

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of September 16, 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 (5:20 p.m.), Mark Begich, Kevin Meyer, Fay Von Gemmingen, Cheryl Clementson, Ted Carlson, Joe Murdy.  
Absent: George Wuerch (excused.)

3. **PLEDGE OF ALLEGIANCE:**

The colors were presented by cadets from the West High School Air Force Junior ROTC, under the command of Cadet Lieutenant Colonel Tim Holm. The pledge was led by Ms. Abney.

4. **MINUTES OF PREVIOUS MEETING:**

- A. Regular Meeting - May 20, 1997
- B. Regular Meeting - June 3, 1997

Mr. Murdy moved, to approve the minutes of the  
seconded by Ms. Clementson, regular meetings of May 20 and  
and it passed without June 3, 1997.  
objection,

5. **MAYOR'S REPORT:**

Mayor Mystrom updated the Assembly on his approach to this years' Legislative Program. He will work with Mr. Carlson and Mr. Wuerch to develop a schedule of meetings with Legislators. The primary issue will be a new jail. He hoped to have a schedule of meetings by late October.

6. **ADDENDUM TO AGENDA:**

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

Mr. Murdy moved, to change the orders of the day  
seconded by Mr. Wohlforth, to consider item 7.C.8, AR 97-219.  
and it passed without  
objection,

Resolution No. AR 97-219, a resolution of the Anchorage Municipal Assembly **recognizing and celebrating the 50th Anniversary of the United States Air Force**, Assemblymembers Wuerch, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, and Wohlforth. (**addendum**)

Mr. Bell read the resolution, while Mayor Mystrom and Ms. Clementson presented it to Brigadier General William Lake, Commander, Third Wing, Elmendorf Air Force Base.

Mr. Murdy moved, to approve AR 97-219.  
seconded by Ms. Abney,  
and it passed without  
objection,

General Lake accepted the resolution and thanked the Assembly.  
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 Ms. Von Gemmingen, consent agenda as amended.

- A. BID AWARDS: None.

## B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 97-117, an ordinance amending the zoning map and providing for the rezoning from PC-SL (Planned Community) with Special Limitations to R-1SL (Single Family Residential) with Special Limitations for portions of BLM Lots 55, 71, 72 & 89, located within Section 14, T14N, R2W, S.M., AK (**proposed Tract A, Eagle Bluff Subdivision** per Platting Case S-10033), generally located south of Eagle River and east of Glenn Highway (South Fork Eagle River Community Council) (Planning and Zoning Commission Case 97-067), Community Planning and Development. public hearing 10-21-97.
  - a. Assembly Memorandum No. AM 761-97.
2. Ordinance No. AO 97-118, an ordinance suspending the effectiveness of Anchorage Municipal Code Section 8.05.440 [AO No. 95-195(S-1) AMENDED], **Curfew for Minors**, pending the results of a referendum election thereon and submitting to the qualified voters of the Municipality at the Regular Municipal Election April 21, 1998, a referendum proposition to repeal said Anchorage Municipal Code Section 8.05.440 [AO No. 95-195(S-1) AMENDED], Assemblymembers Clementson and Bell. public hearing 9-30-97.
  - a. Assembly Memorandum No. AM 775-97.
3. Resolution No. AR 97-209, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$86,850 from the State of Alaska, Department of Public Safety, Division of Alaska State Troopers, \$28,950 as match and \$2,555 as a contribution from the 1997 New Anchorage Police Service Area Operating Budget, for the **Street Level Drug and Violent Crime Program**, Anchorage Police Department. public hearing 9-30-97.
  - a. Assembly Memorandum No. AM 762-97.
4. Resolution No. AR 97-210, a resolution confirming and levying assessments for the **sewer special improvements within Levy-Upon-Connection (LUC) Roll 97-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility. public hearing 10-7-97.
  - a. Assembly Memorandum No. AM 763-97.
5. Resolution No. AR 97-216, a resolution approving **construction of the Old Seward Highway water main line**, and providing for the eventual assessment against benefited property, Water and Wastewater Utility. public hearing 10-7-97.
  - a. Assembly Memorandum No. AM 780-97.
6. Resolution No. AR 97-221, a resolution of the Municipality of Anchorage providing for an appropriation of \$150,000 donated from Eunice Silberer in memory of her husband, Dick Silberer, to the Anchorage Parks and Recreation Capital Projects Fund (0461) toward the installation of the **Town Square Community Fountain**, Cultural and Recreational Services. public hearing 9-23-97. (**addendum**)
  - a. Assembly Memorandum No. AM 801-97.

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

7. Ordinance No. AO 97-121, an ordinance of the Anchorage Municipal Assembly providing for the **public purpose retention of certain tax foreclosed properties** described in this ordinance, and extinguishment of the outstanding tax liability and any demolition liens attributed to each of these real properties, Assemblymembers Wohlforth and Kendall. public hearing 10-28-97. (**addendum**)
  - a. Assembly Memorandum No. AM 802-97.

## C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-211, a resolution of the Municipality of Anchorage providing for the acceptance and appropriation of a grant totaling \$50,000 from the State of Alaska, Department of Education and \$1,090 as a contribution from the Library Operating Budget to the State Categorical Grants Fund (0231) for the **Interlibrary Cooperation Grant Program**, Cultural and Recreational Services/ Library.
  - a. Assembly Memorandum No. AM 764-97.
2. Resolution No. AR 97-212, a resolution of the Municipality of Anchorage appropriating \$20,000 from the Alaska State Council on the Arts; \$29,610 from the Anchorage Museum Association; \$13,390 from the Anchorage Museum Foundation; \$8,000 from Anticipated Miscellaneous Revenues and \$18,910 as a contribution from the CY97 Museum Operating Budget to the State Categorical Grants Fund (0231) for **season support at the Anchorage Museum of History and Art**, Cultural and Recreational Services/Library.
  - a. Assembly Memorandum No. AM 765-97.
3. Resolution No. AR 97-213, a resolution of the Municipality of Anchorage accepting and appropriating \$98,000 to the State Categorical Grants Fund (0231) from the Department of Health and Social Services for the provision of **AIDS Prevention Services**, Health and Human Services.
  - a. Assembly Memorandum No. AM 766-97.
4. Resolution No. AR 97-214, a resolution of the Municipality of Anchorage accepting and appropriating \$23,750 from the Alaska Department of Health and Social Services to the State Categorical Grants Fund (0231) for **Anchorage Youth Court**, Health and Human Services.
  - a. Assembly Memorandum No. AM 767-97.
5. Resolution No. AR 97-215, a resolution of the Municipality of Anchorage accepting, when tendered, \$67,790 from the United States Department of the Interior Geological Survey Grant

and appropriating said grant to Merrill Field's Operating Fund for the continued use of 1209 Orca Street as the **U.S. Geological Survey Hydrologic Resource Center**, Merrill Field Airport.

- a. Assembly Memorandum No. AM 768-97.
6. Resolution No. AR 97-217, a resolution of the Municipality of Anchorage authorizing the application for matching capital grant funds through the **Municipal Capital Project Matching Grant Program** - AS 37.06 - for State Fiscal Year 1999, Office of Management and Budget.
  - a. Assembly Memorandum No. AM 781-97.

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

7. Resolution No. AR 97-218, a resolution calling a special election and submitting to the qualified voters of the Municipality thereat a referendum proposition to repeal Anchorage Municipal Code Section 8.05.440, **Curfew for Minors**, Municipal Assembly.
  - a. Assembly Memorandum No. AM 782-97.

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

8. Resolution No. AR 97-219, a resolution of the Anchorage Municipal Assembly **recognizing and celebrating the 50th Anniversary of the United States Air Force**, Assemblymembers Wuerch, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, and Wohlforth. (**addendum**)

This item was considered earlier in the meeting. See item 6.

9. Resolution No. AR 97-220, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Ronald T. Robinson for his 20 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 783-97, **Health and Human Services Commission appointment** (Barbara Symmes), Mayor's Office.
2. Assembly Memorandum No. AM 791-97, **appointment to Executive Staff** (Charles M. Laird, Executive Director - Police and Fire Retirement System), Employee Relations.
3. Assembly Memorandum No. AM 755-97, **C & D Liquors #3** - Transfer of Ownership of a Package Store Liquor License (Mountain View/Russian Jack Community Councils), Clerk's Office.

(Clerk's Note: A notice of reconsideration was filed on this item. See minutes of September 23, 1997 for further action.)

4. Assembly Memorandum No. AM 756-97, **Thai Cuisine Too** - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation (Downtown Community Council), Clerk's Office.
5. Assembly Memorandum No. AM 757-97, **Crow Creek Mercantile** - Transfer of Ownership of a Package Store Liquor License (Girdwood Community Council), Clerk's Office.
6. Assembly Memorandum No. AM 758-97, **Kenny Rogers Roasters** - New Restaurant/Eating Place Liquor License and Restaurant Designation (Taku-Campbell Community Council), Clerk's Office.
7. Assembly Memorandum No. AM 776-97, **Acapulco Mexican Restaurant** - Transfer of Ownership and Location of a Restaurant/Eating Place Liquor License and Restaurant Designation (Eagle River Community Council), Clerk's Office.
8. Assembly Memorandum No. AM 777-97, **Chepo's Mexican Restaurant** - Transfer of Ownership and Location of a Beverage Dispensary Liquor License and Restaurant Designation (Eagle River Community Council), Clerk's Office.
9. Assembly Memorandum No. AM 778-97, **Denali Winery & Brewery** - New Brewery Liquor License (Abbott Loop/Campbell Park/Taku-Campbell Community Councils), Clerk's Office.

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

10. Assembly Memorandum No. AM 779-97, **Denali Winery & Brewery** - New Winery Liquor License (Abbott Loop/Campbell Park/Taku-Campbell Community Councils), Clerk's Office.

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

11. Assembly Memorandum No. AM 759-97, The sunset of AO 94-228(S-2) (AMC 12.15.015 F) relating to **tax exemptions for community purpose properties**; AO 94-159 sunsets the **Urban Design Commission**; AO 95-153 sunsets the **Anchorage Telephone Utility Labor Board**, Clerk's Office.

12. Assembly Memorandum No. AM 760-97, **request for extension of time on Appeal Case S-10069 D3M Subdivision**, Clerk's Office.
13. Assembly Memorandum No. AM 769-97, change order No. 6 to purchase order 23647 with Willis Corroon Corporation for providing municipal brokerage service and binding coverage on **municipal insurance policies**, Finance.
14. Assembly Memorandum No. AM 770-97, change order No. 5 to purchase order 51496 with Pinkerton Security & Investigation Services for providing **security guard services** to the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
15. Assembly Memorandum No. AM 771-97, recommendation of award to Pacific Tower Properties, Inc. for providing **leased office space for the Municipal Hearing Officer** for the Municipality of Anchorage, Department of Property and Facility Management (RFP 45-97), Purchasing.
16. Assembly Memorandum No. AM 772-97, change order No. 1 to purchase order 71042 with BW/IP International to furnish **ML&P technical services and labor, and repairs and replacement parts** on an "as needed" basis, Municipal Light and Power.
17. Assembly Memorandum No. AM 773-97, **Hartzell Road/Abbott Road pavement overlay** between Lake Otis Parkway and 88th Avenue as part of the ADOT Dimond Boulevard reconstruction project (New Seward Highway to 88th Avenue), Public Works.

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

18. Assembly Memorandum No. AM 774-97, **Arctic Boulevard 70th-72nd Avenue Waterline R&R** -- Change Order No. 2, Water and Wastewater Utility.
19. Assembly Memorandum No. AM 784-97, **Government Hill East Woodstave R & R** -- Change No. 3, with Seacoast Construction Company, Water and Wastewater Utility.
20. Assembly Memorandum No. AM 785-97, change order No. 3 to **Penland Parkway Surface Rehabilitation Project**, Eastwind, A Division of Norcon, Inc., Contract No. C-60359, DPW File No. 95-09, Public Works.
21. Assembly Memorandum No. AM 786-97, recommendation of award to Earthscape and Group Three Design for providing professional design services supporting **Anchorage Park Improvement Projects** for the Municipality of Anchorage, Department of Cultural and Recreational Services (RFP 36-97), Purchasing.

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

22. Assembly Memorandum No. AM 787-97, proprietary purchase of **computer software maintenance** from Environmental Systems Research Institute, Inc. (ESRI) for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
23. Assembly Memorandum No. AM 788-97, recommendation of award to Alcan Electrical and Engineering, Inc. for providing **electrical service crews** to the Municipality of Anchorage, Municipal Light and Power (RFP 47-97), Purchasing.
24. Assembly Memorandum No. AM 789-97, recommendation of award to USKH, Inc. for professional engineering services for the design of **Business Boulevard Pedestrian Safety Improvements** for the Municipality of Anchorage, Public Works Department (RFP 19-97), Purchasing.
25. Assembly Memorandum No. AM 790-97, sole source contract with KPMG Peat Marwick LLP (KPMG) for providing **quality assurance services** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
26. Assembly Memorandum No. AM 792-97, amendment No. 1 to the professional services contract with Tryck Nyman Hayes, Inc. for **Loretta French Ballfield Development Project**, Cultural and Recreational Services.

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

27. Assembly Memorandum No. AM 793-97, proprietary purchase of **computer hardware and software upgrades** from IBM Corporation, Compuware Corporation, and Levy-Ray & Shoup, Inc. for the Municipality of Anchorage, Management Information Systems Department (MISD), Purchasing.
28. Assembly Memorandum No. AM 794-97, **transmittal of Police and Fire Retirement Board resolution**, Mayor's Office. **(addendum)**

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

#### E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 127-97, Internal Audit Report 97-134 - **Purchasing Procedures Follow-Up Audit, Anchorage Parking Authority/Internal Audit**.

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

2. Information Memorandum No. AIM 128-97, report of **Public Works' construction contract amendments**, Public Works.
3. Information Memorandum No. AIM 129-97, **JTPA Summer Youth Employment Program**, Health and Human Services.

4. Information Memorandum No. AIM 130-97, **Siemens Contract Amendment**, Municipal Light and Power.
5. Information Memorandum No. AIM 131-97, Assembly questions concerning the **financial accounting for the 1997 Mayor's Marathon**, Cultural and Recreational Services.
6. Information Memorandum No. AIM 132-97, waiver of formal procedures for the **Fairview Traffic Safety Improvements Project** for the Municipality of Anchorage, Public Works Department (ITB 97-C55), Purchasing.

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

7. Information Memorandum No. AIM 133-97, summary of estimated expenditures incurred pursuant to the final resolution of **Gentile v. MOA**, Legal Department.

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, 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 97-221, a resolution of the Municipality of Anchorage providing for an appropriation of \$150,000 donated from Eunice Silberer in memory of her husband, Dick Silberer, to the Anchorage Parks and Recreation Capital Projects Fund (0461) toward the installation of the **Town Square Community Fountain**, Cultural and Recreational Services. public hearing 9-23-97. **(addendum)**
  - a. Assembly Memorandum No. AM 801-97.

Ms. Von Gemmingen, Mr. Wohlforth and Mr. Kendall joined in introducing this resolution.

Ms. Von Gemmingen commended the Silberer family for their generosity. She felt the fountain would be a beautiful addition to the Town Square.

#### D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-217, a resolution of the Municipality of Anchorage authorizing the application for matching capital grant funds through the **Municipal Capital Project Matching Grant Program** - AS 37.06 - for State Fiscal Year 1999, Office of Management and Budget.
  - a. Assembly Memorandum No. AM 781-97.

Ms. Clementson moved, to approve AR 97-217.  
seconded by Mr. Wohlforth,

In response to Ms. Clementson, Cultural and Recreational Services Director Connie Jones explained the term "east Anchorage ballfields" referred to design of fields near the Tudor Road/Bragaw Street intersection.

Ms. Clementson reiterated her opposition to requesting State grants for facility maintenance and upgrades.

Mr. Wohlforth moved, to postpone action on AR 97-217  
seconded by Mr. Bell, until  
September 23, 1997, and schedule a work session on  
the same day.

In response to Mr. Wohlforth, Operations Manager George Vakalis said the proposed funding amount was \$4.3 million, however, there was hope the actual amount would be \$6.5 million.

Question was called on the motion to postpone action on AR 97-217 until September 23, 1997 and it passed without objection.

2. Resolution No. AR 97-218, a resolution calling a special election and submitting to the qualified voters of the Municipality thereat a referendum proposition to repeal Anchorage Municipal Code Section 8.05.440, **Curfew for Minors**, Municipal Assembly.
  - a. Assembly Memorandum No. AM 782-97.

Ms. Clementson moved, to approve AR 97-218.  
seconded by Mr. Kendall,

Ms. Clementson moved, to schedule AR 97-218 for public  
seconded by Mr. Wohlforth, hearing on September 30, 1997 to coincide with the hearing on  
AO 97-118, also regarding the curfew.

Mr. Wohlforth asked if it would be possible to phrase the ballot question so a "yes" vote would indicate support for the curfew, and "no" would indicate opposition.

Municipal Attorney Mary Hughes agreed this was an important point. She said she would research the issue and return with an answer prior to the public hearing.

Question was called on the motion to schedule AR 97-218 for public hearing on September 30, 1997 and it passed without objection.

Barbara Symmes, a newly-appointed member of the Health and Human Services Commission, introduced herself to the Assembly.

3. Resolution No. AR 97-220, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Ronald T. Robinson for his 20 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 97-220.  
seconded by Mr. Carlson,  
and it passed without  
objection,

Mr. Carlson read the resolution while Mr. Murdy presented it to Detective Robinson.

Detective Robinson thanked the Assembly and the Mayor.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 778-97, **Denali Winery & Brewery** - New Brewery Liquor License (Abbott Loop/Campbell Park/Taku-Campbell Community Councils), Clerk's Office.

Ms. Clementson moved, to approve AM 778-97.  
seconded by Mr. Meyer,

In response to Ms. Clementson, the applicant addressed the Assembly. She explained an on-premises winery was a facility to serve the home brewer. Persons will use the company's equipment at the facility, and can purchase ingredients and get advice. The product stays at the facility for the fermenting stage, and the customer then returns to bottle the product. Since the product is guaranteed, customers will test the wine or beer at the facility prior to bottling. She said there would not be sale or trade of alcohol at the facility.

Mr. Meyer noted the Campbell Park Community Council unanimously supported the license.

Question was called on the motion to approve AM 778-97 and it passed without objection.

2. Assembly Memorandum No. AM 779-97, **Denali Winery & Brewery** - New Winery Liquor License (Abbott Loop/Campbell Park/Taku-Campbell Community Councils), Clerk's Office.

Ms. Clementson moved, to approve AM 779-97.  
seconded by Mr. Meyer,  
and it passed without  
objection,

3. Assembly Memorandum No. AM 773-97, **Hartzell Road/Abbott Road pavement overlay** between Lake Otis Parkway and 88th Avenue as part of the ADOT Dimond Boulevard reconstruction project (New Seward Highway to 88th Avenue), Public Works.

Mr. Meyer moved, to approve AM 773-97.  
seconded by Ms. Von Gemmingen,

Mr. Meyer complimented Public Works staff for their efforts on this project. He said the new road was much safer.

Question was called on the motion to approve AM 773-97 and it passed without objection.

4. Assembly Memorandum No. AM 786-97, recommendation of award to Earthscape and Group Three Design for providing professional design services supporting **Anchorage Park Improvement Projects** for the Municipality of Anchorage, Department of Cultural and Recreational Services (RFP 36-97), Purchasing.

Mr. Meyer moved,  
seconded by Mr. Murdy,

to approve AM 786-97.

Mr. Meyer requested a list of park projects which would be completed this year and which were slated for completion next year.

Question was called on the motion to approve AM 786-97 and it passed without objection.

5. Assembly Memorandum No. AM 792-97, amendment No. 1 to the professional services contract with Tryck Nyman Hayes, Inc. for **Loretta French Ballfield Development Project**, Cultural and Recreational Services.

Mr. Kendall moved,  
seconded by Ms. Abney,  
and it passed without  
objection,

to postpone action on AM 792-97  
until after action on item 12.A,  
AR 97-196.

6. Assembly Memorandum No. AM 794-97, **transmittal of Police and Fire Retirement Board resolution**, Mayor's Office. **(addendum)**

Mr. Murdy moved,  
seconded by Mr. Kendall,  
and it passed without  
objection,

to approve AM 794-97.

Chairman Begich noted the memorandum requested introduction of the following resolution for public hearing.

Resolution No. AR 97-223, a resolution amending Section 3.85 of the Anchorage Municipal Code of Regulations pertaining to **administrative procedures of the Police and Fire Retirement Board**, Police and Fire Retirement Board. **(LAID ON THE TABLE)**

1. Assembly Memorandum No. AM 808-97.

Ms. Clementson moved,

to introduce AR 97-223 and

seconded by Mr. Murdy,

schedule it

for public hearing on

and it passed without  
objection,

October 7, 1997.

#### F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 127-97, Internal Audit Report 97-134 - **Purchasing Procedures Follow-Up Audit, Anchorage Parking Authority/Internal Audit**.

Ms. Von Gemmingen moved,  
seconded by Ms. Clementson,

to accept AIM 127-97.

Ms. Von Gemmingen noted the Audit Committee reviewed this audit. She asked Internal Auditor Pete Raiskums, Parking Authority Director Dave Brennen and Ernie Hall, APA Board chairman, to address the Assembly.

Mr. Raiskums explained the scope of the audit, a follow up to a previous audit of Anchorage Parking Authority (APA) purchasing procedures. He said the audit found APA purchasing practices had improved significantly since the previous audit. However, there was still evidence that procedures are not followed completely.

Mr. Brennen said the APA was following steps to ensure complete compliance with purchasing procedures. He said a significant change was the establishment of a purchasing officer; all records are centralized in that office to ensure better documentation and compliance. Also, a blanket purchase order procedure is being implemented which will ensure the best possible price for small, routine purchases. Lastly, the APA Board is investigating ways to raise the threshold amount above which bids must be obtained. The current level is \$1,000.

In response to the audit finding concerning purchase of coffee and an employee Christmas party, Mr. Brennen said that the APA, effective September 1, is no longer purchasing coffee for the public or employees. Formerly, coffee and the Christmas party were funded with a budget line item, to increase employee retention and morale. He said the Board of Directors was looking at a new policy to establish and define what are appropriate business expenditures for the APA.

Mr. Hall addressing that topic, pointed out that the APA was separate and apart from the Municipality and that employee salaries were considerably less than employees of the Municipality. The Board viewed coffee and Christmas party funding as expenses to enhance employee camaraderie and as compensation for the salary discrepancy. However, the Board has addressed the audit finding.

Mr. Raiskums discussed other findings of the audit. In response to Ms. Von Gemmingen he said that the audit disclosed no misappropriation of funds. He said the audit was very detailed; 100% of purchasing transactions for the period in question were reviewed.

There was further discussion of the audit findings.

Question was called on the motion to accept AIM 127-97 and it passed without objection.

2. Information Memorandum No. AIM 132-97, waiver of formal procedures for the **Fairview Traffic Safety Improvements Project** for the Municipality of Anchorage, Public Works Department (ITB 97-C55), Purchasing.

Mr. Bell moved, to accept AIM 132-97.  
seconded by Mr. Murdy,

In response to Mr. Bell, Public Works Director Jim Fero explained why a waiver of formal procedures was necessary for this project. He said the project was a community priority and timing was critical; if the work waited another two or three weeks, it would have to wait until next year.

Purchasing Officer Ted Chenier noted this waiver procedure was used less than ten times per year, usually in late August or September.

Mr. Bell doubted the "emergency" status of this project. He pointed out the project could not be completed this year anyway. He was concerned the Assembly was essentially circumvented on a large budget item.

Mr. Wohlforth spoke in support of the project. He pointed out a notice to proceed was issued shortly after approval on August 26, 1997, yet no progress on the project is evident. He requested a memorandum from the administration explaining why the project was delayed until August. Mr. Wohlforth also requested an update on the funding and completion status of projects in the capital matching grant program.

Question was called on the motion to accept AIM 132-97 and it passed without objection.

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

- A. Information Memorandum No. AIM 112-97, **The Hub and The Hub Downstairs**, 122 E. Fourth Avenue - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.  
(POSTPONED FROM 8-19-97)

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

Mr. Wohlforth moved, to postpone action on AIM 112-97  
seconded by Ms. Clementson, until September 30, 1997.  
and it passed without  
objection,

- B. Resolution No. AR 97-183, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Beverage Dispensary License) located on Original Townsite Subdivision, Block 71, Lots 11 & 12, located on the north side of West 7th Avenue and west of "D" Street (Bernard I. Souphanavong d.b.a. **Bernie's**) (Case 97-136), Community Planning and Development.
  1. Assembly Memorandum No. AM 670-97.  
(POSTPONED FROM 8-19-97)

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

In response to Mr. Wohlforth, Bernard Souphanavong, the applicant, addressed the Assembly. He said he met with the Downtown Community Council, which voted to support the license.

Question was called on the motion to approve AR 97-183 and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, 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. 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.
  1. Assembly Memorandum No. AM 659-97.
  2. Information Memorandum No. AIM 134-97, **(addendum)**  
(POSTPONED FROM 8-19-97)

Chairman Begich gave the history of the ordinance and noted a motion to adopt was on the floor.



Ms. Abney moved,

to amend AO 97-106 in the attached  
seconded by Mr. Meyer,  
memorandum, AIM 134-97, to delete the  
requirement for Mr. Dean to move the glass storage  
area.

In response to Ms. Abney, Heritage Land Bank (HLB) Director Gary Gustafson explained the requirement to move the glass storage area resulted from public complaints about the appearance of the glass.

Operations Manager George Vakalis requested a postponement until October 7, 1997, pending research of certain legal issues.

Ms. Clementson moved,  
seconded by Mr. Kendall,

to postpone action on AO 97-106  
until October 7, 1997.

In response to Mr. Carlson, John Dean addressed the Assembly. He estimated it would cost between \$1,500 and \$2,000 to move the glass pile.

Question was called on the motion to postpone until October 7, 1997 and it passed:

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

(Clerk's Note: Notice of reconsideration was given by Ms. Abney. See minutes of September 23, 1997 for further action.)

- D. 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.
  3. Ordinance No. AO 97-75(S), 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 and Bell.
  4. Assembly Memorandum No. AM 746-97.
- (CONTINUED FROM 5-20-97; POSTPONED FROM 6-10-97 AND 8-26-97)

Chairman Begich gave the history of the ordinance and noted a motion to adopt was on the floor.

Mr. Murdy moved,  
seconded by Mr. Kendall,  
and it passed without  
objection,

to postpone action on AO 97-75  
until October 7, 1997.

Chairman Begich presented Mr. Wohlforth with a "Take Pride in Mountain View" certificate from the Mountain View Community Council. Chairman Begich presented a similar certificate for the Mayor to Operations Manager George Vakalis.

The meeting recessed at 6:30 p.m. and reconvened at 7:15 p.m.

10. **APPEARANCE REQUESTS:** None.

11. **CONTINUED PUBLIC HEARINGS:** None.

12. **NEW PUBLIC HEARINGS:**

- A. Resolution No. AR 97-196, a resolution of the Municipality appropriating \$125,000 from the Eagle River/Chugiak Parks and Recreation Service Area Fund Balance (0162) as a contribution to the Eagle River/Chugiak Parks and Recreation Service Area Capital Improvement Fund (0462) for **professional services for Loretta French Park development**, Cultural and Recreational Services.
1. Assembly Memorandum No. AM 726-97.

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,  
seconded by Ms. Clementson,

to approve AR 97-196.

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

The Assembly then returned to item 8.E.5, AM 792-97.

Assembly Memorandum No. AM 792-97, amendment No. 1 to the professional services contract with Tryck Nyman Hayes, Inc. for **Loretta French Ballfield Development Project**, Cultural and Recreational Services.

Mr. Murdy moved, to approve AM 792-97.  
seconded by Mr. Kendall,  
and it passed without  
objection,

- B. Resolution No. AR 97-197, a resolution of the Municipality of Anchorage accepting and appropriating \$323,841 to the Federal Categorical Grants Fund (0241) from the Department of Health and Human Services to **fund Family Planning Services**, Health and Human Services.  
1. Assembly Memorandum No. AM 727-97.

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 97-197.  
seconded by Mr. Kendall,

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

- C. Resolution No. AR 97-199, a resolution of the Municipality of Anchorage accepting, when tendered, \$198,750 from the Federal Aviation Administration Airport Improvement Program Grant, and \$6,625 from the Alaska State Department of Transportation and Public Facilities Grant; and appropriating said grants and \$6,625 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for the purpose of reimbursing the Municipality of Anchorage the cost incurred for **Orca VIII Land Acquisition (Obstruction Removal)**, Merrill Field Airport.  
1. Assembly Memorandum No. AM 734-97.

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 97-199.  
seconded by Mr. Carlson,

AYES: Wohlforth, Bell, Abney, 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.)

- D. Resolution No. AR 97-200, a resolution of the Municipality of Anchorage accepting, when tendered, \$340,124 from the Federal Aviation Administration Airport Improvement Program Grant, and \$11,338 from the Alaska State Department of Transportation and Public Facilities Grant; and appropriating said grants and \$11,338 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for the **design of multiple airport improvement projects** Merrill Field Airport.  
1. Assembly Memorandum No. AM 735-97.

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 97-200.  
seconded by Mr. Carlson,

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

- E. Resolution No. AR 97-203, a resolution of the Municipality of Anchorage appropriating \$140,000 from the Building Safety Service Area (0181) Fund Balance to the Department of Public Works, Building Safety Division for the **purchase of code books and vehicles**, Public Works.  
1. Assembly Memorandum No. AM 741-97.

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 97-203.  
seconded by Ms. Von Gemmingen,

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

- F. Ordinance No. AO 97-114, an ordinance of the Anchorage Municipal Assembly providing for the **public purpose retention of certain tax foreclosed properties** described in this ordinance, and extinguishment of the outstanding tax liability and any demolition liens attributed to each of these real properties, Assemblymembers Wohlforth and Kendall.
1. Assembly Memorandum No. AM 749-97.
  2. Information Memorandum No. AIM 139-97, Finance. (**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. Wohlforth moved, to table AO 97-114.  
seconded by Mr. Kendall,

Mr. Wohlforth noted a different ordinance on this topic, AO 97-121, was introduced earlier tonight for public hearing on October 28, 1997.

Question was called on the motion to table AO 97-114 and it passed:

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

- G. Resolution No. AR 97-204, a resolution of the Municipality of Anchorage appropriating \$6,946,000 of loan proceeds to Management Information Systems Capital Improvement Program Fund (0608) for the **costs of acquiring data processing capital improvements**, Office of Management and Budget.
1. Assembly Memorandum No. AM 742-97.

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 97-204.  
seconded by Mr. Kendall,  
AYES: Wohlforth, Bell, Abney, Kendall, Begich, Meyer, Von Gemmingen, Carlson, Murdy.  
NAYS: Clementson.

- H. Resolution No. AR 97-205, a resolution of the Municipality of Anchorage appropriating \$140,000 from the New Anchorage Police Service Area (0151) Fund Balance to the Anchorage Police Department pursuant to the **federal court judgment in Cooper v. MOA**, A95-113-JV (JWS), Legal Department.
1. Assembly Memorandum No. AM 743-97.

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 97-205.  
seconded by Mr. Carlson,  
AYES: Wohlforth, Bell, Abney, Kendall, Begich, Meyer, Von Gemmingen, Carlson, Murdy.  
NAYS: Clementson.

- I. Resolution No. AR 97-208, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant/Eating Place) located on Smith Subdivision #1, Block 3, Lot 1, generally located on the southwest corner of East Fireweed Lane and Cordova Street (Nevzat and Selda Demir d.b.a. **Cozy Corner Cafe**) (Case 97-155), Community Planning and Development.
1. Assembly Memorandum No. AM 754-97.

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 97-208.  
seconded by Mr. Carlson,  
AYES: Wohlforth, Bell, Abney, Kendall, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.  
NAYS: None.

- J. Ordinance No. AO 97-111, an ordinance amending the zoning map and providing for the rezoning from R-2M (Multi-Family Residential) Zoning District to B-3SL (General Business with Special Limitations) Zoning District for 1.50 acres in **Lake Spenard Park Subdivision, the East 2/3 of Lots 1, 2, and 3, Block 4**, generally located on the east side of Spenard Road and north of Iris Drive (Spenard Community Council) (Planning and Zoning Commission Case 97-054), Community Planning and Development.
1. Assembly Memorandum No. AM 674-97.

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 adopt AO 97-111.  
seconded by Mr. Meyer,

Ms. Clementson pointed out this ordinance was reviewed by the Planning and Zoning Commission in April.

Chairman Begich requested a work session be scheduled with the Planning and Zoning Commission and the Platting Board.

In response to Mr. Wohlforth, Don Alspach of Community Planning and Development said the properties referenced in this ordinance, and the following ordinance, AO 97-112 were adjacent. They had no other relationship.

Question was called on the motion to adopt AO 97-111 and it passed:

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

- K. Ordinance No. AO 97-112, an ordinance amending the zoning map and providing for the rezoning from R-2M (Multi-Family Residential District) to B-3SL (General Business District) with Special Limitations Zone for **Lot 2, Olday Subdivision (approximately the west 350 feet) and Lake Spenard Park Subdivision, Block 4, Lot 4 (approximately the east 311 feet) and Lot 5 (approximately the east 330 feet)**, generally located east of Spenard Road and north of Iris Drive (Spenard Community Council) (Planning and Zoning Commission Case 97-109), Assemblymember Von Gemmingen.
1. Information Memorandum No. AIM 135-97, Community Planning and Development.  
(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 97-112.  
seconded by Ms. Von Gemmingen,

In response to Mr. Wohlforth, Don Alspach of Community Planning and Development confirmed the ordinance contained recommendations of the Planning and Zoning Commission.

Mr. Wohlforth noted AIM 135-97 contained a second reminder to the Assembly that it has not followed the procedures contained in Title 21 of the Municipal Code regarding introduction of ordinances.

Ms. Von Gemmingen said she intentionally circumvented the rules, in order to help her constituents navigate the complicated and lengthy process of rezonings.

Question was called on the motion to adopt AO 97-112 and it passed:

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

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

14. **SPECIAL ORDERS:** A resolution was laid on the table and introduced earlier in the meeting. See item 8.E.

15. **ASSEMBLY COMMENTS:**

- A. Mr. Murdy pointed out a conflict in the Assembly schedule. A meeting was scheduled for November 11, yet many members intended to attend the Alaska Municipal League (AML) meeting in Ketchikan on November 12, 1997.

There was a discussion of the need to hold a meeting on November 11 for budget considerations, and the conflict with the AML meeting.

- B. An Assembly work session was scheduled for September 23, 1997, at 12:00 p.m. to discuss AO 97-115, regarding a computerized taxicab dispatch system.
- C. Mr. Meyer said he would introduce a resolution next week in support of "Alaska's Promise - Building Assets in Our Youth."
- D. Ms. Von Gemmingen announced a westside town meeting, hosted by herself and Mr. Murdy at the Regal Alaskan Hotel on September 25, 1997.

- E. Mr. Kendall reiterated his request to schedule a work session with the Platting Board and Planning and Zoning Commission.
- F. Ms. Abney moved, seconded by Mr. Kendall, and it passed without objection, minutes. to reconsider action on the postponement of item 9.C, AO 97-106, and spread it on the

(Clerk's Note: See minutes of September 23, 1997 for further action on this motion.)

- G. Mr. Bell requested an update on a promised report from the administration on traffic issues.

Operations Manager George Vakalis said a response on this issue could be forwarded by September 30, 1997. He noted an interim report was submitted, as well as recommendations by the Traffic Commission.

- H. Chairman Begich suggested cancellation of the work session on September 23, 1997 regarding a skateboard park, pending development of a plan of action by Mr. Murdy and Mr. Wuerch in conjunction with user groups. There was no objection. He asked Mr. Meyer to work with Mr. Murdy and Mr. Wuerch on this issue, and requested a plan or feasible options be presented within 60 days. Chairman Begich also noted an ad hoc committee on gangs was being formed, and interested members should contact Mr. Murdy or Mr. Carlson. Lastly, he thanked Municipal Attorney Mary Hughes for her memorandum on pending Municipal litigation.

16. **UNFINISHED AGENDA:** None.
17. **AUDIENCE PARTICIPATION:** None.
18. **EXECUTIVE SESSIONS:** None.

19. **ADJOURNMENT:**

The meeting adjourned at 7:45 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: October 28, 1997

VC/db

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