

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of November 4, 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.
Absent: Joe Murdy (excused.)

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Kendall.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - September 30, 1997

Mr. Wuerch moved, seconded by Ms. Von Gemmingen, and it passed without objection, 1997. to approve the minutes of the regular meeting of September 30,

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

6. **ADDENDUM TO AGENDA:**

Mr. Wuerch moved, seconded by Ms. Von Gemmingen, to amend the agenda to include the addendum items.

Chairman Begich read the addendum items.

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

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:** None.

B. **ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:**

1. Ordinance No. AO 97-138, an ordinance amending the zoning map and providing for the rezoning of approximately 8 acres from R-1SL (Single Family Residential) with Special Limitations to R-1SL (Single Family Residential) with Special Limitations for **Turnagain View Estates Phase 1B, Block 1, Lots 8 through 14 & Tract C-1B & Turnagain View Estates Phase 4, Block 1, Lot 15 & Tract C-2B**, generally located on the north side of DeArmoun Road and east of Eastwind Drive and Mainsail Drive (Huffman O'Malley Community Council) (Planning and Zoning Commission Case 97-120), Community Planning and Development. public hearing 12-9-97.
 - a. Assembly Memorandum No. AM 921-97.
2. Ordinance No. AO 97-139, an ordinance amending Anchorage Municipal Code Chapter 2.10 to require Assembly approval of the **Transportation and Air Quality Planning Operating Agreement**, and Assembly review and approval of the **Anchorage Metropolitan Area Transportation Study (AMATS) Transportation Improvement Program**, and the **AMATS Long-Range Transportation Plan** prior to final action by the AMATS Policy Committee, Assemblymember Wohlforth. public hearing 12-16-97.
 - a. Assembly Memorandum No. AM 932-97.
3. Resolution No. AR 97-275, a resolution of the Municipality of Anchorage concerning **terms to be included in the Transportation and Air Quality Planning Operating Agreements** between the Municipality and the State, Assemblymember Wohlforth. public hearing 12-16-97.
 - a. Assembly Memorandum No. AM 933-97.

4. Ordinance No. AO 97-140, an ordinance submitting to the qualified voters of the Municipality at the next Regular Election April 21, 1998, a ballot proposition enacting a new Charter Section 12.03 to **provide for the Assembly appointment and removal of the Assembly members on the Anchorage Metropolitan Area Transportation Study ("AMATS") Policy Committee**, Assemblymember Wohlforth. public hearing 12-16-97.
 - a. Assembly Memorandum No. AM 934-97.
5. Resolution No. AR 97-269, a resolution of the Municipality of Anchorage accepting and appropriating \$244,186 to the State Categorical Grants Fund (0231) from the Alaska Commission on Aging to assist in the **funding of a system of coordinated transportation services for senior citizens and for people with disabilities** with the Municipality of Anchorage, Public Transportation Department. public hearing 11-18-97.
 - a. Assembly Memorandum No. AM 922-97.

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

6. Resolution No. AR 97-272, a resolution of the Municipality of Anchorage appropriating \$121,646 to the State Categorical Grants Fund (0231) from the Department of Community and Regional Affairs for the **Job Training Partnership Act (JTPA) Title IIC Youth Program**, Health and Human Services. public hearing 11-18-97.
 - a. Assembly Memorandum No. AM 929-97.
7. Resolution No. AR 97-273, a resolution of the Municipality of Anchorage appropriating \$820,962 to the State Categorical Grants Fund (0231) from the Department of Community and Regional Affairs for the **Job Training Partnership Act (JTPA) Title IIA Adult Program**, Health and Human Services. public hearing 11-18-97.
 - a. Assembly Memorandum No. AM 930-97.
8. Resolution No. AR 97-274, a resolution of the Municipality of Anchorage appropriating \$1,273,666 to the State Categorical Grants Fund (0231) from the Department of Community and Regional Affairs for the **State Training and Employment Program (STEP)**, Health and Human Services. public hearing 11-18-97.
 - a. Assembly Memorandum No. AM 931-97.
9. Ordinance No. AO 97-141, an ordinance approving an **equal value land exchange of Heritage Land Bank ("HLB") Parcels 2-004 through 2-114 and 2-148 through 2-151, within the Zodiak Manor Alaska Subdivision**, containing approximately 67 acres generally located north of Abbott Road and west of Service High School in exchange for \$676,000 and approximately 62 acres within the Klatt Homestead consisting of specified portions of Lots 1 and 2, Section 19, Township 12 North, Range 3 West, Seward Meridian and Tract B, Tower Subdivision, generally located southwest of the corner of O'Malley Road and C Street; appropriating \$676,000 from the HLB Operating Fund (0221) to equalize the value of the land exchanged; and adding as dedicated park the 5.78 acre HLB Parcel 2-003 to Far North Bicentennial Park, Office of Management and Budget. public hearing 11-18-97. **(addendum)**
 - a. Assembly Memorandum No. AM 942-97.
10. Resolution No. AR 97-276, a resolution of the Municipality of Anchorage accepting and appropriating \$1,000,000 from Alaska Housing Finance Corporation to Anchorage Parks and Recreation Service Area Capital Improvement Fund (0461) for **design and construction of Mountain View Community/Recreation Center**, Office of Management and Budget. public hearing 11-11-97. **(addendum)**
 - a. Assembly Memorandum No. AM 940-97.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-270, a resolution of the Municipality of Anchorage accepting and appropriating \$64,000 from the U.S. Public Health Service to the Federal Categorical Grants Fund (0241) for the purpose of providing **emergency alcohol services**, Health and Human Services.
 - a. Assembly Memorandum No. AM 923-97.
2. Resolution No. AR 97-277, a resolution adopting the **1998 Legislative Program** for the Municipality of Anchorage, Municipal Manager's Office. **(addendum)**
 - a. Assembly Memorandum No. AM 944-97.

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 939-97, **Glen Alps Limited Road Service Area Board of Supervisors appointment** (Maria Gowan), Mayor's Office.
2. Assembly Memorandum No. AM 935-97, **Alaska Silk Pie Company** - New Restaurant/Eating Place Liquor License and Restaurant Designation (Downtown Community Council), Clerk's Office.
3. Assembly Memorandum No. AM 936-97, **Elevation 92** - Transfer of Ownership of a Beverage Dispensary Liquor License and Restaurant Designation (Downtown/Government Hill Community Council), Clerk's Office.

4. Assembly Memorandum No. AM 924-97, recommendation of award to First National Bank of Anchorage for providing **banking services** to the Municipality of Anchorage, Finance Department (RFP 49-97), Purchasing.

Municipal Manager Larry Crawford asked this item be considered on the regular agenda. See 8.E.

5. Assembly Memorandum No. AM 925-97, professional services contract amendment No. 3 to P.O. 44542 for **miscellaneous pedestrian safety improvements, Russian Jack Pedestrian Walkway**, Land Design North, File No. 93-29, Public Works.
6. Assembly Memorandum No. AM 926-97, contract amendment No. 4 to TAM Construction, Inc., for construction of the **Hood Creek Improvement Project**, File No. 91-5, Public Works.
7. Assembly Memorandum No. AM 928-97, **Bond Counsel contract renewal**, Finance.

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

8. Assembly Memorandum No. AM 937-97, **Port Valve Yard Upgrade Project**, PO No. 60322, Change Order No. 2, Port of Anchorage.

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

9. Assembly Memorandum No. AM 938-97, providing for a \$20,000 grant to Volunteers of America for the **Youth Restitution Program**, Assemblymember Begich.
10. Assembly Memorandum No. AM 943-97, **Eddie's Sports Bar** - Restaurant Designation Permit (Abbott Loop/Campbell Park/ Taku-Campbell Community Councils), Clerk's Office. **(addendum)**
 - a. Assembly Memorandum No. AM 943-97(A), Eddie's Sports Bar - Restaurant Designation Permit (Abbott Loop/Campbell Park/Taku-Campbell Community Councils), Clerk's Office. **(addendum)**

(Clerk's Note: AM 943-97(A) was approved.)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 155-97, Internal Audit Report 97-17 - **Cash Control Procedures Follow-Up Audit, Anchorage Parking Authority**, Internal Audit.

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.
NAYS: None.

8. REGULAR AGENDA:

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

1. Resolution No. AR 97-269, a resolution of the Municipality of Anchorage accepting and appropriating \$244,186 to the State Categorical Grants Fund (0231) from the Alaska Commission on Aging to assist in the **funding of a system of coordinated transportation services for senior citizens and for people with disabilities** with the Municipality of Anchorage, Public Transportation Department. public hearing 11-18-97.
 - a. Assembly Memorandum No. AM 922-97.

Ms. Abney moved, to introduce AR 97-269 for public
seconded by Ms. Clementson, hearing on November 18, 1997.
and it passed without
objection,

In response to Ms. Abney, Public Transit Department Director Bob Kniefel said the funds for this system were included in the budget.

In response to Mr. Wohlforth, Mr. Kniefel said when these services were separate, about 70,000 trips were provided for seniors and about 79,000 for disabled. When the services are combined, the number of trips for seniors will not change, but about 6,000 additional trips will be provided for the disabled.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-277, a resolution adopting the **1998 Legislative Program** for the Municipality of Anchorage, Municipal Manager's Office. **(addendum)**

a. Assembly Memorandum No. AM 944-97.

Ms. Clementson moved, to approve AR 97-277.
seconded by Ms. Von Gemmingen,

Mr. Kendall moved, to postpone action on AR 97-277
seconded by Ms. Clementson, until later in the meeting.
and it passed without
objection,

(Clerk's Note: See item 16, Unfinished Agenda.)

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 924-97, recommendation of award to First National Bank of Anchorage for providing **banking services** to the Municipality of Anchorage, Finance Department (RFP 49-97), Purchasing.

Municipal Manager Larry Crawford requested this item be postponed for one week.

Mr. Wohlforth moved, to postpone action on AM 924-97
seconded by Mr. Wuerch,
until November 11, 1997.

and it passed without
objection,

Chairman Begich requested information on the length of time the Municipality has contracted with First National Bank of Anchorage.

Ms. Von Gemmingen requested an explanation of why the Municipality must pay for banking services.

2. Assembly Memorandum No. AM 928-97, **Bond Counsel contract renewal**, Finance.

Mr. Wohlforth moved, to approve AM 928-97.
seconded by Ms. Clementson,

Mr. Wohlforth declared his father was a member and part owner of the bond counsel firm, Wohlforth Argetsinger et al. He noted in 1993 the Assembly approved a resolution declaring he did not have a conflict of interest on this item.

In response to Mr. Wuerch, Chief Fiscal Officer Soren Orley said the contract, as structured, could be renewed indefinitely. However, there is intent to do a Request For Proposal next year.

Question was called on the motion to approve AM 928-97 and it passed without objection.

3. Assembly Memorandum No. AM 937-97, **Port Valve Yard Upgrade Project**, PO No. 60322, Change Order No. 2, Port of Anchorage.

Mr. Carlson moved, to approve AM 937-97.
seconded by Mr. Kendall,

In response to Mr. Carlson, Port Director Don Dietz explained the increase in this contract. He noted a budget revision was done in August 1997 which provided funds for this project. He said there may be one more, very small change order for the contract.

Question was called on the motion to approve AM 937-97 and it passed without objection.

F. INFORMATION AND REPORTS: None.

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

- A. Ordinance No. AO 97-122, an ordinance adopting the **1998 General Government Capital Improvement Budget**, Office of Management and Budget.

1. Assembly Memorandum No. AM 815-97.
 2. Ordinance No. AO 97-122(S), an ordinance adopting the 1998 General Government Capital Improvement Budget, Office of Management and Budget.
3. Assembly Memorandum No. AM 914-97.
4. Information Memorandum No. AIM 156-97.
(POSTPONED FROM 10-28-97)

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

Mr. Wohlforth moved, to adopt AO 97-122(S).
seconded by Mr. Wuerch,

Mr. Wohlforth moved, to amend AO 97-122(S) to include
seconded by Ms. Clementson, the list of ten amendments supported by the administration,
including the administration comments.

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

Mr. Wohlforth asked item number 7 on the list, Fairview Area Traffic Improvements, be considered separately.

Question was called on Mr. Wohlforth's motion to amend AO 97-122(S), except item #7, and it passed without objection.

Mr. Wohlforth moved, to amend AO 97-122(S) to include
seconded by Ms. Abney,
funding for Fairview Area Traffic
Improvements, amount: B=\$600,000 (construction)
in 1998.

Mr. Wohlforth noted the administration recommended \$150,000 in bonds in 1998 for design. However, it has been determined the design is already complete.

Mayor Mystrom said he had no objection to the amendment.

Question was called on Mr. Wohlforth's motion to amend and it passed without objection.

Mr. Bell moved, to amend AO 97-122(S) to include
seconded by Ms. Abney,
funding for Juniper Street, Old Klatt to west
property line of Klatt School, S=350,000;
B=150,000, improvements to include pavement,
curbs, pedestrian facilities and street lighting.

Mr. Bell felt this road should be paved, since it serves a school.

Mr. Wuerch moved, to amend the amendment to extend
seconded by Mr. Bell, Juniper from Old Klatt to the
and it passed without first driveway of Klatt School,
objection, for
B=225,000.

Question was called on Mr. Bell's motion to amend as amended and it passed:

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

NAYS: None.

Mr. Bell moved, to amend AO 97-122(S) to include
seconded by Ms. Abney,
funding for Rockridge Road, to O'Malley
School, O=\$250,000, for roadway
improvements/ROW acquisition.

Mr. Bell explained there was a question of whether this road was owned by the State or the Municipality. Regardless, he felt the Municipality has a responsibility to ensure the road is safe and passable. He said it was his intent to attempt an agreement to have the road maintained by the School District.

Municipal Manager Larry Crawford clarified the "S" designation was for State discretionary grant funds, and "D" was for the State Department of Transportation capital budget.

Operations Manager George Vakalis noted the road is currently plowed in winter by a School District contractor, until the accumulation of snow makes the road too narrow. Then, the Municipality or the State, through a cooperative agreement, hauls the snow away.

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

AYES: Bell, Abney, Kendall, Wuerch, Begich, Meyer.

NAYS: Wohlforth, Von Gemmingen, Clementson, Carlson.

Ms. Abney moved, to amend AO 97-122(S) to include
seconded by Chairman Begich,
funding for installation of a boat launch at 20
Mile River Creek, Seward Highway, 1998,
D=10,000.

Ms. Abney felt this request was the only way to get the State Legislature to act on this project.

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

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

Ms. Abney moved, to amend AO 97-122(S) to include
seconded by Mr. Bell, funding for
Old Seward Highway,
and it was withdrawn, Huffman to O'Malley, upgrades to include design and
construction, ROW, utilities and pedestrian
amenities, design 1999; construction 2000,
D=\$8,500,000.

Ms. Clementson felt this project should be part of AMATS (Anchorage Metropolitan Area Transportation Survey).

Ms. Abney moved, to amend AO 97-122(S) to include
seconded by Mr. Bell, funding for
Old Seward Highway,
and it was withdrawn, Huffman to DeArmoun, upgrades to include drainage, ROW,
utilities and pedestrian amenities, design in 1998;
construction 1999, S=\$600,000/9,000,000.

It was clarified this project was also slated for AMATS.

(See further action on this item after the following appearance request.)

Mr. Wuerch moved, to change the orders of the day to
seconded by Mr. Meyer, consider item 10, Appearance
and it passed without Requests.
objection,

Don Hunley, regarding outside harboring of pets.

Mr. Hunley said he keeps birds of prey, and has been a falconer since 1988. He is licensed by the State and Federal Fish and Game Departments to keep and train hawks. Part of this privilege is the requirement to have special housing for the birds. He said Municipal zoning laws prohibit housing his animal outdoors unless there is one hundred feet between the housing structure and the property line. Mr. Hunley said his property is small and does not meet this requirement. Although there is a variance option, he felt the price of a variance was too high. He noted there are twenty falconers in Anchorage who are in the same situation. Also, the law affects people who care for injured birds. He felt the Municipal law was poorly written, and asked the Assembly to change the law. Mr. Hunley said he approached his community council, which was supporting of him keeping the hawk. Also, he uses the hawk in a new program at Anchorage International Airport to keep waterfowl from the runways.

Mr. Bell noted the Community Planning and Development proposed a change to the law which would accommodate Mr. Hunley. However, it has not yet been introduced for action by the Assembly.

The Assembly then returned to item 9.A, AO 97-122(S).

Ms. Clementson moved, to amend AO 97-122(S) to include
seconded by Mr. Wohlforth,
funding for Old Muldoon Road @
and it passed without 36th Avenue realignment and
objection,
channelization; 1998; D=\$10,000.

Mr. Meyer moved, to amend AO 97-122(S) to include
seconded by Mr. Wuerch,
funding for a traffic signal at Abbott Road @
Abbot Loop Road; 1998; B=\$170,000.

Mr. Wuerch moved, to amend the amendment to
and it was withdrawn, designate
funding O=\$170,000.

Mayor Mystrom felt the State should pay for this project, since it was a State-owned road.

Mr. Bell moved, to amend the amendment to
seconded by Mr. Kendall,
designate funding O and B, split
and it was withdrawn, equally.

There was a lengthy discussion of the various funding sources.

Mayor Mystrom noted bonds could not be used because the intersection was not within ARDSA (Anchorage Roads and Drainage Service Area.)

Mr. Wuerch moved, to amend the amendment to
seconded by Mr. Bell, designate
funding O=\$170,000.

AYES: Bell, Abney, Kendall, Wuerch, Begich, Meyer, Carlson.

NAYS: Von Gemmingen, Clementson.

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

Question was called on Mr. Meyer's motion to amend as amended and it passed:

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

NAYS: None.

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

The meeting recessed at 6:55 p.m. and reconvened at 7:25 p.m.

Mr. Meyer moved, to amend AO 97-122(S) to delete
seconded by Ms. Abney,
funding for 40th Avenue extension, C Street
to Denali Street.

Mr. Meyer pointed out the Official Streets and Highways Plan was amended to include a study of the extension prior to committing to actual construction. He felt leaving funding for the extension in the budget would affect the results of the study.

Mr. Wuerch argued including funding for the extension was important to maintain the project's priority status should the study determine the road should be built.

Ms. Abney concurred with Mr. Meyer.

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

AYES: Wohlforth, Abney, Begich, Meyer.

NAYS: Bell, Kendall, Wuerch, Von Gemmingen, Carlson.

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

Question was called on the motion to adopt AO 97-122(S) as amended and it passed:

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

NAYS: None.

Mr. Bell introduced Boy Scout Troop 227 and Scoutmaster Tom Brooks, present in the audience to observe the Assembly.

- B. Resolution No. AR 97-224, a resolution of the Municipality of Anchorage adopting the **1998-2003 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 815-97.
 2. Resolution No. AR 97-224(S), a resolution of the Municipality of Anchorage adopting the 1998-2003 General Government Capital Improvement Program, Office of Management and Budget.
 3. Assembly Memorandum No. AM 914-97.
 4. Information Memorandum No. AIM 156-97.
- (POSTPONED FROM 10-28-97)

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

Mr. Wohlforth moved, to approve AR 97-224(S).
seconded by Ms. Clementson,

Mr. Wohlforth moved, to amend AR 97-224(S) consistent
seconded by Mr. Wuerch, with the amendments made to item
and it passed without 9.A, AO 97-122(S) as amended.
objection,

Mr. Wohlforth moved, to request the administration to make
seconded by Mr. Wuerch, necessary adjustments to the capital
and it passed without grants section of the Legislative
objection,
Program, consistent with the Capital
Improvement Budget and CIP.

Question was called on the motion to approve AR 97-224(S) as amended and it passed:

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

NAYS: None.

- C. Resolution No. AR 97-249, a resolution of the Anchorage Municipal Assembly adopting the capital grants section of the **1998 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.
1. Assembly Memorandum No. AM 867-97.
 2. Resolution No. AR 97-249(S), a resolution of the Anchorage Municipal Assembly adopting the capital grants section of the 1998 Legislative Program for the Municipality of Anchorage, Office of Management and Budget.
 3. Assembly Memorandum No. AM 927-97.
- (POSTPONED FROM 10-28-97)

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

10. **APPEARANCE REQUESTS:**

- A. **Don Hunley**, regarding outside harboring of pets.

Mr. Hunley appeared earlier in the meeting. See item 9.A.

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

12. **NEW PUBLIC HEARINGS:**

Mr. Carlson moved, to change the orders of the day
seconded by Mr. Kendall, to consider item 12.G, AO 97-136.
and it passed without
objection,

Ordinance No. AO 97-136, an ordinance approving an **equal value land exchange involving 20 acres within HLB Parcel 1-007** on Jasmine Road in Chugiak known as East 1/2 of the SE 1/4, Section 16, Township 15 North, Range 1 West, Seward Meridian and 3.71 acres owned by David F. Malzac located adjacent to Oberg Community Park in Birchwood known as NHN Dallon Court, Tract B, Irma Subdivision, Heritage Land Bank.

1. Assembly Memorandum No. AM 886-97.

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

Mr. Carlson moved, to adopt AO 97-136.
seconded by Mr. Kendall,

In response to Ms. Clementson, Heritage Land Bank Director Gary Gustafson said a pedestrian easement traverses this property. The easement follows a geographic fault line. The easement will be reserved for continued public pedestrian and equestrian access.

In response to Ms. Clementson, the prospective owner said he was aware of the trail, and had no objection to continued pedestrian and equestrian access. He said it was in an area he would not use, and the trail was not "high use."

In response to Ms. Clementson, Mr. Carlson said there were no plans to change the trail to motorized use, and there would likely be strong opposition to such a change.

Question was called on the motion to adopt AO 97-136 and it passed:

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

NAYS: None.

- A. **FIRST PUBLIC HEARING:** Ordinance No. AO 97-126, an ordinance adopting and appropriating funds for the Municipality's **1998 Anchorage Telephone Utility Operating and Capital Budgets** and approving the issuance in 1998 of a maximum of \$35,000,000 of Anchorage Telephone Utility Parity Revenue Bonds at a specified maximum true interest rate to partially

fund the Utility's capital budget, Anchorage Telephone Utility. **(THE SECOND PUBLIC HEARING IS SCHEDULED FOR 11-11-97)**

1. Assembly Memorandum No. AM 822-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing. He noted the second public hearing would be held on November 11, 1997.

- B. **FIRST PUBLIC HEARING:** Resolution No. AR 97-227, a resolution adopting the **1998-2003 Anchorage Telephone Utility Capital Improvement Program**, Anchorage Telephone Utility. **(THE SECOND PUBLIC HEARING IS SCHEDULED FOR 11-11-97)**

1. Assembly Memorandum No. AM 823-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing. He noted the second public hearing would be held on November 11, 1997.

- C. **FIRST PUBLIC HEARING:** Ordinance No. AO 97-123, an ordinance adopting and appropriating funds for the **1998 Public Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of Management and Budget. **(SECOND PUBLIC HEARING 11-11-97)**

1. Assembly Memorandum No. AM 818-97.
2. Information Memorandum No. AIM 157-97. **(addendum)**

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing. He noted the second public hearing would be held on November 11, 1997.

- D. **FIRST PUBLIC HEARING:** Resolution No. AR 97-226, a resolution adopting the **1998-2003 Public Utilities Capital Improvement Program**, Office of Management and Budget. **(SECOND PUBLIC HEARING 11-11-97)**

1. Assembly Memorandum No. AM 819-97.
2. Information Memorandum No. AIM 157-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing. He noted the second public hearing would be held on November 11, 1997.

- E. **FIRST PUBLIC HEARING:** Ordinance No. AO 97-124, an ordinance of the Municipality of Anchorage adopting and appropriating funds for the **1998 General Government Operating Budget** for the Municipality of Anchorage, Office of Management and Budget. **(SECOND PUBLIC HEARING 11-11-97)**

1. Assembly Memorandum No. AM 820-97.

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

JOHN BROWER, chair of the Arts Advisory Commission, noted the Commission recently concluded its annual arts funding hearings. Members questioned each presenter about their organization, program and budget. The Commission now focuses on the financial health of the arts organizations. Lack of financial responsibility was now a factor in denial of a recommendation. These organizations are also encouraged and helped to become financially independent in the event Municipal funding becomes unavailable. He spoke in support of the requested funding level in the budget.

WILDA MARSTON, chair of the Anchorage Historical and Fine Arts Commission, thanked the Assembly for proposing an amendment to the budget which would fund the Museum with Museum revenues.

STEVE RINEHART noted his neighborhood school yard is heavily used as a playground and park in the summer for residents. He said there is no maintenance of the school grounds in the summer, so residents try to help with sweeping up broken glass and gathering trash. There are no garbage cans to dispose of trash, however. He asked that some garbage cans be allocated, and that some funding be added to the budget to sweep the asphalt surfaces of the grounds occasionally.

Mr. Bell noted the administration was pursuing formation of a cooperative agreement with the School District to maintain school yards in the summer months.

Mayor Mystrom confirmed staff was working with the School District to find a way to keep school facilities accessible to the public in the summer.

GEORGE HANSEN, conductor of the Anchorage Symphony, spoke about funding of arts organization. He pointed out fifteen years ago, forty percent of the Symphony's budget was supplemented by the Federal, State and Municipal governments. Now, the organization receives government subsidy of only six percent of their budget. He said the Symphony is continuing to work toward total independence. However, Municipal funding is a critical part of their budget. Mr. Hansen added the Symphony is involved in promoting music activities for children. He pointed out studies show music study leads to improved test scores and increased spacial reasoning capacities.

ART GEUSS spoke in support of funding a study for the Midtown Park. He said the Midtown Park Committee understood a commitment by the Assembly and the Mayor to complete this study. He noted wording in the Official Streets and Highways Plan clearly indicates intent for this study. He felt the Community Development

and Planning Department was the only department with the expertise to evaluate the needs of the Library, park and roads in the area. He asked this department be given the funding rather than the Public Works Department.

ANDREE MCLEOD noted State Municipal assistance is declining, and local property taxes are increasing. She also pointed out in August, 1997 the Assembly adopted an ordinance affecting executive employee pay ranges. That action facilitated the administration's increase of \$323,000 to executive salaries. She felt Municipal executive employees' salaries are too high. She pointed out State executive employees' salaries are much lower in comparison. Ms. McLeod felt this situation might make State Legislators less willing to increase Municipal assistance.

JOHN THOMAS, executive director of the Northeast Community Center, thanked the Assembly for providing funding for the Center's first year of operation. He said an increase in the Center's budget would allow extending hours of operation and increase the number of people served. More funding would also allow the Center to host more community seminars, such as those on gangs, children at risk and parenting classes.

Chairman Begich asked if anyone else wished to speak. There was no one and he closed the public hearing. He noted the second public hearing would be held on November 11, 1997.

- F. Resolution No. AR 97-225, a resolution of the Municipality of Anchorage adopting the **1998-2003 Six Year Fiscal Program**, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 817-97.
 - 2. Assembly Memorandum No. AM 941-97. (**addendum**)

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing. He noted action on AR 97-225 would be considered on November 18, 1997.

Mr. Wohlforth recommended the amount of the Anchorage Telephone Utility (ATU) dividend be noted as "subject to change" as it was difficult to predict the dividend for six years into the future.

Mayor Mystrom said such a comment would have serious tax implications in light of Charter requirements for the six year program. He felt some projection amount was necessary.

There was further lengthy discussion about projections of ATU's revenue distributions.

- G. Ordinance No. AO 97-136, an ordinance approving an **equal value land exchange involving 20 acres within HLB Parcel 1-007** on Jasmine Road in Chugiak known as East 1/2 of the SE 1/4, Section 16, Township 15 North, Range 1 West, Seward Meridian and 3.71 acres owned by David F. Malzac located adjacent to Oberg Community Park in Birchwood known as NHN Dallan Court, Tract B, Irma Subdivision, Heritage Land Bank.
 - 1. Assembly Memorandum No. AM 886-97.

This item was considered earlier in the meeting. See before item 12.A.

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

14. **SPECIAL ORDERS:** None.

15. **ASSEMBLY COMMENTS:** See item 16.

16. **UNFINISHED AGENDA:**

- A. Resolution No. AR 97-249, a resolution of the Anchorage Municipal Assembly adopting the capital grants section of the **1998 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 867-97.
 - 2. Resolution No. AR 97-249(S), a resolution of the Anchorage Municipal Assembly adopting the capital grants section of the 1998 Legislative Program for the Municipality of Anchorage, Office of Management and Budget.
 - 3. Assembly Memorandum No. AM 927-97.
 (POSTPONED FROM 10-28-97)

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

Mr. Wuerch moved, to approve AR 97-249(S).
seconded by Mr. Meyer,

Mr. Wohlforth noted he made a motion earlier in the meeting to amend this item, requesting the administration adjust this document to conform with the capital improvement budget and program. (See item 9.B.)

In response to Mr. Wuerch, Dan Moore of the Office of Management and Budget said none of the projects or priorities on the list have changed.

Mr. Wohlforth felt item #24, Pacific Salmon Aquarium and Fishery Center was a good idea. There was insufficient information to know if the project would actually come to fruition; a task force report and feasibility study would be necessary. However, he did not object to having the project on a priority list.

Ms. Clementson expressed concern about item #25, \$800,000 for the Alaska Museum of Flight.

Municipal Manager Larry Crawford clarified both projects were on the list to hold their position and to raise awareness.

Question was called on the motion to approve AR 97-249(S) as amended and it passed:

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

- B. Resolution No. AR 97-277, a resolution adopting the **1998 Legislative Program** for the Municipality of Anchorage, Municipal Manager's Office. **(addendum)**
a. Assembly Memorandum No. AM 944-97.

Mr. Kendall moved, to amend AR 97-277 in the
seconded by Mr. Bell, Legislative
Program, page 2-1, item #4 under Highest Priority
Legislative Issues, a statement to read: "Ensure
full and timely implementation by the State of
Alaska of the 1986 'Agreement for the Conveyance
of Lands of the State of Alaska to the Municipality
of Anchorage and Settlement of Land-Related
Issues'."

There was a discussion of other potential amendments.

Question was called on Mr. Kendall's motion to amend and it passed without objection.

Mr. Wohlforth moved, to postpone action on AR 97-277
seconded by Mr. Bell, until November 18, 1997.
and it passed without
objection,

- C. Assembly Comments.
1. Several Assembly members noted they did not support adding more State Legislators to the AMATS committee.
 2. Mr. Carlson noted the Mirror Lake Middle School dedication was held last weekend. Mirror Lake is the first middle school combining 6th, 7th and 8th grades.
 3. Mr. Bell said he was interested to know the cost-per-voter for today's special election.
 4. Ms. Abney noted the Planning and Zoning Commission is considering an antennae permit in Eagle River. She felt the Assembly should be involved in the antennae issue as it relates to communications. She pointed out if the Municipality does not have adequate laws and regulations, the Federal government will mandate regulations.
 5. Ms. Clementson requested a status report on Senate Bill 1256 and House Bill 1534, pending before the U.S. Congress regarding land use development.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. **ADJOURNMENT:**

The meeting adjourned at 8:55 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: December 16, 1997

VC/db

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