Trust Fund for providing **industry specific and customized training services** for the Municipality of Anchorage, Department of Health and Human Services/Purchasing.
21. Assembly Memorandum No. AM 640-97, change order No. 6 to purchase order 63399 with Interwest Technology Group, Inc. for providing **analysis and planning for the Year 2000 conversion** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

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

22. Assembly Memorandum No. AM 641-97, recommendation of award to Software North, Inc. for providing **Project 2000 analysis and programming support** to the Municipality of Anchorage, Management Information Systems Department (RFP 35-97), Purchasing.
23. Assembly Memorandum No. AM 642-97, change order No. 1 to purchase order 71314 to Computer Associates International for proprietary purchase of **additional software and support** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
24. Assembly Memorandum No. AM 643-97, proprietary purchase of **computer hardware** from IBM Corporation for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
25. Assembly Memorandum No. AM 644-97, cooperative purchase of a **front end loader** from Yukon Equipment, Inc. and a **motor grader** from Pacific North Equipment for the Municipality of Anchorage, Merrill Field Airport/Purchasing.
26. Assembly Memorandum No. AM 645-97, proprietary purchase to BW/IP International for furnishing a **boiler feed pump** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
27. Assembly Memorandum No. AM 646-97, change order No. 3 to purchase order 62589 with Preston, Gates and Ellis LP, for providing **legal services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
28. Assembly Memorandum No. AM 647-97, proprietary purchase of a **promotion process system** from Justex Systems, Inc. for the Municipality of Anchorage, Police Department/Purchasing.

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

29. Assembly Memorandum No. AM 648-97, proprietary purchase of **workstations** from Capital Office Systems for the Municipality of Anchorage, Police Department/Purchasing.
30. Assembly Memorandum No. AM 649-97, change order No. 1 to purchase order 72187 with Yukon Equipment, Inc. for furnishing a **loader/backhoe** to the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
31. Assembly Memorandum No. AM 650-97, recommendation of award to Kean and Associates for providing professional **land surveying services** for a retracement survey of Rabbit Creek View and Rabbit Creek Heights Subdivisions for the Municipality of Anchorage, Public Works Department (RFP 24-97), Purchasing.
32. Assembly Memorandum No. AM 651-97, proprietary purchase for **renewal of maintenance and repair of RACAL routers and hubs** from the Anchorage Telephone Utility for the Municipality of Anchorage, Water and Wastewater Utility/Purchasing.
33. Assembly Memorandum No. AM 658-97, amendment No. 2 to professional services contract with Phukan Consulting Engineers, Inc. for **1995 Park and Parking Lots and Other Improvements Package**, Cultural and Recreational Services. **(addendum)**
34. Assembly Memorandum No. AM 661-97, recommendation of award to various contractors for providing **professional design services** for various projects for the Municipality of Anchorage, Public Works Department (RFP 8-97), Purchasing. **(addendum)**
35. Assembly Memorandum No. AM 662-97, recommendation of award to WESCO for furnishing **conduit and fittings** to the Municipality of Anchorage, Public Works Department (RFQ 80825), Purchasing. **(addendum)**

E. INFORMATION AND REPORTS:

- 1. Information Memorandum No. AIM 99-97, Internal Audit Report 97-13 - **Municipal Traffic Fines Collected by the State of Alaska Traffic Court**, Anchorage Police Department/Internal Audit.

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

- 2. Information Memorandum No. AIM 100-97, Anchorage Water and Wastewater Utility construction contract change orders for **Anchorage Loop Water Transmission Main - Phases I, II, & III, Mountain View Sewer R&R, South Addition Woodstave R&R - Phase I, Carroll WID #425, Chevigny & Kincaid Reservoir Painting, and Hideaway Hills LID #106**, Water and Wastewater Utility.
- 3. Information Memorandum No. AIM 101-97, **Monthly Financial Report** - May 1997, Finance.
- 4. Information Memorandum No. AIM 102-97, waiver of formal procedures for **King Street Rehabilitation Project - Dimond Boulevard to 76th Avenue** for the Municipality of Anchorage, Public Works Department (ITB 97-C34), Purchasing.

Ms. Abney asked this item be considered on the regular agenda. See 8.F.

- 5. Information Memorandum No. AIM 103-97, **Federation of Community Councils, Inc.**, Clerk's Office.
- 6. Information Memorandum No. AIM 104-97, **Executive Appointment Report** for the period of April 1997 to June 1997 (Mathis, Maxwell, LaBounty, Payne, Smith, Robertson, McGee), Employee Relations.
- 7. Information Memorandum No. AIM 105-97, **Investment Advisory Commission Annual Report**, Finance.
- 8. Information Memorandum No. AIM 106-97, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of June 1997, Purchasing.
- 9. Information Memorandum No. AIM 107-97, **Sole Source Procurement Report** for the month of June 1997, Purchasing.

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

- 10. Information Memorandum No. AIM 110-97, unanswered **Assembly Information Requests**, Assemblymember Begich. (**addendum**)

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

- 11. Information Memorandum No. AIM 111-97, status report on the **procurement and implementation of new Municipal Financial, Payroll and Human Resources Information Systems**, Finance. (**addendum**)

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

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

8. REGULAR AGENDA:

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS:

- 1. Assembly Memorandum No. AM 623-97, recommendation of award to Gunderson Equipment, Inc., for **1997 Park Playground Package** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 97-C28), Purchasing.

Mr. Bell moved, to approve AM 623-97,
seconded by Mr. Murdy,

In response to Mr. Bell, Purchasing Officer Ted Chenier said \$172,000 was available for the project.

Mayor Mystrom said he would research and report on whether funds for the amount of the engineer's estimate, \$213,000, was available for the project.

Question was called on the motion to approve AM 623-97 and it passed without objection.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 97-100, an ordinance amending the zoning map and providing for the rezoning from R-5 (Rural Residential District) to R-2A (Two-Family Residential District) for **Hyatt Estates Subdivision, Block 1, Lot 1A**, generally located between the New Seward Highway and Lake Otis Boulevard on the southeast corner of East 68th Avenue and Hyatt Street (Abbott Loop Community Council) (Planning and Zoning Commission Case 97-040), Community and Planning Development. public hearing 8-26-97.
 - a. Assembly Memorandum No. AM 610-97.

Messrs. Murdy, Meyer and Kendall joined in introducing this ordinance. The public hearing was scheduled for August 26, 1997.

2. Ordinance No. AO 97-104, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 3.87.020 definition of "**Appointment to Retirement**" to provide that the appointment to retirement may occur retroactively for the purpose of determining when the Municipality shall make contributions to the Police and Fire Retiree Medical Funding Trust on behalf of a disabled member and 3.87.040 to provide for retroactive eligibility and 3.87.050 to provide retroactive payments to a member and 3.87.060 to provide that the Municipality is not required to retroactively offer coverage under the Municipality's active police or fire health insurance plan, Employee Relations. public hearing 8-19-97. **(addendum)**
 - a. Assembly Memorandum No. AM 654-97.

Mr. Murdy, Mr. Carlson and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for August 19, 1997.

Mr. Carlson requested the Municipal Attorney review the ordinance to determine whether he has a conflict of interest, prior to the public hearing.

Employee Relations Director Tom Tierney opined Mr. Carlson did not have a conflict, because he was not a member of the Retiree Medical Trust.

Chairman Begich requested a memorandum detailing which groups would be affected by this ordinance. He also suggested the Public Safety Committee review and discuss the ordinance prior to the public hearing.

3. Ordinance No. AO 97-108, an ordinance amending the Anchorage Municipal Code to **provide for the independent operation and management of the Municipal Light and Power Utility** under Charter Section 16.04, Assemblymembers Begich, Abney, and Wohlforth. public hearing 9-23-97 **(addendum)**
 - a. Assembly Memorandum No. AM 663-97.

Mr. Wohlforth, Ms. Clementson and Chairman Begich joined in introducing this ordinance.

Chairman Begich advised the Assembly adoption of this ordinance would require another ordinance for a Charter amendment. He desired to have a public hearing on this ordinance on September 23, 1997 and request the Municipal Light and Power Commission review the document in the interim.

Mr. Wuerch moved, to schedule AO 97-108 for public
seconded by Mr. Murdy, hearing on September 23, 1997.
and it passed without
objection,

4. Resolution No. AR 97-176, a resolution of the Municipality of Anchorage authorizing **payment of the judgment in Gentile et al. v. MOA** and appropriating not to exceed \$62,530 from within the Areawide General Fund (0101) Fund Balance; not to exceed \$320,430 from within the Anchorage Fire Service Area Fund (0131) Fund Balance; and not to exceed \$398,580 from within the New Police Service Area Fund (0151) Fund Balance to pay the Municipality's portion of this judgment, and approving a loan in the amount of \$561,127.70 from the New Police Service Area Fund (0151) to the class to pay the plaintiffs' portion of this judgment, Office of Management and Budget. public hearing 7-22-97 **(addendum)**
 - a. Assembly Memorandum No. AM 657-97.

Ms. Clementson, Mr. Murdy and Mr. Carlson joined in introducing this resolution.

Ms. Clementson suggested a public hearing on this item tonight, because there is a penalty of \$365 for every day the payment is delayed.

Ms. Clementson moved, to scheduled the public hearing
seconded by Mr. Wuerch, for
AR 97-176 tonight, at the end of the agenda.

Mr. Wohlforth expressed concern about acting on this item without published public notice.

Mr. Wuerch argued this was not a discretionary expenditure; it must be paid, and the only question was whether it is now, without penalties, or later with penalties.

Mr. Murdy felt the public should be given notice about the hearing on this item.

In response to Chairman Begich, Municipal Attorney Mary Hughes said the Municipality was notified about the final payment amount on or about June 23, 1997. She said the document was not ready to go before the Assembly until now.

Question was called on the motion to schedule AR 97-176 for public hearing later in the meeting and it passed:

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

(Clerk's Note: See action under item 12.G.)

D. RESOLUTIONS FOR ACTION:

- 1. Resolution No. AR 97-173, a resolution of the Anchorage Municipal Assembly **approving a Letter of Agreement dated June 6, 1997, between the Municipality of Anchorage and the International Association of Firefighters, Local 1264**, ("IAFF") amending the collective bargaining agreement between the Municipality and the IAFF covering the period of July 18, 1994 to April 18, 1998, Employee Relations.
 - a. Assembly Memorandum No. AM 627-97.

Mr. Murdy moved, to approve AR 97-173.
seconded by Ms. Clementson,

In response to Mr. Murdy, Employee Relations Director Tom Tierney explained the purpose of the document.

Question was called on the motion to approve AR 97-173 and it passed without objection.

- 2. Resolution No. AR 97-177, a resolution of the Anchorage Municipal Assembly **supporting efforts to establish a visa waiver pilot project for South Korea**, Assemblymembers Abney, Begich, Bell, Von Gemmingen, Wuerch, Kendall, and Murdy. **(addendum)**

Ms. Abney moved, to approve AR 97-177.
seconded by Mr. Murdy,

Ms. Abney discussed the importance of this item. She asked copies of the resolution be forwarded to Alaska's Congressional delegation and Governor.

Mr. Murdy asked his name be added as a sponsor.

Question was called on the motion to approve AR 97-177 and it passed without objection.

- 3. Resolution No. AR 97-179, a resolution of the Anchorage Municipal Assembly appropriating \$3,000 from Areawide General Fund Balance (0101) to Non-Departmental to provide a **contribution to assist with expenses for the third "Trash to Treasure" Conference**, Assemblymember Abney. **(addendum)**

Ms. Clementson moved, to approve AR 97-179.
seconded by Mr. Murdy,

Ms. Abney moved, to postpone action on AR 97-179
seconded by Mr. Murdy, until August
19, 1997.

and it passed without
objection,

E. NEW BUSINESS:

- 1. Assembly Memorandum No. AM 609-97, The sunset of AO 96-126(S) (AMC 10.55 and 14.60) relating to **teen nightclubs and cultural performance venues**, Clerk's Office.

Mr. Meyer moved, to approve AM 609-97.
seconded by Mr. Wuerch,

Mr. Meyer spoke in support of continuing AO 96-126(S), regarding teen clubs and cultural performance venues. He felt the ordinance regulating clubs had been effective, because complaints have declined.

Question was called on the motion to approve AM 609-97 and it passed without objection.

2. Assembly Memorandum No. AM 634-97, contract extension to **Salvation Army Clitheroe Center Detoxification Unit**, Health and Human Services.

Mr. Wuerch moved, to approve AM 634-97.
seconded by Mr. Murdy,

In response to Mr. Wuerch, Jewel Jones of Health and Human Services said she had received a letter from the State, which indicated the needed funds for the contract had been awarded.

Question was called on the motion to approve AM 634-97 and it passed without objection.

3. Assembly Memorandum No. AM 637-97, amendment No. 1 to professional services agreement with Reynolds Consulting, Inc., for the **upgrade of AWWU's customer information and billing system**, Water and Wastewater Utility.

Mr. Wuerch moved, to approve AM 637-97.
seconded by Mr. Meyer,

In response to Mr. Wuerch, Bruce Robson of AWWU described the bids for this contract. He said the original contract and proposed amendment would adequately address the year 2000 issue for AWWU's customer information and billing system.

Question was called on the motion to approve AM 637-97 and it passed without objection.

4. Assembly Memorandum No. AM 635-97, contract amendment No. 2 to the professional services contract with DOWL Engineers or the **Fairview Area traffic safety improvements**, DPW No. 96-08, Public Works.

Ms. Clementson moved, to approve AM 635-97.
seconded by Mr. Wohlforth,

Ms. Clementson moved, to amend AM 635-97 on page 1, line
seconded by Mr. Wohlforth, 37 to read: "...View Drive,
and it passed without objection, McPhee, North Meyer Street and..."

Question was called on the motion to approve AM 635-97 as amended and it passed without objection.

5. Assembly Memorandum No. AM 640-97, change order No. 6 to purchase order 63399 with Interwest Technology Group, Inc. for providing **analysis and planning for the Year 2000 conversion** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Wohlforth moved, to approve AM 640-97.
seconded by Ms. Von Gemmingen,

In response to Mr. Wohlforth, Management Information Systems Director Bill Rasmussen discussed the year 2000 issue. He said he could provide a comprehensive memorandum detailing all Municipal contracts and conversion projects for this issue. An initial cost estimate of \$3.5 million has proved to be accurate thus far. He agreed to provide an analysis of all anticipated projects, including which have been dispatched and which are pending.

In response to Mr. Wuerch, Mr. Rasmussen indicated all Municipal departments have a coordinator for this project, who are involved in the various phases.

Question was called on the motion to approve AM 640-97 and it passed without objection.

6. Assembly Memorandum No. AM 647-97, proprietary purchase of a **promotion process system** from Justex Systems, Inc. for the Municipality of Anchorage, Police Department/Purchasing.

Mr. Murdy moved, to approve AM 647-97.
seconded by Mr. Wuerch,

In response to Mr. Murdy, Anchorage Police Department Chief Duane Udland explained this system would provide support for sergeant and lieutenant exams. He said this company had provided the service previously; the contract is being renewed.

In response to Mr. Carlson, Purchasing Officer Ted Chenier said the contract was a one-time purchase.

In response to Mr. Wohlforth, Employee Relations Director Tom Tierney said throughout recent reviews of the Police Department, there have been no criticisms of Justex Systems, Inc.

Question was called on the motion to approve AM 647-97 and it passed without objection.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 99-97, Internal Audit Report 97-13 - **Municipal Traffic Fines Collected by the State of Alaska Traffic Court**, Anchorage Police Department/Internal Audit.

Mr. Wohlforth moved, to accept AIM 99-97.
seconded by Mr. Murdy,

In response to Mr. Wohlforth, Internal Auditor Pete Raiskums addressed a comment in the report that no warrants have been issued since March, 1996. He explained the State traffic court is overloaded and very far behind in its case load.

In response to Mr. Wohlforth, Anchorage Police Department Chief Duane Udland said he only became aware of this situation during Mr. Raiskum's audit. He has met with the Court presiding judge and the Clerk of the Court, who indicate the case load is very far behind. He intended to meet again with Court officials, to encourage some resolution to this problem.

Mr. Wohlforth asked for reports on the status of this situation.

In response to Ms. Clementson, Chief Udland said the Department's "blue book" (pocket versions of Title 9) is in the process of being revised. However, officers have been informed of changes in the law and correct procedure.

Question was called on the motion to accept AIM 99-97 and it passed without objection.

2. Information Memorandum No. AIM 102-97, waiver of formal procedures for **King Street Rehabilitation Project - Dimond Boulevard to 76th Avenue** for the Municipality of Anchorage, Public Works Department (ITB 97-C34), Purchasing.

Ms. Abney moved, to accept AIM 102-97.
seconded by Ms. Von Gemmingen,
and it passed without
objection,

Ms. Abney said her questions on this item had been resolved.

3. Information Memorandum No. AIM 107-97, **Sole Source Procurement Report** for the month of June 1997, Purchasing.

Mr. Murdy moved, to accept AIM 107-97.
seconded by Mr. Kendall,

In response to Chairman Begich, Employee Relations Director Tom Tierney explained his knowledge of the contract with Johnston and Savage for investigation of benefits paid to members of the Police and Fire Retirement (PFR) system was limited, because the issue was handled by the PFR Board in executive session. He noted the investigation was for benefits paid to one individual.

In response to Chairman Begich, Assistant Municipal Attorney Bill Greene addressed a contract for Municipal Code supplements. Mr. Greene said the contract covered all supplements for 1997. He indicated there was a performance clause in the contract, ensuring timely receipt of contracted services. However, there was no financial penalty clause. Mr. Greene said the company has been meeting and sometimes exceeding its deadlines. He added the contract included availability of the Code on electronic media.

Question was called on the motion to accept AIM 107-97 and it passed without objection.

4. Information Memorandum No. AIM 110-97, unanswered **Assembly Information Requests**, Assemblymember Begich. (**addendum**)

Ms. Clementson moved, to accept AIM 110-97.
seconded by Mr. Murdy,

Chairman Begich recognized and thanked the administration for responses to items 97-135 and 97-138, received on July 21 and 22, 1997.

Ms. Clementson reiterated a request for an explanation for a permit issued to Grand Auto on Muldoon Road, which waived landscaping requirements contrary to the Muldoon Beautification Plan.

Mr. Wohlforth reiterated his request for figures on the cost of an escalator for the Egan Center Skybridge. Those figures are necessary to pursue a change order to the contract.

Question was called on the motion to accept AIM 110-97 and it passed without objection.

The Assembly then changed the orders of the day to consider item 10, Appearance Requests.

- A. **Kathleen Plunkett**, to make a short Federation of Community Councils presentation to the Assembly. (**addendum**)

Ms. Plunkett, chair of the Federation of Community Councils (FCC), said the FCC was able to realize a greater savings on operation than anticipated. She remitted \$2,020 of unused 1996 grant funds. Ms. Plunkett noted the FCC voted to replace its digital duplicator, with 1996 reserve funds and 1997 budgeted funds. The new equipment will allow the FCC to improve efficiency and favorably impact the community.

Ms. Abney moved, to consider an appearance from
 seconded by Mr. Murdy, Peg Tileston, chair of the
 and it passed without Recyding Steering Committee.
 objection,

- B. **Peg Tileston**, Recycling Steering Committee. (**LAI D ON THE TABLE**)

Ms. Tileston, chair of the Committee, thanked the Assembly for its financial support of the Recycling Summit. She returned \$1,000 of the \$3,000 of Municipal funds appropriated for the Summit.

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

- A. 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 Services.
 (POSTPONED FROM 5-20-97; CARRIED OVER FROM 6-10-97 AND 7-1-97)

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

Ms. Abney explained this budget revision added funds for a recycling study. The task force would oversee the study. The study was the primary recommendation resulting from the recycling summit.

In response to Mr. Wuerch, Mayor Mystrom said he supported the study as long as the scope was well-defined and specific.

Mr. Wuerch suggested the administration develop a scope for the study which would correspond to the available funds.

Ms. Clementson said she supported the idea of a study, but felt the proposed funding source was inappropriate.

Question was called on the motion to approve AR 97-102 and it passed:

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

- B. Information Memorandum No. AIM 91-97, **ATU Telecommunications corporate policy for procurement and contracting**, Anchorage Telephone Utility.
 (POSTPONED FROM 7-1-97)

Chairman Begich gave the history of the memorandum and noted no motions were pending.

Mr. Murdy moved, to accept AIM 91-97.
 seconded by Mr. Wuerch,

Ms. Clementson said the ATU policies and procedures were very broad. She noted new procedures are being drafted which are very specific; these should answer most questions about ATU procurement and contracting.

Question was called on the motion to accept AIM 91-97 and it passed:

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

Mr. Murdy moved, to recess into executive session
 seconded by to hear from Anchorage
 Ms. Von Gemmingen,
 Telephone Utility's management on financial
 matters, public disclosure of which would adversely
 affect the finances of the Municipality of Anchorage.

Mr. Murdy moved, to limit the executive session
 seconded by Mr. Wuerch, to 20 minutes.
 and it passed with Ms.
 Clementson objecting,

Question was called on the motion to recess into executive session for 20 minutes and it passed with Ms. Clementson objecting.

Mayor Mystrom expressed concern about the content of the executive session. He urged Assembly members to listen carefully to the discussion, and speak up immediately if any material appears to be public. He noted some information from ATU's quarterly reports should be discussed in public.

Chairman Begich concurred, and asked members of the administration to also monitor the content of the session.

The meeting recessed at 6:20 p.m. and reconvened at 7:00 p.m.

(Clerk's Note: See item 16, Unfinished Agenda, for a motion regarding release of the executive session tapes.)

- C. 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, 5-6-97, 5-20-97, AND 6-10-97; CARRIED OVER FROM 7-1-97)
- D. **NOTICE OF RECONSIDERATION: Assembly Memorandum No. AM 593-97**, change order No. 6 to purchase order 44405 with Partnow Sharrock & Tindall, P.C. for providing **legal services** for the Municipality of Anchorage, Employee Relations Department/Purchasing.
 - 1. Information Memorandum No. AIM 109-97, Employee Relations. **(addendum)**
 (FAILED 7-1-97; NOTICE OF RECONSIDERATION GIVEN - MS. CLEMENTSON 7-2-97)
- E. **NOTICE OF RECONSIDERATION: Resolution No. AR 97-166**, a resolution of the Anchorage Municipal Assembly regarding the Municipality of Anchorage's evaluation and Assembly approval of the **purchase of the Bank of America Center by the Alaska Housing Finance Corporation**, Assemblymembers Von Gemmingen, Wuerch, Murdy, Carlson, Clementson, and Begich. (AMENDED AND APPROVED 7-1-97; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. KENDALL 7-2-97)

Items 9.C, 9.D. and 9.E. were considered later in the meeting. See item 16, Unfinished Agenda.

10. **APPEARANCE REQUESTS:**

- A. **Kathleen Plunkett**, to make a short Federation of Community Councils presentation to the Assembly. **(addendum)**
- B. **Peg Tileston**, Recycling Steering Committee. **(LAID ON THE TABLE)**

These persons appeared earlier in the meeting. See before item 9.

11. **CONTINUED PUBLIC HEARINGS:**

- A. 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.
 - 1. Assembly Memorandum No. AM 576-97.
 - 2. Assembly Memorandum No. AM 665-97, Community Planning and Development. **(addendum)**
 (CONTINUED FROM 7-1-97)

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

ED CONYERS, executive director of the Anchorage School District Physical Plant, spoke in support of the ordinance. He noted the ordinance was developed in conjunction with Municipal and School District officials. He felt the new system would improve the site selection process.

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

Mr. Murdy moved, to adopt AO 97-89.
seconded by Mr. Meyer,

Municipal Manager Larry Crawford noted AM 665-97 included recommended amendments to the ordinance,

Ms. Clementson moved, to amend AO 97-89 as proposed
 seconded by Mr. Murdy, on page 2 of AM 665-97, with a
 and it passed without correction to the last page/line
 objection,
 number, which should read: "Page 12, Line 2"
 instead of "Page 16, Line 27."

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

Ms. Clementson moved, to amend AO 97-89 on page 9,
 seconded by Mr. Murdy, line 21 to read: "...sites.
 and it passed without Reasonable notice of not less than
 objection,
 seven (7) days of these public meetings shall
 be given..."

Ms. Clementson noted a separate ordinance is in the works; it would address expansion of existing school sites.

In response to Mr. Kendall, an administration representative said various community councils and the Federation of Community Councils were notified of this ordinance. The amendments reflect the comments of respondents.

Question was called on the motion to adopt AO 97-89 as amended and it passed:

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

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 97-147, a resolution of the Municipality of Anchorage appropriating from the Anchorage Fire Service Area (0131) Fund Balance: \$373,300 as a contribution to the Anchorage Fire Service Area CIP Fund (0431) and \$85,000 for Fire Department requirements (to **purchase a pumper unit, training equipment and emergency radios, replace a hoist, and install wireless communications**), Fire Department.
1. Assembly Memorandum No. AM 562-97.

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 97-147.
 seconded by Mr. Meyer,

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

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

- B. Resolution No. AR 97-148, a resolution of the Municipality of Anchorage appropriating \$180,000 from the Anchorage Roads and Drainage Service Area (0141) Fund Balance and \$120,000 from the New Anchorage Police Service Area (0151) Fund Balance for additional Intragovernmental Charges from the Equipment Maintenance Fund (0601) for **increased vehicle depreciation**, Office of Management and Budget.
1. Assembly Memorandum No. AM 563-97.

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 97-148.
 seconded by Mr. Meyer,

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

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

- C. Resolution No. AR 97-163, a resolution of the Anchorage accepting and appropriating \$12,111,493 from the State Department of Community and Regional Affairs to the State Categorical Grants Fund (0231) and appropriating \$109,157 of State Categorical Grants Fund (0231) Projected Interest Earnings for the **Safe Communities Program** in order to accommodate a change in payment schedule and assure the ability to provide continued financial support for public safety programs while reducing the impact on property taxpayers, Mayor Mystrom and Assembly Members Murdy and Wuerch.
1. Assembly Memorandum No. AM 603-97.
 2. Information Memorandum No. AIM 108-97, Office of Management and Budget.

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 97-163.
seconded by Mr. Wuerch,

In response to Ms. Abney, Mayor Mystrom explained with the passage of Proposition 3, real property tax payers were obligated to pay the amount of the parking garage bonds that could not be met by the Anchorage Parking Authority (APA). The proposed resolution would appropriate funds to pay those bonds, which would relieve taxpayers from this burden.

Mr. Wohlforth questioned the connection between public safety and payment of the garage bonds. He was concerned about downtown parking, and continued enforcement of parking laws by police officers.

In response to Mr. Kendall, Chief Fiscal Officer Jerry Anderson discussed options if one or all of the parking garages were sold. He said revenues from such a sale would probably return to the Municipality. Although the APA owns the garages, debt on the bonds is the responsibility of the Municipality. Any sale would require the revenues to return to the Municipality to defease that debt. Mr. Anderson pointed out each garage is governed by a different set of circumstances. If the bonds for the 6th & G garage are defeased, the Municipality would be released from the bond covenant, but must still meet Internal Revenue Service requirements regarding private activity.

In response to Mr. Bell, Mr. Anderson said although the garages are owned by the APA, the Assembly must approve a sale and establish conditions of the sale and distribution of the revenues.

In response to Mr. Meyer, Mr. Anderson discussed the source of funds for bond defeasement.

Ms. Von Gemmingen took the Chair.

Mayor Mystrom discussed the relationship between the parking garage debt and the safe communities program. He said the State Legislature debated the question at length, and designated the funds primarily, but not exclusively for public safety. Other items were included for funding under the program: water and sewer, waste management, and other services deemed to have a "high priority." He said the defeasance of \$4.8 million in bonds would result in a savings of \$10.7 million in taxes over eight years, the best return of all the proposed bond payments. This excellent return made the payment a high priority. He encouraged support for the resolution

In response to Mr. Begich, Municipal Manager Larry Crawford explained why the garage bonds were chosen for pay-off before Police and Fire bonds. He said the 6th & G garage bonds were at a higher interest rate and had a shorter maturity. The proposal would allow leverage of funds already in the APA budget.

Mr. Begich supported paying off debts. However, he was concerned that the proposed expenditure of forty percent of the funds for the garage bonds might affect the ability of the Municipality to get future funding for safe communities.

Mr. Crawford pointed out reduction of taxes in one area makes more funds available for public safety programs.

In response to Mr. Meyer, Mr. Anderson said the proposed bond debt payment would make the Municipality's bond rating more secure in the eyes of rating agencies and insurance companies.

Mr. Wohlforth felt \$10.7 million in savings was overstated. Mr. Anderson pointed out revenues from parking fees will now be dedicated to the Police Department. He added sale of bonds for a new fire truck, approved by voters at the last election, would go before the Assembly on August 19, 1997.

In response to Mr. Kendall, Mr. Anderson explained the financing status of the 5th & C garage.

Mayor Mystrom said this is a one-time, unusual situation, resulting from a double payment from the State. He said future Municipal assistance funds would be used the same way as in the past.

Ms. Clementson spoke in support of the resolution. She pointed out the defeasment would free operating funds to use for public safety needs.

Mr. Murdy also spoke in support of the resolution. He felt the proposal was an effective compromise.

Mr. Begich moved, to amend AR 97-163 to delete
seconded by Mr. Carlson,
\$4,820,000 for defeasment of the 6th & G
parking garage bonds.

AYES: Wohlforth, Begich, Carlson.

NAYS: Bell, Abney, Kendall, Wuerch, Meyer, Von Gemmingen, Clementson, Murdy.

Chairman Begich returned to the Chair.

Ms. Von Gemmingen supported defeasing the bonds. However, she concurred with Mr. Wohlforth's concerns about selling the garage. She asked for a commitment by the administration to keep the garage in Municipal ownership.

Mayor Mystrom said he had not considered this question. He could not imagine a circumstance in which the garage would be sold, but also could not make such a commitment without serious consideration.

Question was called on the motion to approve AR 97-163 and it passed:

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

Mr. Kendall moved, immediate reconsideration.
seconded by Ms. Clementson,

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

- D. Resolution No. AR 97-164, a resolution of the Municipality of Anchorage appropriating a total of \$972,000 from General Government Operating Fund Balances to corresponding General Government Capital Improvement Funds to provide local matching funds for State Fiscal Year 1998 Matching Grants (AS 37.06) for **major municipal facilities upgrade**, Office of Management and Budget.
 1. Assembly Memorandum No. AM 604-97.

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 97-164.
seconded by Mr. Kendall,

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

Mr. Murdy moved, immediate reconsideration.
seconded by Mr. Wuerch,

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

- E. Ordinance No. AO 97-97, an ordinance repealing Anchorage Municipal Code of Regulations Title 17 **regulating animal control fees, fines and penalties, mandatory sterilization and forfeiture of animals for cruelty to animals** and reenacting said provisions with amendments as various sections of Anchorage Municipal Code Title 17, Legal Department.
 1. Assembly Memorandum No. AM 583-97.
 2. Ordinance No. AO 97-97(S), an ordinance repealing Anchorage Municipal Code of Regulations Title 17 regulating animal control fees, fines and penalties, mandatory sterilization and forfeiture of animals for cruelty to animals and reenacting said provisions with amendments as various sections of Anchorage Municipal Code Title 17, Legal Department. **(addendum)**
 3. Assembly Memorandum No. AM 666-97.

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

ALEX BURRY expressed concern about the ease by which forfeited animals can be returned to abusive owners. She pointed out abuse or neglect must be very severe for an animal to be removed from an environment in the first place; these owners have already proved they cannot be trusted with the care of an animal. Ease in returning animals to an abusive home is tantamount to encouraging the abusive behavior. Ms. Burry pointed out studies show people who abuse animals also tend to abuse humans. She felt measures must be taken to prevent violence against any living being. Ms. Burry submitted a letter signed by other persons sharing her views.

MARY BRITTAN echoed the same concerns as the previous speaker. She added the provision for refunds for spaying or neutering fees was vague. She praised the provision for spaying/neutering fines.

CAROL JENSEN felt a fine for rabies violations should be added to the schedule. She reiterated concerns about return of an animal to an abusive environment. She discussed the need for definition of "security interest."

CLAY WILLIAMS said he was never informed of the refund for spaying and neutering animals when he adopted his pet.

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

Mr. Murdy moved, to adopt AO 97-97(S).
seconded by Mr. Meyer,

AYES: Bell, Abney, 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.)

F. **PUBLIC HEARING WAS CANCELED:** Resolution No. AR 97-168, a resolution of the Anchorage Municipal Assembly concerning the **purchase of the Bank of America Center by the State of Alaska** through its agent the Alaska Housing Finance corporation, Assemblymember Von Gemmingen.

This item was withdrawn. See minutes of July 1, 1997 for action on AR 97-166 and minutes of July 8, 1997 for action on AR 97-167.

G. Resolution No. AR 97-176, a resolution of the Municipality of Anchorage authorizing **payment of the judgment in Gentile et al. v. MOA** and appropriating not to exceed \$62,530 from within the Areawide General Fund (0101) Fund Balance; not to exceed \$320,430 from within the Anchorage Fire Service Area Fund (0131) Fund Balance; and not to exceed \$398,580 from within the New Police Service Area Fund (0151) Fund Balance to pay the Municipality's portion of this judgment, and approving a loan in the amount of \$561,127.70 from the New Police Service Area Fund (0151) to the class to pay the plaintiffs' portion of this judgment, Office of Management and Budget.
(addendum)
1. Assembly Memorandum No. AM 657-97.

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

Mr. Murdy moved, to continue the public hearing
seconded by Ms. Abney, for
AR 97-176 until August 19, 1997.

Mr. Murdy felt the importance of public notice for this hearing outweighed the penalties which would accrue with a delay.

In response to Mr. Kendall, Municipal Attorney Mary Hughes said the proposed judgment amount must be paid by the Municipality. She discussed the negotiations which resulted in this amount.

Ms. Von Gemmingen noted a delay would result in penalties of almost \$10,000. She urged immediate approval.

In response to Mr. Wohlforth, Ms. Hughes discussed calculation of the fees. She summarized the issues in the case, which arose when the Municipality attempted to change the benefits of retired members of the police and fire retirement system.

Mr. Murdy requested a summary of Municipal legal costs on this case.

Question was called on the motion to continue the public hearing until August 19, 1997 and it failed:

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

Mr. Wuerch moved, to close the public hearing and
seconded by Mr. Meyer, approve AR
97-176.

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

Mr. Wuerch moved, immediate reconsideration.
seconded by Mr. Kendall,

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

13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.

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

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

16. **UNFINISHED AGENDA:**

A. 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, 5-6-97, 5-20-97, & 6-10-97; CARRIED OVER FROM 7-1-97)

Chairman Begich gave the history of the ordinance and noted a motion to adopt and an amendment by Mr. Kendall was on the floor.

Mr. Kendall withdrew his motion to amend. Mr. Wuerch, the second, concurred.

Mr. Kendall urged adoption.

Question was called on the motion to adopt AO 97-60 and it passed:

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

- B. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 593-97, change order No. 6 to purchase order 44405 with Partnow Sharrock & Tindall, P.C. for providing **legal services** for the Municipality of Anchorage, Employee Relations Department/Purchasing.
 - 1. Information Memorandum No. AIM 109-97, Employee Relations. **(addendum)**
 (FAILED 7-1-97; NOTICE OF RECONSIDERATION GIVEN - MS. CLEMENTSON 7-2-97)

Chairman Begich gave the history of the memorandum and noted the question of whether to reconsider was before the Assembly.

Ms. Clementson spoke in support of reconsideration.

Question was called on the motion to reconsider action on AM 593-97 and it passed:

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

In response to Mr. Wohlforth, Employee Relations Director Tom Tierney discussed the extent of Mr. Bennett's involvement in the Lindauer litigation.

Mr. Wohlforth felt there were better ways to resolve the problems with the firefighters than litigation. However, he acknowledged the outstanding bills must be paid.

Question was called on the motion to approve AM 593-97 and it passed:

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

- C. **NOTICE OF RECONSIDERATION:** Resolution No. AR 97-166, a resolution of the Anchorage Municipal Assembly regarding the Municipality of Anchorage's evaluation and Assembly approval of the **purchase of the Bank of America Center by the Alaska Housing Finance Corporation**, Assemblymembers Von Gemmingen, Wuerch, Murdy, Carlson, Clementson, and Begich. (AMENDED AND APPROVED 7-1-97; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. KENDALL 7-2-97)

Chairman Begich gave the history of the resolution and noted the question of whether to reconsider action was before the Assembly.

Mr. Kendall withdrew his notice of reconsideration.

- D. Municipal Attorney Mary Hughes said she would report back to the Assembly regarding release of executive session tapes regarding the Gentile litigation.

Mr. Murdy moved, to prohibit release of the tapes
 seconded by Mr. Wuerch, of the ATU executive session held
 and it passed without earlier in the meeting.
 objection,

- E. Assembly Comments.

Mr. Wohlforth distributed a Budget Format Committee report. He thanked his fellow committee members. He noted the report was timed well, since revisions could be incorporated into the new financial system software being purchased by the administration.

Mr. Murdy reported on the National League of Cities conference in Oklahoma City.

Mr. Wuerch reminded his colleague of the Alaska Municipal League legislative committee meeting on August 7 and 8, 1997 in Wasilla.

Mr. Murdy noted the Alaska Municipal League Board of Directors would meet on August 27 and 28, 1997 in Kenai.

- F. Ordinance No. AO 97-110, an ordinance amending the zoning map and providing for the rezoning from R-2A (Two-Family Residential District Large Lot) to R-1 (Single-Family Residential District) for **Tract 5A, Arnold L. Muldoon Subdivision**, generally located on the west side of Muldoon Road, north of Northern Lights Boulevard (Northeast Community Council) (Planning and Zoning Commission Case 97-122), Assemblymember Begich. **(LAID ON THE TABLE)**

Chairman Begich, Ms. Clementson and Mr. Bell joined in introducing this ordinance. The public hearing was scheduled for August 26, 1997.

- 17. **AUDIENCE PARTICIPATION:** None.
- 18. **EXECUTIVE SESSIONS:** Held earlier. See after item 9.B.
 - A. Assembly's Regular Quarterly Executive Meeting with the Anchorage Telephone Utility.

19. **ADJOURNMENT:**

The meeting adjourned at 9:05 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: October 7, 1997

LF/db

INDEX

Page Number

97th Avenue and C Street Sedimentation Basin	2
Alaska Housing Finance Corporation	14, 19, 21
Ambulance repairs	5
Anchorage Loop Water Transmission Main	5, 7
Anchorage School District	2
Animal control amendments	18
Appointment to Retirement	3, 8
Assembly Information Requests	7, 12
Assembly Joint School Site Selection Committee	4
ATU corporate policy for procurement and contracting	13
AWWU's customer information and billing system	6, 10

Bank of America Center	2, 14, 19, 21	
Bargaining agreement	9	
Bikepath easement	3	
Bird to Girdwood Bikepath	3	
Boiler feed pump	6	
Bonds and money market mutual funds as permitted investments	14, 20	
Carroll WID #425	7	
Chester Creek Pump Station	4	
Chevigny & Kincaid Reservoir Painting	7	
Clitheroe Center Detoxification Unit	5, 10	
Community work service	3	
Computer hardware	6	
Conduit and fittings	7	
Conflict of interest	8	
Contracts awarded between \$30,000 and \$100,000	7	
Curfew and possession of tobacco products violations	3	
Custodial services at City Hall	5	
Day Care Assistance Program	2	
Design services	7	
Emergency medical facility	2	
Environmental Recycling, Inc. lease	3	
Executive Appointment Report	7	
Executive pay ranges	3	
Executive session: ATU	14	
Fairview Area traffic safety improvements	5, 11	
Federation of Community Councils, Inc.	7	
Financial Report	7	
Financial, Payroll and Human Resources Information Systems	7	
Fire Department equipment purchase	16	
Front end loader	6	
Girdwood Iditarod Trail	4	
Hideaway Hills LID #106	7	
Historical & Fine Arts Commission	5	
Internal Audit Report	7, 11	
International Association of Firefighters labor agreement	4, 9	
Investment Advisory Commission	7	
Investment analyst services	5	
Job Training Partnership Act	5	
Junk vehicle	3	
Kathleen Plunkett; Federation of Community Councils	13	
King Street Rehabilitation Project	7, 12	
Land surveying services	6	
Legal services	6, 14, 20	
Library books and materials	4	
Litigation: Gentile et al. v. MOA	4, 9, 19	
Loader/backhoe	6	
Lore Road upgrade	5	
Maintenance and repair of RACAL routers and hubs	6	
Major municipal facilities upgrade	18	
Motor grader	6	
Mountain View Sewer R&R	7	
Municipal investments	14, 20	
Municipal Light and Power Utility authority	3, 8	
Park and Parking Lots and Other Improvements Package	6	
Park parking lots and other improvements package	5	
Park Playground Package	1, 7	
Peg Tileston; Recycling Steering Committee	13	
Personnel Review Board	2	
Personnel Rules	2	
Polaroid and 35mm film	5	
Police and Fire Retiree Medical Funding Trust	3, 8	
Police Department	6, 11	
Port Valve Yard Upgrade Project	3	
Pre-Funding Investment Board	5	
Promotion process system	6, 11	
recycling	4, 10	
Retiree Medical Actuarial and Benefits Consulting	5	
Rezoning	2, 8, 21	
Risk Management legal contract	5	
Road, storm drainage, fire protection, emergency operations	2	
Safe Communities Program	16	
Sale of properties foreclosed by the Municipality	2	
Salvation Army Clitheroe Center	5, 10	
School Site Selection	4	

School site selections and acquisitions	15
Senate Bill 107	2
Sewer Replacement & Rehabilitation	4
Snow Disposal Site	2
Software and support	6
Sole Source Procurement Report	7, 12
Solid Waste Disposal Utility Operating Budget	13
South Addition Woodstave R&R	7
South Korea visa waiver	4, 10
State of Alaska building purchase	2
State of Alaska legislative grants	2
State Training and Employment Programs	5, 6
Teen nightclubs and cultural performance venues	5, 10
Tire foaming services	5
Traffic Fines Collected by the State of Alaska Traffic Court	7, 11
Training services	6
Trash to Treasure Conference	4, 10
Vehicle depreciation	16
Vehicle registration	3
Visa waiver pilot project for South Korea	4, 9
Workstations	6
Year 2000 analysis and programming support	6
Year 2000 conversion	6, 11