

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of February 3, 1998

1. CALL TO ORDER:

The meeting was convened at 5:10 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. Carlson.

4. MINUTES OF PREVIOUS MEETING: None.

5. MAYOR'S REPORT:

Mayor Mystrom reported on his trip to Juneau to discuss the Legislative Program with State legislators. He said jails, revenue sharing and safe communities were the main focus. A new jail for Anchorage has broad support among the Legislature and the administration. He was encouraged by the support for all three of these issues.

Mr. Carlson concurred with the Mayor.

Mr. Wuerch was encouraged that the Governor and Legislators said they would try their best to hold local revenue sharing funds to the same level as last year. He pointed out over the last ten years, the decrease in revenue sharing totaled an amount equal to the Municipal budget.

6. ADDENDUM TO AGENDA:

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

Chairman Begich read the addendum items.

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

7. CONSENT AGENDA:

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

A. BID AWARDS:

1. Assembly Memorandum No. AM 82-98, recommendation of award to Electric, Inc. for the **Boys & Girls Club power and light upgrades** for the Municipality of Anchorage, Property and Facility Management (ITB 97-C73), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 98-24, an ordinance **continuing or reestablishing the Americans with Disabilities Act Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assembly Chair Begich. public hearing 2-24-98.
a. Assembly Memorandum No. AM 110-98.
2. Ordinance No. AO 98-25, an ordinance **continuing or reestablishing the Investment Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assemblyman Begich. public hearing 2-24-98.
a. Assembly Memorandum No. AM 111-98.
b. Assembly Memorandum No. AM 114-98, Finance.
3. Ordinance No. AO 98-26, an ordinance **continuing or reestablishing the Youth Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assemblyman Begich. public hearing 2-24-98.
a. Assembly Memorandum No. AM 112-98.
b. Assembly Memorandum No. AM 116-98, Cultural and Recreational Services. (**addendum**)

4. Resolution No. AR 98-31, a resolution confirming and levying special assessments for street improvements on property specially benefited in **Paving Special Assessment District No. 2P94 - the 'G' Street/'H' Street Alley from West Thirteenth Avenue to West Fourteenth** and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works. public hearing 3-10-98.
 - a. Assembly Memorandum No. AM 83-98.
5. Resolution No. AR 98-32, a resolution confirming and levying special assessments for street improvements on property specially benefited in **Paving Special Assessment District No. 1P96 - the East Fourth Avenue/Fifth Avenue Alley from Ingra Street to Juneau Street** and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works.
 - a. Assembly Memorandum No. AM 84-98.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-33, a resolution of the Municipality of Anchorage accepting and appropriating \$5,000 to the Miscellaneous Operating Grants Fund (0261) from the American Association of Retired Persons, West Region, to be used for **research on health and long term care issues affecting** seniors, Health and Human Services.
 - a. Assembly Memorandum No. AM 85-98.

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

2. Resolution No. AR 98-34, a resolution of the Municipality of Anchorage appropriating \$2,460 from the Talus West Limited Road Service Area (LRSA) Fund Balance (0142) to Department of Public Works for **1997 snow removal operation** (1997 operating budget), Public Works.
 - a. Assembly Memorandum No. AM 86-98.
3. Resolution No. AR 98-35, a resolution of the Anchorage Municipal Assembly **recognizing and proclaiming February 1998 as Black History Month**, Assemblymembers Begich, Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. (**addendum**)
4. Resolution No. AR 98-39, a resolution of the Anchorage Municipal Assembly **encouraging the AMATS Policy Committee to select the 10 percent scenario allocation for transportation enhancements**, Assemblymembers Wuerch, Bell, Carlson, Kendall, Meyer, and Murdy. (**addendum**)

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 87-98, **Police and Fire Retiree Medical Funding Board of Trustees appointments** (Gregory Stokes, Ellen Braden, Jerome Jury, William Herrick), Employee Relations.
2. Assembly Memorandum No. AM 90-98, **Airport Aviation Advisory Commission appointments** (Christopher Hodel, William Dam, Keith Silver), Mayor's Office.

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

3. Assembly Memorandum No. AM 91-98, **Arts Advisory Commission appointments** (John Brower, Paul Landis, Sherri Weiler, Joyce Murphy), Mayor's Office.

Ms. Clementson asked the record reflect her "no" vote on this item.

4. Assembly Memorandum No. AM 92-98, **Bidding Review Board reappointments** (Bud Caress, Will Gay), Mayor's Office.
5. Assembly Memorandum No. AM 93-98, **Building Board appointments** (Donald Iverson, Jim Lindemann, Daniel Seiser, Robert Lutje), Mayor's Office.
6. Assembly Memorandum No. AM 94-98, **Board of Ethics reappointment** (Jack Frost), Mayor's Office.
7. Assembly Memorandum No. AM 95-98, **Geotechnical Advisory Commission reappointments** (Rodney Kinney, David Lappi, William Walker), Mayor's Office.
8. Assembly Memorandum No. AM 96-98, **Housing and Neighborhood Development Commission appointments** (Celeste Benson, Patrick Fullerton, Lynne Ballew, David Levy, John McGrew, Timothy Miller, Frank Peratrovich, Jean Wall, Shannon Wilks), Mayor's Office.

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

9. Assembly Memorandum No. AM 97-98, **Library Advisory Board appointments** (Abdulla Rasiwala, Margaret Richmond, Alden Todd), Mayor's Office.
10. Assembly Memorandum No. AM 98-98, **Parks and Recreation Commission reappointments** (Richard Miller, William Neher, Harold Snow), Mayor's Office.
11. Assembly Memorandum No. AM 99-98, **Personnel Review Board reappointments** (Julie Becker Drennan, Victoria Stuart), Mayor's Office.
12. Assembly Memorandum No. AM 100-98, **Platting Board appointments** (Bud Caress, Robin Ward, Mary Cary), Mayor's Office.

13. Assembly Memorandum No. AM 101-98, **Solid Waste Advisory Commission reappointment** (Frank Huber), Mayor's Office.
14. Assembly Memorandum No. AM 102-98, **Transit Advisory Board appointments** (Frank Appel, Gilbert Ferrel, George Nagel), Mayor's Office.
15. Assembly Memorandum No. AM 103-98, **Transportation Commission reappointment** (Michael Rosenberg), Mayor's Office.
16. Assembly Memorandum No. AM 104-98, **Urban Design Commission reappointments** (Larry Cash, Jeff Dillon, Lydia Hays), Mayor's Office.
17. Assembly Memorandum No. AM 105-98, **Water and Wastewater Commission reappointments** (David Carter, Patricia Curl, William Hamm), Mayor's Office.
18. Assembly Memorandum No. AM 106-98, **Zoning Board of Examiners and Appeals appointments** (Russell Johnson, Gloria Shriver, Greg Fisher), Mayor's Office.
19. Assembly Memorandum No. AM 88-98, change order No. 2 to construction contract with Matrix Construction, for **1996 Playground Improvements Package**, Cultural and Recreational Services.
20. Assembly Memorandum No. AM 89-98, sole source contract to Peratrovich, Nottingham & Drage, Inc. (PN&D) for providing **professional engineering services** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.
21. Assembly Memorandum No. AM 107-98, proprietary purchase of **official election ballot stock** from Sequoia Pacific Systems Corporation for the Municipality of Anchorage, Clerk's Office/ Purchasing.

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

22. Assembly Memorandum No. AM 108-98, proprietary approval to Gale Research for providing **library materials** to the Municipality of Anchorage, Department of Cultural and Recreational Services/ Purchasing.
23. Assembly Memorandum No. AM 109-98, sole source for **periodical and serial renewal** to University Microfilms International for the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
24. Assembly Memorandum No. AM 115-98, proprietary approval for **library network services** from WLN for the Municipality of Anchorage, Department of Cultural and Recreational Services/ Purchasing.
25. Assembly Memorandum No. AM 135-98, **1998 Audit Plan**, Assemblymember Von Gemmingen. **(addendum)**
26. Assembly Memorandum No. AM 137-98, change order No. 2 to ATU purchase order P77739000 with Ivan Moore Research to provide **additional professional telephone polling services for the Assembly ATU Committee**, Assembly Chair Begich. **(addendum)**

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 18-98, **Bar Violations/Quarterly Report**, Anchorage Police Department.

(Clerk's Note: This item was reconsidered later in the meeting. See after item 9.)

2. Information Memorandum No. AIM 19-98, **Internal Audit Annual Report for 1997**, Internal Audit.
3. Information Memorandum No. AIM 20-98, amendment to AM 74-98, **Upper O'Malley Limited Road Service Areas Board of Supervisors appointment** (James Cazort), Mayor's Office. **(addendum)**
4. Information Memorandum No. AIM 21-98, **Executive Appointment Report** for the period of July 1997 to September 1997 (Greg A. Edmiston, Labor Relations Manager; Douglas A. Robinson, Special Administrative Assistant, Manager; Charles M. Laird, Executive Director, PFRS; Lawrence N. Peterson, Special Administrative Assistant, P&FM; Donald W. Simmons, Special Administrative Assistant, P&FM; Michael Meehan, Special Administrative Assistant, MISD; Kathleen Kingston, Parks & Recreation Program Manager; John H. Rodda, Parks & Recreation Program Manager), Employee Relations. **(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.

Mayor Mystrom introduced the newly-appointed board and commission members.

8. REGULAR AGENDA:

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

1. Resolution No. AR 98-33, a resolution of the Municipality of Anchorage accepting and appropriating \$5,000 to the Miscellaneous Operating Grants Fund (0261) from the American Association of Retired Persons, West Region, to be used for **research on health and long term care issues affecting** seniors, Health and Human Services.

a. Assembly Memorandum No. AM 85-98.

Mr. Wuerch moved, to approve AR 98-33.
seconded by Ms. Von Gemmingen,

In response to Mr. Wuerch, Health and Human Services Director Elaine Christian explained \$500 of this appropriation would be used for copying, printing and distribution of materials.

Question was called on the motion to approve AR 98-33 and it passed without objection.

2. Resolution No. AR 98-39, a resolution of the Anchorage Municipal Assembly **encouraging the AMATS Policy Committee to select the 10 percent scenario allocation for transportation enhancements**, Assemblymembers Wuerch, Bell, Carlson, Kendall, Meyer, and Murdy. **(addendum)**

Mr. Wuerch moved, to approve AR 98-39.
seconded by Mr. Bell,

Mr. Wuerch explained this issue was addressed in AR 98-13, which he mistakenly supported for postponement until March 3, 1998. He intended action be postponed until tonight, and recommended approval.

Ms. Clementson explained she moved to postpone until March 3 because AMATS is in the midst of a process which might change the ten percent scenario. Therefore, the proposed action is premature.

Ms. Clementson moved, to postpone action on AR 98-39 until
seconded by Mr. Wohlforth, March 3, 1998.

Ms. Abney noted at the last AMATS meeting, she requested a specific definition of enhancements and roadway improvements. She preferred to wait until this information is provided before taking action on this item.

Mr. Wohlforth agreed there was not enough information for the Assembly to act. He added the Assembly recently revised the AMATS process; he felt immediately diverging from this process would be unwise.

Mayor Mystrom spoke in support of the motion to postpone. He felt the Assembly should wait to act until receiving information presented in a work session on the topic on March 3, 1998.

Mr. Bell expressed concern about waiting to act, because some roads' funding may be used for other amenities. He felt prepared to vote on the resolution tonight.

Mr. Wuerch pointed out the resolution was merely a recommendation. He questioned whether a preview of the list could be available prior to March 3.

Mayor Mystrom agreed to try to present the list accordingly.

Mr. Bell moved, to substitute a motion to postpone
seconded by Mr. Kendall, action on AR 98-39 until February
and it passed without 24, 1998.
objection,

Question was called on the motion to postpone until February 24, 1998 and it passed:

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

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 90-98, **Airport Aviation Advisory Commission appointments** (Christopher Hodel, William Dam, Keith Silver), Mayor's Office.

Mr. Kendall moved, to approve AM 90-98.
seconded by Mr. Wuerch,

Mayor Mystrom requested a postponement on this item, to allow time to speak with one of the appointees who is currently out of town.

Mr. Kendall moved, to postpone action on AM 90-98
seconded by Mr. Carlson, until February 24, 1998.
and it passed without
objection,

(Clerk's Note: This action was reconsidered later in the meeting. See after 8.E.3.)

2. Assembly Memorandum No. AM 96-98, **Housing and Neighborhood Development Commission appointments** (Celeste Benson, Patrick Fullerton, Lynne Ballew, David Levy, John McGrew, Timothy Miller, Frank Peratrovich, Jean Wall, Shannon Wilks), Mayor's Office.

Ms. Clementson moved, to approve AM 96-98.
seconded by Ms. Von Gemmingen,

Ms. Clementson moved, to postpone action on AM 96-98
seconded by Mr. Wohlforth, until February 10, 1998, pending
and it passed without contact of one of the appointees.
objection,

3. Assembly Memorandum No. AM 107-98, proprietary purchase of **official election ballot stock** from Sequoia Pacific Systems Corporation for the Municipality of Anchorage, Clerk's Office/ Purchasing.

Mr. Meyer moved, to approve AM 107-98.
seconded by Mr. Wuerch,

In response to Mr. Meyer, Purchasing Officer Ted Chenier said Sequoia Pacific Systems has supplied ballot stock for quite a few years. They have always provided timely, quality service. He said the contract for printing the ballots changed recently to a new provider.

Question was called on the motion to approve AM 107-98 and it passed without objection.

Mr. Kendall moved, to reconsider action on item 8.E.1,
seconded by Ms. Clementson, AM 90-98.
and it passed without
objection,

Mr. Wuerch moved, to postpone action on AM 90-98 until
seconded by Mr. Meyer, March 3, 1998.
and it passed without
objection,

F. INFORMATION AND REPORTS: None.

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

- A. Resolution No. AR 97-96(S), a resolution of the Anchorage Municipal Assembly **directing the Administration to prepare and issue an Invitation to Bid or Request for Proposals to sell the Municipality's parking garages**, Assemblymember Kendall.
1. Assembly Memorandum No. AM 1035-97, Municipal Manager's Office.
(AR 97-96 WAS AMENDED AND POSTPONED ON 5-20-97; POSTPONED FOR 120 DAYS; NOTICE OF RECONSIDERATION WAS GIVEN BY ASSEMBLY MEMBER BELL 6-11-97; RECONSIDERATION DIED FOR LACK OF ACTION 7-1-97; AR 97-96(S) WAS POSTPONED FROM 10-21-97 AND 12-16-97)

Mr. Kendall moved, to postpone action on AR 97-96(S)
seconded by Mr. Bell, until the end of the agenda, to allow
and it passed with Mr. further discussion of the item during
Wohlforth objecting, the recess.

Ms. Clementson moved, to reconsider action on item 7.E.1,
seconded by Ms. Abney, AIM 18-98.
and it passed without
objection,

Information Memorandum No. AIM 18-98, Bar Violations/Quarterly Report, Anchorage Police Department.

Ms. Clementson moved, to accept AIM 18-98.
seconded by Ms. Von Gemmingen,

Ms. Clementson requested the Municipal Clerk invite the owners of some liquor license establishments to appear February 24, 1998 before the Assembly: Annarae's, The Great Wall Restaurant and The Raven.

Mr. Wohlforth asked K-Mart on Rodeo Drive be added to this list.

Question was called on the motion to accept AIM 18-98 and it passed without objection.

10. **APPEARANCE REQUESTS:**

- A. **Jim Gale**, regarding the Comprehensive Plan. (**addendum**)

Mr. Gale felt the existing Comprehensive Plan was fragmented across various geographic areas of the Municipality; there is no cohesive plan for the entire Municipality. He pointed out the current revision process for the Plan was focused on the Anchorage "bowl" area. He urged fairness and inclusion of the entire Municipality during the upcoming revision of the Plan.

Mr. Kendall moved, to amend the agenda and add Dr. Chung
seconded by Mr. Wuerch, to the list of persons to be heard.
and it passed without
objection,

B. **Dr. Chung**, regarding The South Seas. **(LAID ON THE TABLE)**

Dr. Chung, a local surgeon, said he was currently the president of the Korean Community and the Asian Alaskan Cultural Center. He requested the Assembly reverse its decision of January 27, 1998 on the South Seas Lounge. He described the Korean social structure in Anchorage, noting newcomers are given instruction on local customs and lifestyle. He asked the Assembly to provide one more chance for the owner to show improvement. He proposed creation of a committee to educate the owner and customers on proper protocol and oversee activities at the establishment. He noted many of the problems result from cultural differences.

Mr. Wohlforth stressed the Assembly's decision was based on the record of incidents at the establishment, and not the nationality of the licensee.

Mr. Bell reiterated Mr. Wohlforth's comment. He pointed out the licensee may appeal any decision of the Alcoholic Beverage Control Board; that process can take up to a year, during which time the licensee can try to improve her record.

C. **Bruce Graham**, regarding ice rink revenue bond issuance.

Mr. Graham spoke representing the United Ice Users (UIU.) He said the group supports increasing indoor ice space. He noted last year, ice users rented 9,250 hours of ice time at a cost of \$1,120,000. Users have outgrown current ice availability; all indoor ice is rented from 6:00 a.m. to well past midnight. The tragedy is not only a shortage for current users, but lack of opportunity for new skaters. Mr. Graham pointed out hockey popularity has increased by 76 percent since 1990. In that same time frame, figure skating has grown almost 50 percent. Anchorage residents are increasingly selected for national teams for hockey and figure skating. Also, children need positive influences such as sports. The UIU group feels that any child or adult that wishes to skate should have the opportunity. The group is committed to doing whatever necessary to support building additional indoor ice facilities. The group feels a revenue bond proposal is the best way to build facilities; they do not feel privatization of facilities is the answer.

D. **Tony Blomfield**, regarding ice rink options available to the Municipality of Anchorage.

Mr. Blomfield reiterated the mission for the UIU is to coordinate efforts with the Municipality to achieve the most affordable indoor ice for Anchorage. The group supports immediate issuance of revenue bonds to complete phase II of the Dempsey Anderson Ice Arena by fall, 1998. Simultaneously, UIU requests issuance of bonds for a dual-rink facility in south Anchorage. Mr. Blomfield explained these bonds would not raise property taxes or require a public vote. Also, the financing would require only a small rental rate increase. He asked the Assembly and administration to support the UIU proposal.

In response to Mr. Wuerch, Mr. Blomfield estimated the cost-per-sheet of ice would be about \$4 million.

Mayor Mystrom noted the Public Facilities Advisory Commission has been charged with surveying the public and making a recommendation. Their report is due on February 19, 1998.

E. **Steve Agni**, regarding ice arena. **(addendum)**

Mr. Agni said he was a developer, and he and his partners want to build an ice rink in south Anchorage. He wished to inform the Assembly of private enterprise activities focused on the need for additional ice. He said construction would begin on May 1, 1998; the location is near O'Malley Road between the Old and New Seward Highways. He pointed out competition helps meet the needs with the best solution. He encouraged the Assembly to create the conditions which stimulate new ideas and development.

The meeting recessed at 6:40 p.m. and reconvened at 7:20 p.m.

Mr. Wohlforth moved, to change the orders of the day
seconded by Mr. Meyer, to consider a special order.
and it passed without
objection,

Resolution No. AR 98-40, a resolution of the Anchorage Municipal Assembly **requesting and supporting that the Immigration and Naturalization Service approve a waiver of the Foreign Residence Requirement of Section 212(E) for Natalia Clark**, Assemblymembers Murdy, Von Gemmingen, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Wuerch and Wohlforth. **(LAID ON THE TABLE)**

Ms. Von Gemmingen moved, to approve AR 98-40.
seconded by Mr. Murdy,

Ms. Von Gemmingen read the resolution.

Question was called on the motion to approve AR 98-40 and it passed without objection.

Chairman Begich asked that all Assemblymembers be added as sponsors for the resolution.

Mr. Clark thanked the Assembly.

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

12. **NEW PUBLIC HEARINGS:**

- A. Resolution No. AR 98-24, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$561,354 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant, and \$62,373 from the Anchorage Metropolitan Police Service Area (0151) Fund Balance to the Federal Categorical Grants Fund (0241) for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department.
1. Assembly Memorandum No. AM 59-98.

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 98-24.
seconded by Ms. Von Gemmingen,

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

- B. Resolution No. AR 98-28, a resolution authorizing amendment to the 1997 Action Plan including allocation of \$1,163,005 in reprogrammed Community Development Block Grant funds and program income, \$1,201,233 in 1997 CDBG funds, and committing \$2,100,651 in future **CDBG entitlements** for thirteen (13) capital projects, Community Planning and Development.
1. Assembly Memorandum No. AM 75-98.
 2. Assembly Memorandum No. AM 136-98. **(addendum)**

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

VERA PACHONT spoke in support of the grant, which would help fund construction of a new facility for the Southcentral Foundation treatment facility. She explained the Southcentral Foundation began in 1991, and serves pregnant women who are addicted to drugs or alcohol. The emphasis of the program is prevention of Fetal Alcohol Syndrome (FAS). Since creation of the program, only two percent of children born to women in the program have been born affected by drugs. This is an improvement of seven percent, which equates to great savings because the average cost to raise a FAS child is \$1.4 million.

DEIRDRE PHAYER, executive director of Covenant House, spoke about the wonderful opportunities provided by the CDBG grants. She said the grants will allow enhancement of their services to at-risk youth. She also thanked the CDBG staff and Assembly for making the application process efficient and user-friendly.

RANDY SMITH, representing the Mountain View Community Council, spoke in support of the CDBG grant funds. He said some of the funds would be used in Mountain View for a new recreation center. He spoke to the importance of the recreation center to the community.

TERRY BRYAN, president of the Anchorage Community YMCA, said the proposed grant will help with meeting the goal of the organization to assist families and youth in Mountain View. He discussed the various programs offered by the YMCA. Mr. Bryan added child care is one of many kinds of services they wish to offer in Mountain View.

KATHY JEAN LAVOIE, executive director of Boys & Girls Clubs of Greater Anchorage, reiterated praise for the improved CDBG grant process. She updated the Assembly on the progress of design for the new Mountain View Recreation Center. She said groundbreaking was scheduled for April, 1998.

LORI PAPE felt the percentage of the grant used for administration was too high. She offered suggestions on changes to the fund allocations.

KATHERINE RANGER spoke representing Habitat for Humanity and United Way's joint proposal for a warehouse. She thanked the Housing and Neighborhood Development Commission for recommending funding for the proposal. She said warehouse space has been a top priority for Habitat for Humanity for a long time; it would provide space to store recycled materials that would otherwise be sent to the landfill. Storage space will also facilitate receipt of materials from the national organization outside Alaska.

KATIE LAVOIE, a member of the Boys & Girls Clubs, spoke in support of the grant.

DAN BOLIN thanked the Housing and Neighborhood Development Commission. He said the Muldoon Community Development Corporation works to help people progress from welfare to work. The proposed funds would be used to meet two other needs in Muldoon: a health clinic for low income people and beautification of the Muldoon community.

CHARLES BENSON thanked the Assembly for helping the communities of Muldoon, Mountain View and Fairview, which will benefit from the proposed grant. He especially supported funding for neighborhood health clinics.

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

Mr. Wohlforth moved, to approve AR 98-28.
seconded by Ms. Abney,

Tim Sullivan, chair of the Housing and Neighborhood Development (HAND) Commission, noted there has been a significant positive change in the process of dispensing funds to those in need. He felt the proposed grant would be very helpful in neighborhood development. In response to Mr. Wohlforth, Mr. Sullivan explained the recommendation to provide funds for Holy Rosary Academy, a private school. He said the recommendation was based on information provided by staff and the Department of Housing and Urban Development. Fifty-one percent of students at the school are from low-income families. Mr. Sullivan noted the project was for street-scape enhancement along Fireweed Lane. The Commission plans to consider a policy on requests from private schools.

Ms. Clementson felt funds should go for public schools within the renaissance zone. She was concerned Holy Rosary Academy did not meet the grant guidelines because it is a religious organization.

Mitzie Barker of Community Planning and Development reviewed how staff evaluated the Holy Rosary project application. She said there was precedent for this type of use for CDBG funds.

Mr. Bell pointed out Holy Rosary Academy was not owned or operated by the Catholic Archdiocese of Anchorage. He added even though the school was private, it was populated by many low-income children.

Mr. Kendall pointed out many religious groups receive public funds for programs.

Ms. Clementson felt the guidelines for CDBG grant eligibility should be more clear.

In response to Ms. Clementson, Ms. Barker addressed the policy of using CDBG fund for improving public schools. The funds may be used, but may not be substituted for other funds or deferred maintenance items.

Ms. Clementson moved, to amend AR 98-28 on line 45 to read:
seconded by Mr. Wohlforth, "...outlined in AM 75-98..."
and it passed without
objection,

Mr. Wohlforth moved, to amend AR 98-28 to delete funding
seconded by Ms. Clementson, for Holy Rosary Academy.

Mr. Wohlforth suggested the Community Council apply for a grant to improve Fireweed Lane. He recommended development of a policy to exclude schools from eligibility for these grant funds.

Mr. Bell felt it was inappropriate to discriminate against children who attend a certain school.

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

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

Mr. Wohlforth moved, to amend AR 98-28 to incorporate
seconded by Mr. Wuerch, changes as defined in the attached
and it passed without memorandum, AM 136-98.
objection,

Question was called on the motion to approve AR 98-28 as amended and it passed:

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

Chairman Begich asked for a report on the determination of Holy Rosary Academy's status by the Department of Housing and Urban Development.

- C. Ordinance No. AO 98-5, an ordinance amending Anchorage Municipal Code Subsection 3.70.090A to **eliminate the employee substance abuse testing policy, procedures and rules as a subject of collective bargaining** and amending Anchorage Municipal Code Chapter 3.30 to establish the Municipality's Substance Abuse Testing Policy, Procedures and Rules as a new Personnel Rule 19, Employee Relations.
1. Assembly Memorandum No. AM 27-98.
 2. Assembly Memorandum No. AM 117-98. **(addendum)**

Mr. Murdy moved, to continue the public hearing for
seconded by Ms. Abney, AO 98-5 until February 10, 1998.

Employee Relations Director Tom Tierney opposed the motion. He pointed out affected unions have had two years to debate and comment on this issue.

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

GARY BROOKS spoke representing the International Brotherhood of Electrical Workers (IBEW) and the Municipal Coalition of Unions. He said union officials wish to discuss the issue again with the administration. Unions are always concerned when the Assembly considers changes to labor laws.

Mr. Tierney expressed concern about what the unions intend to accomplish by a delay.

Chairman Begich scheduled a work session on February 10, 1998 at 10:00 a.m.

(Clerk's Note: The work session was cancelled by mutual agreement of the unions and administration.)

Question was called on the motion to continue the public hearing for AO 98-5 until February 10, 1998 and it passed:

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

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

14. **SPECIAL ORDERS:** A special order was considered earlier in the meeting. See after item 9.

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

16. **UNFINISHED AGENDA:**

- A. Resolution No. AR 97-96(S), a resolution of the Anchorage Municipal Assembly **directing the Administration to prepare and issue an Invitation to Bid or Request for Proposals to sell the Municipality's parking garages**, Assemblymember Kendall.
1. Assembly Memorandum No. AM 1035-97, Municipal Manager's Office.
(AR 97-96 WAS AMENDED AND POSTPONED ON 5-20-97; POSTPONED FOR 120 DAYS; NOTICE OF RECONSIDERATION WAS GIVEN BY ASSEMBLY MEMBER BELL 6-11-97; RECONSIDERATION DIED FOR LACK OF ACTION 7-1-97; AR 97-96(S) WAS POSTPONED FROM 10-21-97 AND 12-16-97)

Chairman Begich gave the history of the resolution and noted a motion to approve AR 97-96(S) was on the floor.

Mr. Kendall moved,	to amend AR 97-96(S) on line 38 to
seconded by Mr. Wuerch,	read: ...by May 15, 1998, to sell..."
and it passed without	
objection,	

Mr. Kendall argued in support of selling the garages. He pointed out if sold, the garages would still provide needed downtown parking. However, the Municipality would no longer have to pay for maintenance. His intent was that the structures not sell for less than what is owed.

Municipal Manager Larry Crawford noted a parking and circulation study was in progress, and recommendations would be available in July, 1998. He recalled the reason the parking structures' debt was defeased was because of ramifications from Proposition #3, approved in April 1997, rather than because of the value of the buildings.

Mr. Wohlforth moved,	to postpone action on AR 97-96(S)
seconded by Ms. Clementson,	until August 18, 1998.

Mr. Wohlforth felt beginning a sale process before information from the parking and circulation study was available would be irrational. He pointed out the garages were constructed so the Municipality would have ability to manage the cost and availability of downtown parking. He added if sold, the profit would be very small.

Mr. Wuerch pointed out another point of view is that the garages are a continuing liability which cost \$1 million annually. Ten years in the future, the Municipality would be in a worse position.

Mr. Crawford added he felt there was no reason to hurry action on this item.

Question was called on Mr. Wohlforth's motion to postpone until August 18 and it failed:

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

Mr. Wuerch moved,	to amend AR 97-96(S) on line 38 to
seconded by Mr. Murdy,	read: ...by July 31, 1998, to sell..."

In response to Ms. Von Gemmingen, Larry Cash spoke as president of the Downtown Anchorage Association. He said the Association Board opposed selling the garages because of potential negative impact to downtown parking. Personally, he felt it was appropriate to wait until the parking study is complete to take action on this item. He also discussed the need for parking garages downtown. The recent rejuvenation of downtown could be reversed if parking is negatively impacted.

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

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

Mr. Meyer noted his employer may wish to purchase the 7th and G garage. Previously, the Assembly ruled he does not have a conflict of interest.

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

In response to Ms. Von Gemmingen, Mr. Meyer said sale of the garages would not affect his household income.

Question was called on whether Mr. Meyer has a significant financial interest in this matter and it failed:

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

Ms. Clementson disclosed her husband has a monthly pass to park in one of the garages.

Mr. Meyer felt the Municipality would receive many bids on the garages, which will provide a more accurate market value for the buildings.

Ms. Von Gemmingen opposed selling the garages.

Mr. Bell pointed out the action before the Assembly was not to sell the garages, but to issue a Request For Proposal. If the amounts are too low, the Assembly has the option to reject all bids.

Question was called on the motion to approve AR 97-96(S) as amended and it failed:

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

The Assembly changed the orders of the day and considered item 18, Executive Sessions.

- B. **Update on labor negotiations.**
- C. **Update on pending litigation.**

In response to Chairman Begich, Employee Relations Director Tom Tierney said information on JCC labor negotiations should be heard in executive session. There is pending litigation on IAFF negotiations, so that information should be heard in executive session also.

In response to Chairman Begich, Municipal Attorney Mary Hughes felt information on litigation with the Alaska Aviation Heritage Museum and the Firebirds could be discussed in public.

Mr. Bell noted the Museum Board wished to make an offer regarding the litigation in executive session.

Ms. Hughes recalled the Firebirds litigation resulted in the Municipality developing a new allocation plan. That plan is being considered by Judge Shortell. At the last hearing with Judge Shortell, he indicated he felt the plan was sufficiently non-discriminatory. However, he was concerned how to rectify past disparate treatment of the Firebirds. The Municipality has offered a proposal to repair the situation. The Firebirds have asked for more time to provide more information to the Judge. Other ice user groups are reviewing the Municipal proposal. There is no time table for settlement of the issue. The Judge and user groups do not seem to be in any hurry. In response to Mr. Wuerch, Ms. Hughes said the Municipality was not liable for punitive damages in this case. The Municipality has paid the Firebirds' legal fees.

Ms. Hughes expressed concern about an executive session regarding the Aviation Museum, because it is represented by counsel.

The meeting recessed at 9:20 p.m. and reconvened at 9:25 p.m.

Ms. Hughes agreed the Aviation Museum issue should be discussed in executive session.

Ms. Von Gemmingen moved,	to recess into executive session to discuss a solution to
seconded by Mr. Wuerch,	pending litigation with the Alaska Aviation Heritage
and it passed without	Museum, and labor negotiations, public knowledge of which
objection,	may adversely affect the finances of the Municipality.

The meeting recessed at 9:26 p.m. and reconvened at 9:45 p.m.

Mr. Wuerch moved,
seconded by Mr. Carlson,
and it passed without
objection,

to release the tapes of the executive session regarding the
Aviation Museum only after the litigation or resolution
of all disputes with the Museum, and regarding
the labor negotiations, release only after six months past the
end date of the contracts currently being negotiated.

D. Assembly Comments.

1.
- Mr. Wohlforth noted the Assembly ATU Committee would hold a meeting on February 10, 1998 to discuss results of a public poll, hear a report of the current configuration of ATU and hear results of an ATU valuation.

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

to reschedule the public hearings
for AO 98-3 and AO 98-4, regarding
sale of ATU and sale of Municipal
utilities, from March 3 to February 24, 1998.

2.
- Mr. Kendall questioned the status of reconsideration of the Collins appeal to the Board of Adjustment.

Municipal Attorney Mary Hughes said a memorandum was issued earlier today on this issue.

Ms. Clementson asked the portion of the Code regarding reconsideration of appeals to the Board of Adjustment be clarified, including establishment of a limit on number of reconsiderations, time limits and designation of responsibility of fees.

3.
- Mr. Wuerch reported on his trip to Juneau. He received a briefing from the Deferred Maintenance Task Force, including an analysis of the impact of the decrease in oil prices.
4.
- Chairman Begich reviewed changes made as a result of the Assembly retreat. He will prepare a memorandum for the administration outlining all issues raised at the retreat. He noted there was a meeting with the Anchorage Caucus on February 14, 1998.

17. AUDIENCE PARTICIPATION:

BARBARA WEINIG thanked the Assembly for placing their notice calendar on the Saturday agenda page in the newspaper. She questioned the status of an ordinance regarding transmission towers.

Operations Manager George Vakalis said the ordinance was being reviewed by Community Planning and Development staff. He said there has been a delay because of changes in the industry.

18. EXECUTIVE SESSIONS:

- A.
- Update on labor negotiations.
- B.
- Update on pending litigation.

These executive sessions were held earlier in the meeting. See item 16, Unfinished Agenda.

19. ADJOURNMENT:

The meeting adjourned at 10:07 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: March 10, 1998

LF/db

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