

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of February 10, 1998

1. **CALL TO ORDER:**

The meeting was convened at 5:05 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. Kendall.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - January 6, 1998

Mr. Murdy moved, seconded by Ms. Abney, and it passed without objection, to approve the minutes of the regular meeting of January 6, 1998.

5. **MAYOR'S REPORT:** None.6. **ADDENDUM TO AGENDA:**

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

Chairman Begich read the addendum items.

Mr. Bell moved, seconded by Mr. Murdy, and it passed without objection, to include item 7.B.14d, AO 98-31(S-1), and item 7.B.26, AO 98-47, on the addendum.

Mr. Kendall moved, seconded by Mr. Murdy, and it passed without objection, to include item 7.B.25, AO 98-42, on the addendum.

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

7. **CONSENT AGENDA:**

Mr. Murdy 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 98-13, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.330 and 27.30.600, Assemblymembers Abney and Bell. public hearing 2-24-98.
 - a. Assembly Memorandum No. AM 154-98.
2. Ordinance No. AO 98-14, an ordinance submitting to the qualified voters residing in the **Mountain Park Estates Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.250 and 27.30.330, Assemblymembers Abney and Bell. public hearing 2-24-98.

- a. Assembly Memorandum No. AM 154-98.
3. Ordinance No. AO 98-15, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.280 and 27.30.360, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
4. Ordinance No. AO 98-16, an ordinance submitting to the qualified voters residing in the **Rabbit Creek View and Rabbit Creek Heights Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.160 and 27.30.240, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
5. Ordinance No. AO 98-17, an ordinance submitting to the qualified voters residing in the **Raven Woods/Bubbling Brook Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.270 and 27.30.350, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
6. Ordinance No. AO 98-18, an ordinance submitting to the qualified voters residing in the **Rockhill Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.320 and 27.30.590, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
7. Ordinance No. AO 98-19, an ordinance submitting to the qualified voters residing in the **Skyranch Estates Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.240 and 27.30.320, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
8. Ordinance No. AO 98-20, an ordinance submitting to the qualified voters residing in the **Totem Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.340 and 27.30.610, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
9. Ordinance No. AO 98-21, an ordinance submitting to the qualified voters residing in the **Upper Grover Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.260 and 27.30.340, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
10. Ordinance No. AO 98-22, an ordinance submitting to the qualified voters residing in the **Valli Vue Limited Road Service Area** at the Regular Municipal Election April 21, 1998 a ballot proposition approving the continuation of said limited road service area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.310, Assemblymembers Abney and Bell. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 154-98.
11. Ordinance No. AO 98-28, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,945,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements** in the Anchorage Parks and Recreation Service Area at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 121-98.
- b. Information Memorandum No. AIM 23-98.

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

12. Ordinance No. AO 98-29, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$900,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of public transportation and related capital improvements** at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.
- a. Assembly Memorandum No. AM 122-98.
- b. Information Memorandum No. AIM 23-98.
13. Ordinance No. AO 98-30, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,155,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of ambulances, emergency response service facilities, emergency communications equipment, traffic safety improvements and related capital improvements** in the Municipality of Anchorage at an election in and for

the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.

- a. Assembly Memorandum No. AM 123-98.
 - b. Information Memorandum No. AIM 23-98.
14. Ordinance No. AO 98-31, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of fire protection and related capital improvements** in the Anchorage Fire Service Area at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget.
- a. Assembly Memorandum No. AM 124-98.
 - b. Information Memorandum No. AIM 23-98.
 - c. Ordinance No. AO 98-31(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection and related capital improvements in the Anchorage Fire Service Area and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98. **(addendum)**
 - d. Ordinance No. AO 98-31(S-1), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection and related capital improvements in the Anchorage Fire Service Area and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Bell. public hearing 2-24-98. **(LAID ON TABLE)**

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

15. Ordinance No. AO 98-32, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$27,795,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of road, storm drainage and related capital improvements** in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.
 - a. Assembly Memorandum No. AM 125-98.
 - b. Information Memorandum No. AIM 23-98.
16. Ordinance No. AO 98-33, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$2,905,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of public safety (police protection services) and related capital improvements in the Anchorage Metropolitan Police Service Area** at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.
 - a. Assembly Memorandum No. AM 150-98.
17. Ordinance No. AO 98-34, an ordinance amending Anchorage Municipal Code Section 24.90.060, **exempting business improvement districts from encroachment**, Assemblymember Wohlforth. (NOT SUBMITTED)
 - a. Assembly Memorandum No. AM 155-98.

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

18. Ordinance No. AO 98-35, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 21, 1998 a ballot proposition to amend Anchorage Municipal Charter Article III, Subsection 3.02(b) to provide that **voter initiated referendums** shall be submitted to the voters at the first regular election after final certification of a referendum petition for placement on the ballot, Assemblymember Clementson. public hearing 2-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 156-98.
19. Ordinance No. AO 98-36, an ordinance submitting to the qualified voters residing in the **Eagle River-Chugiak Park and Recreational Service Area** at the Regular Municipal Election April 21, 1998, a ballot proposition approving additional voter mandated services and capital improvements up to an additional 0.25 mills, Cultural and Recreational Services. public hearing 2-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 157-98.

This item was reconsidered later in the meeting. See after item 8.D.

20. Ordinance No. AO 98-37, an ordinance amending Anchorage Municipal Code Sections 24.30.100, 24.90.060 and 23.40.304, **exempting Business Improvement Districts from the fees for Public Works' right-of-way encroachment permits and sign permits**, Assemblymember Wohlforth. public hearing 2-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 158-98.
21. Ordinance No. AO 98-38, an ordinance submitting to the qualified voters residing in the Villages Scenic Parkway Limited Road Service Area ("VSPLRSA") and the area to be annexed a ballot

- proposition **altering the boundaries of the Villages Scenic Parkway LRSA** to include in that service area three lots abutting Hill Road and described as Tracts 13A and 13B The Villages Subdivision and Lot 3 Pine Ridge Subdivision not presently within but abutting the Villages Scenic Parkway Service Area, Legal Department. public hearing 2-24-98. **(addendum)**
22. Ordinance No. AO 98-39, an ordinance submitting to the qualified voters residing on lots abutting Glenn Hill Circle east of Chapel Drive and south of Hilltop Drive in Eagle River [Lots One (1) through Seventeen (17) of the Glenn View Subdivision] a ballot proposition to **create a new service area designated the Glenn Hill Circle Street Light Service Area** to operate and maintain street lights along Glenn Hill Circle and to amend Anchorage Municipal Code Section 27.30.700 to consolidate the new Glenn Hill Circle Street Light Service Area with the existing Eagle River Street Light Service Area, Legal Department. public hearing 2-24-98. **(addendum)**
 23. Ordinance No. AO 98-40, an ordinance providing for submission to the qualified voters of Anchorage, Alaska, the question of increasing the tax increase limitation ["Tax Cap" in Charter Section 14.03(b)(2)] to pay for up to \$908,225 of annual operation and maintenance costs for up to \$25,000,000 of **educational capital improvements** proposed by the 1998 General Obligation Bond Proposition, Assemblymember Bell. public hearing 2-24-98. **(addendum)**
 24. Ordinance No. AO 98-41, an ordinance providing for submission to the qualified voters of Anchorage, Alaska, the question of increasing the tax increase limitation ["Tax Cap" in Charter Section 14.03(b)(2)] to pay for up to \$141,350 of **annual operation and maintenance costs for Baxter, Creekside, and Ocean View Elementary Schools** proposed by the 1998 General Obligation Bond Proposition Assemblymember Bell. public hearing 2-24-98. **(addendum)**
 25. Ordinance No. AO 98-42, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$1,000,000 of General Obligation Bonds of the Municipality to **pay the costs of the acquisition and demolition of the MacKay/McKinley Building and related capital improvements** at an election in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Kendall. public hearing 2-24-98. **(LAID ON THE TABLE)**

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

26. Ordinance No. AO 98-47, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of increasing the tax increase limitation ["Tax Cap" in Charter Section 14.03(b)(2)] to pay for up to \$1,240,620 of annual operations and maintenance costs for Anchorage Fire Service Area **fire protection and related capital improvements** proposed by the 1998 General Obligation Bond Proposition, Assemblymember Bell. public hearing 2-24-98. **(LAID ON THE TABLE)**

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-36, a resolution of the Anchorage Municipal Assembly appropriating \$100,000 from Areawide General Fund Balance (0101) for an **Eagle River Central Business District Urban Design Plan and Pedestrian Circulation Study**, Community Planning and Development.
 - a. Assembly Memorandum No. AM 126-98.
2. Resolution No. AR 98-37, a resolution of the Municipality of Anchorage accepting and appropriating \$5,625 to the Miscellaneous Operational Grants Fund (0261) from the International Association of Mayors of Northern Cities for **Winter Cities activities**, Mayor's Office.
 - a. Assembly Memorandum No. AM 127-98.
3. Resolution No. AR 98-38, a resolution of the Municipality of Anchorage revising 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 128-98.

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

4. Resolution No. AR 98-41, a resolution **revising the approved 1998 General Government Capital Improvement Budget (CIB) and the 1998-2003 General Government Capital Improvement Program (CIP)**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 151-98.

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

5. Resolution No. AR 98-42, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$12,000 with the State of Alaska, Department of Transportation and Public Facilities, for **financing an Alaska Bus and Van Rodeo** and appropriating these funds to the State Categorical Grants Fund (0231), Public Transportation.
 - a. Assembly Memorandum No. AM 152-98.
6. Resolution No. AR 98-43, a resolution of the Anchorage Municipal Assembly **celebrating the completion of the Mother Alice Lawrence House** and recognizing those persons who

assisted in its construction, Assemblymembers Wohlforth, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth and Wuerch.

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

7. Resolution No. AR 98-44, a resolution of the Anchorage Municipal Assembly **recognizing and supporting Job Shadow Days, March 9-13, 1998**, Assemblymembers Meyer, Abney, Begich, Bell, Carlson, Clementson, Kendall, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

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

8. Resolution No. AR 98-45, a resolution authorizing the **disposal of a municipal interest within Lots 1 through 6, 11 & 12, Block 3, Northern Lights Subdivision**, located in the vicinity of Northern Lights Boulevard and Cheechako Street, Anchorage Telephone Utility. **(addendum)**
 - a. Assembly Memorandum No. AM 159-98.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 138-98, **Chugiak-Eagle River Parks and Recreation Board of Supervisors appointment** (Michelle Adams), Mayor's Office.
2. Assembly Memorandum No. AM 139-98, **Emergency Medical Services Board appointments** (Richard Brodsky, Gilbert Dickie, Michael Levy, Frank Sacco, Barbara Simonsen, Tim Garbe), Mayor's Office.
3. Assembly Memorandum No. AM 140-98, **Election Commission appointments** (Frances Walcutt, Carolyn Wolski), Mayor's Office.
4. Assembly Memorandum No. AM 141-98, **Health and Human Services Commission appointment** (Virginia Collins, Maynard Falconer, David Maltman, Cathie Schumacher, Wes Wier), Mayor's Office.
5. Assembly Memorandum No. AM 142-98, **Heritage Land Bank Commission appointments** (Paul Wellman, Mary Jo Thill), Mayor's Office.

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

6. Assembly Memorandum No. AM 143-98, **Historical and Fine Arts Commission appointments** (Wilda Marston, Tennys B. Owens, John Ayers), Mayor's Office.
7. Assembly Memorandum No. AM 144-98, **Light and Power Commission appointments** (Raj Bhargava, Randall Stevens), Mayor's Office.
8. Assembly Memorandum No. AM 145-98, **Public Facilities Advisory Commission appointments** (Shawnessy Des Lauriers, Dan Rogness, Carol Gore), Mayor's Office.
9. Assembly Memorandum No. AM 146-98, **Public Safety Advisory Commission reappointments** (Won Pal Chung, George Findling, Paul Reid), Mayor's Office.
10. Assembly Memorandum No. AM 147-98, **Senior Citizens Advisory Commission appointments** (Cheryl Bowers, Ella Craig, Joan Easley, Rosalie Priest, Peg Stout), Mayor's Office.
11. Assembly Memorandum No. AM 148-98, **Veterans Affairs Commission appointments** (Ken Asplund, Robert Nelson, John Youmans, Ti T. Suesue), Mayor's Office.
12. Assembly Memorandum No. AM 149-98, **Women's Commission appointments** (Bobbi Olson, Susan Faith, Diane Heard, Laura Sarcone, Ruddy Taylor, Deborah Gomez), Mayor's Office.
13. Assembly Memorandum No. AM 118-98, **1998-1999 Liquor License Renewals**: Black Angus Meat Market, The Board Room, Geno's Classic Bar & Grill, Hideaway Club (Beverage Dispensary); Railway Brewing Company (Brewery); Geno's Bodega, Hideaway Club (Package Store); Railway Brewing Company (Restaurant/Eating Place), Clerk's Office.
14. Assembly Memorandum No. AM 119-98, **Geno's Classic Bar & Grill** - Transfer of Ownership of a Beverage Dispensary Liquor License (Spenard Community Council), Clerk's Office.
15. Assembly Memorandum No. AM 120-98, **Geno's Bodega** - Transfer of Ownership of a Package Store Liquor License (Spenard Community Council), Clerk's Office.
16. Assembly Memorandum No. AM 129-98, amendment No. 4 to professional services contract with Phukan Consulting Engineers, Inc. for **1995 Park Parking Lots and Other Improvements Package**, Cultural and Recreational Services.
17. Assembly Memorandum No. AM 130-98, change order No. 1 to contract C-70320, F&F Construction for **improvements to Challenge Alaska, Girdwood Sports & Recreation Center for the Disabled**, Property and Facility Management.
18. Assembly Memorandum No. AM 131-98, proprietary purchase to the West Group for providing computer assisted **legal research services** to the Municipality of Anchorage, Municipal Attorney's Office/Purchasing.
19. Assembly Memorandum No. AM 132-98, change order No. 2 to purchase order 62032 with Holmes, Weddle and Barcott for providing **legal services** for the Municipality of Anchorage, Police and Fire Retirement System/Purchasing.
20. Assembly Memorandum No. AM 133-98, sole source contract to Compensation Management Associates, Inc. for providing **services to deter Worker's Compensation claims** for the Municipality of Anchorage, Public Works Department/Purchasing.

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

21. Assembly Memorandum No. AM 134-98, proprietary purchase of a **sideload refuse truck** from Yukon Equipment, Inc. for the Municipality of Anchorage, Solid Waste Services/Purchasing.
22. Assembly Memorandum No. AM 153-98, change order No. 1 to purchase order 72642 with Yukon Equipment, Inc. for furnishing a **self-contained mobile power screening plant** to the Municipality of Anchorage, Public Works Department/Purchasing.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 22-98, **Executive Appointment Report** for the period of October 1997 to December 1997 (Soren E. Orley, Chief Fiscal Officer; Meera Kohler, General Manager, ML&P; Ronald E. Duel, Application Services Manager, MISD; Daniel B. Helmick, Utility Division Manager II, ML&P; Carmen E. ClarkWeeks, Municipal Attorney I; Elizabeth L. White, Municipal Attorney I; Robert L. Bright, Physical Planning Manager; Joanne M. Maad, Special Administrative Assistant, CRS; William Sherman Ernouf, Special Administrative Assistant, Mayor; Janice S. Jones, Special Administrative Assistant, Museum; William R. Hill, Special Administrative Assistant, Port), Employee Relations.
 - a. Information Memorandum No. AIM 26-98. (**addendum**)
2. Information Memorandum No. AIM 24-98, waiver of formal procedures for the **Russian Jack Springs Greenhouse Piling Installation Project** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-C1), Purchasing.

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:
 1. Ordinance No. AO 98-28, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,945,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements** in the Anchorage Parks and Recreation Service Area at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98.
 - a. Assembly Memorandum No. AM 121-98.
 - b. Information Memorandum No. AIM 23-98.

Mr. Wohlforth, Ms. Abney and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for February 24, 1998.

In response to Mr. Wohlforth, Dan Moore of the Office of Management and Budget confirmed all the projects approved by the Assembly were included in the proposed bond package, as well as some additional changes by the administration.

2. Ordinance No. AO 98-31, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of fire protection and related capital improvements** in the Anchorage Fire Service Area at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 124-98.
 - b. Information Memorandum No. AIM 23-98.
 - c. Ordinance No. AO 98-31(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection and related capital improvements in the Anchorage Fire Service Area and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 21, 1998, Office of Management and Budget. public hearing 2-24-98. (**addendum**)
 - d. Ordinance No. AO 98-31(S-1), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,820,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection and related capital improvements in the Anchorage Fire Service Area and the question of an

increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Bell. public hearing 2-24-98. **(LAID ON TABLE)**

Messrs. Murdy, Wuerch and Wohlforth joined in introducing AO 98-31(S) and AO 98-31(S-1). The public hearing was scheduled for February 24, 1998.

3. Ordinance No. AO 98-34, an ordinance amending Anchorage Municipal Code Section 24.90.060, **exempting business improvement districts from encroachment**, Assemblymember Wohlforth. (NOT SUBMITTED)
 - a. Assembly Memorandum No. AM 155-98.

Mr. Wohlforth noted this item had an error in the title. He said the correct ordinance was AO 98-37 (item 7.B.20.)

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-38, a resolution of the Municipality of Anchorage revising 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 128-98.

Ms. Clementson moved, to approve AR 98-38.
seconded by Mr. Meyer,

Ms. Clementson moved, to amend AR 98-38 to add a new project at the
seconded by Mr. Meyer, end of the overall legislative list, after all discretionary
projects, for recycled asphalt upgrades in the
Stuckagain Heights area.

In response to Mr. Kendall, Dan Moore of the Office of Management and Budget explained the ranking system for the matching grant list. He said items beyond #20 are viewed as discretionary. Funding for the list would likely run out around #10.

Question was called on Ms. Clementson's motion to amend and it passed without objection.

Mr. Wohlforth moved, to postpone action on AR 98-38
seconded by Mr. Wuerch, until February 24, 1998.

Mr. Wohlforth requested a copy of the old 30/70 list by February 24.

In response to Ms. Clementson, Mr. Moore said the 68th Avenue project was changed to the Lake Otis and Tudor project, with the same dollar amount.

Question was called on the motion to postpone action on AR 98-38 until February 24, 1998 and it passed without objection.

2. Resolution No. AR 98-41, a resolution **revising the approved 1998 General Government Capital Improvement Budget (CIB) and the 1998-2003 General Government Capital Improvement Program (CIP)**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 151-98.

Ms. Clementson moved, to approve AR 98-41.
seconded by Mr. Wohlforth,

Ms. Clementson moved, to amend AR 98-41 to reflect the
seconded by Mr. Wohlforth, change made to the previous item, AR
and it passed without 98-38, to add a new project at the
objection, end of the overall legislative list, after all discretionary
projects, for recycled asphalt upgrades in the
Stuckagain Heights area.

Ms. Clementson moved, to postpone action on AR 98-41 until
seconded by Mr. Wuerch, February 24, 1998.
and it passed without
objection,

3. Resolution No. AR 98-43, a resolution of the Anchorage Municipal Assembly **celebrating the completion of the Mother Alice Lawrence House** and recognizing those persons who assisted in its construction, Assemblymembers Wohlforth, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth and Wuerch.

Mr. Wohlforth moved, to approve AR 98-43.
seconded by Mr. Kendall,
and it passed without
objection,

Ms. Clementson read the resolution.

The Assembly then considered item 7.B.25.

4. Ordinance No. AO 98-42, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$1,000,000 of General Obligation Bonds of the Municipality to **pay the costs of the acquisition and demolition of the MacKay/McKinley Building and related capital improvements** at an election in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Kendall. public hearing 2-24-98. **(LAID ON THE TABLE)**

Ms. Von Gemmingen, Mr. Murdy and Mr. Kendall joined in introducing this ordinance. The public hearing was scheduled for February 24, 1998.

In response to Ms. Von Gemmingen, Municipal Attorney Mary Hughes said the MacKay Building was owned by the estate of Harvey Sullivan and Duane Henson. She said the ordinance would allow the Municipality to demolish the building upon acquisition. The Municipality is currently involved in abatement proceedings before the Alaska Supreme Court.

Mayor Mystrom said demolition of the building has been considered, and the cost estimated at more than \$3 million.

5. Resolution No. AR 98-44, a resolution of the Anchorage Municipal Assembly **recognizing and supporting Job Shadow Days, March 9-13, 1998**, Assemblymembers Meyer, Abney, Begich, Bell, Carlson, Clementson, Kendall, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Meyer moved, to approve AR 98-44.
seconded by Ms. Clementson,
and it passed without
objection,

Ms. Von Gemmingen read the resolution while Mr. Meyer presented it to Gordon Parker, Mary Claire Coyle and Camille Farrow of Junior Achievement of Alaska.

Ms. Farrow thanked the Assembly. She explained the Job Shadow program was a National initiative declared by America's Promise to Youth. The program is designed to give students exposure to the working world.

Mr. Kendall moved, to reconsider action on item 7.B.19,
seconded by Ms. Abney, AO 98-36.
and it passed without
objection,

Ordinance No. AO 98-36, an ordinance submitting to the qualified voters residing in the **Eagle River-Chugiak Park and Recreational Service Area** at the Regular Municipal Election April 21, 1998, a ballot proposition approving additional voter mandated services and capital improvements up to an additional 0.25 mills, Cultural and Recreational Services. public hearing 2-24-98. **(addendum)**

- a. Assembly Memorandum No. AM 157-98.

Mr. Kendall moved, to amend AO 98-36 in the title,
seconded by Mr. Carlson, line 7 to read: "...services and
and it passed without capital improvements..."
objection,

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 142-98, **Heritage Land Bank Commission appointments** (Paul Wellman, Mary Jo Thill), Mayor's Office.

Mr. Wohlforth moved, to approve AM 142-98.
seconded by Ms. Von Gemmingen,

Mr. Wohlforth said he had received many constituent calls from people concerned about one of the nominees.

Mayor Mystrom said he was aware of controversy regarding appointment of Ms. Thill, resulting from her membership on the Girdwood Board of Supervisors. He noted she was planning to resign from the Girdwood Board of Supervisors. He felt she would be an asset to the Heritage Land Bank Commission.

Question was called on the motion to approve AM 142-98 and it passed without objection.

2. Assembly Memorandum No. AM 133-98, sole source contract to Compensation Management Associates, Inc. for providing **services to deter Worker's Compensation claims** for the Municipality of Anchorage, Public Works Department/Purchasing.

Ms. Von Gemmingen moved, to approve AM 133-98.
seconded by Mr. Murdy,

Municipal Manager Larry Crawford requested this item be postponed until February 24, 1998.

Mr. Murdy moved, to postpone action on AM 133-98
seconded by Ms. Von Gemmingen, until February 24, 1998.
and it passed without
objection,

- F. INFORMATION AND REPORTS: None.

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

- A. **Andree McLeod**, regarding public hearing process and assumption of truth. **(addendum)**

Ms. McLeod distributed a proposed amendment to the Municipal Code. She explained the amendment would provide for Assembly members and Municipal staff to swear to tell the truth when making presentations or making statements. Ms. McLeod said the amendment was in response to a recent incident at the January 27, 1998 Assembly meeting when a member of the public was asked to take an oath prior to testimony. She felt all people, rather than selected persons, should take an oath to ensure a fair and equitable public process.

- B. **Mona Lisa Drexler**, regarding the Alaska Association of Municipal Clerks. **(addendum)**

Deputy Municipal Clerk introduced Ms. Drexler, Clerk of the Fairbanks Northstar Borough, Carol Freas, Clerk of the City of Kenai, Marion Miller, Clerk of the City and Borough of Juneau, Sandra Dillon, Clerk of the Matanuska-Susitna Borough, and Kathy Erickson, Clerk of the City and Borough of Sitka. The Clerks are present in Anchorage for the annual Alaska Association of Municipal Clerks convention and week-long institute.

Ms. Drexler offered greetings to the Assembly. She thanked them for serving the public. She pointed out the time and commitment necessary in such a position. She also appreciated Anchorage hosting the Alaska Association's meeting again.

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

- A. 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.
(POSTPONED FROM 2-3-98)

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

In response to Ms. Clementson, John McGrew addressed the Assembly. He said his background was in finance and banking. As a member of the Housing and Neighborhood Development Commission, he would focus on the need of renovating existing housing. If any of his properties come before the Commission, he would abstain from voting.

In response to Mr. Wohlforth, Mr. McGrew said he was unsure how to reduce housing density in Mountain View. He felt the biggest need was to upgrade the existing housing.

Question was called on the motion to approve AM 96-98 and it passed without objection.

- B. Assembly Memorandum No. AM 51-98, **Latino Cafe** - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Mountain View Community Council), Clerk's Office.
(POSTPONED FROM 1-27-98)

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

Ms. Clementson disclosed she had a conversation with Randy Smith of the Mountain View Community Council regarding this license.

Mr. Wohlforth disclosed he attended a Mountain View Community Council meeting and heard a lot of information regarding this license.

Randy Smith, representing the Mountain View Community Council, said last night's meeting of the Council was the third opportunity and invitation for the new owner to appear before the Council. He said the current owner has two outstanding Alcoholic Beverage Control (ABC) Board violations. He noted in May 1997, the owner was cited for serving patrons at 3:15 a.m., as well as serving to an inebriated minor on the premises. Because of continuing

problems at this location, the Council voted to oppose the license. Also, the nephew of the current license holder was arrested on Federal drug possession charges. He was apprehended at the Latino Cafe. At last night's meeting, information came to light that the current licensee has left the State, and the transfer applicant is now operating the license without a management contract, a violation of alcohol statutes.

Mr. Wohlforth moved, to postpone action on AM 51-98
seconded by Ms. Clementson, until later in the meeting.
and it passed without
objection,

(See item 16, Unfinished Agenda.)

10. **APPEARANCE REQUESTS:**

- A. **Andree McLeod**, regarding public hearing process and assumption of truth. **(addendum)**
- B. **Mona Lisa Drexler**, regarding the Alaska Association of Municipal Clerks. **(addendum)**

These persons appeared earlier in the meeting. See after item 8.

Employee Relations Director Tom Tierney requested item 11.A. be considered prior to the executive session, because many union representatives were present.

Mr. Kendall moved, to consider item 11.A.
seconded by Mr. Wuerch,
and it was withdrawn,

Chairman Begich recommended the executive session be considered first, because all staff are present and the Mayor requested it be held earlier in the meeting. Without objection, the orders of the day were changed to consider item 18, Executive Sessions.

Mr. Wohlforth moved, to recess into executive session to receive information
seconded by Mr. Kendall, on Anchorage Telephone Utility, immediate public
and it passed without disclosure of which would adversely affect the finances
objection, of the Municipality.

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

Mr. Wohlforth moved, to change the orders of the day
seconded by Ms. Von Gemmingen, to consider two special orders.
and it passed with Ms.
Clementson objecting,

Mr. Wohlforth moved, to prohibit release of the tapes of
seconded by Ms. Von Gemmingen, the Anchorage Telephone Utility
and it passed without executive session for five years.
objection,

Ordinance No. AO 98-44, an ordinance of the Municipality of Anchorage providing for the submission to the qualified voters of Anchorage, Alaska the **question of whether the Anchorage Telephone Utility should be sold through a competitive procurement process**, Assemblymember Wohlforth. **(LAID ON THE TABLE)**

Ordinance No. AO 98-45, an ordinance of the Municipality of Anchorage providing for **conditions for the sale of Anchorage Telephone Utility and use of the sale proceeds**, Assemblymember Wohlforth. **(LAID ON THE TABLE)**

Mr. Wohlforth, Ms. Abney and Ms. Clementson joined in introducing these ordinances. The public hearings were scheduled for February 24, 1998.

11. **CONTINUED PUBLIC HEARINGS:**

- A. 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.
 3. Ordinance No. AO 98-5(S), 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. **(addendum)**
 4. Assembly Memorandum No. AM 160-98.

(CONTINUED FROM 2-3-98)

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

ROBERT HEUN, president of the Anchorage Police Department Employees Association (APDEA), noted APDEA has already reached an agreement with the Municipality to implement drug testing. He did not question the benefits of drug testing; he questioned the proposal to eliminate the subject from collective bargaining. He noted the subject of drug testing was traditionally a mandatory subject of bargaining. He asked the Assembly to remain vigilant about changes to the Code with issues that are traditionally considered in bargaining.

JOSEPH ALBRECHT, president of the Anchorage Fire Fighters Union, felt the proposal was unnecessary. He noted the issue was not about drug testing, it was about bargaining. He pointed out there was not a drug problem in the Anchorage Fire Department. Mr. Albrecht added the union won an unfair labor practice action last month, when the Employee Relations Board ruled this is a mandatory subject of bargaining. He said random testing was part of the current Fire Fighter contract. He clarified the union does not want to protect members under the influence of any drugs at work. He was concerned about the proposed reduction of bargaining rights.

GARY BROOKS, representing the International Brotherhood of Electrical Workers (IBEW), reiterated their view that drug testing was a mandatory subject of bargaining in all other arenas involving unions. He said the system as it currently exists appears to be working. He questioned the need for the proposal.

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

Ms. Clementson moved, to adopt AO 98-5(S).
seconded by Mr. Wuerch,

Mr. Murdy felt drug testing was appropriate for all employees. However, he felt recent dealings with the unions have been intimidating. He hoped more harmonious relations with unions could be achieved, to improve productivity and the quality of employees.

Mr. Carlson strongly supported removing testing from bargaining. Removing the subject from bargaining would make it automatic for all employees.

In response to Mr. Carlson, Employee Relations Director Tom Tierney confirmed the drug policy would apply to all Municipal employees except elected officials. Elected officials would be tested in the event they were involved in a collision while driving a Municipal vehicle. He added under the policy, random testing would apply to safety-sensitive employees such as fire fighters, captain, senior captains, engineers, battalion chiefs, mechanics and dispatchers. For police, it would apply to sworn officers, dispatchers, some clerks, chiefs and deputy chiefs, among others.

Ms. Clementson spoke in support of the ordinance. She felt a uniform policy was necessary for all employees, and was the best way to ensure non-discrimination. It would remove the ability for stronger unions to negotiate a different position. Drug testing was a part of the privilege of being a public servant.

Mr. Bell also spoke in support. He felt the bargaining system was good, and would not be damaged by removing drug testing.

Mr. Wohlforth felt random testing was an invasion of privacy and an individual's civil rights. The presumption of innocence is a major part of our legal system. However, since random testing is policy, it should be applied equally to all employees and not be a subject of negotiations.

Question was called on the motion to adopt AO 98-5(S) and it passed:

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

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

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 98-26, a resolution of the Municipality of Anchorage increasing authorization to accept and appropriate (\$11,834,000) **Federal Intermodal Surface Transportation Efficiency Act (ISTEA) funding** for projects located within the Municipality of Anchorage, Public Works.
1. Assembly Memorandum No. AM 63-98.

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

Mr. Wuerch moved, to approve AR 98-26.
seconded by Ms. Clementson,

Ms. Von Gemmingen said she was disappointed the Strawberry Road project was canceled and removed from this list. She hoped it would return in the future.

Question was called on the motion to approve AR 98-26 and it passed:

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

Mr. Wuerch moved, to combine the public hearings
 seconded by Mr. Murdy, for items 12.B. and 12.C,
 and it passed without AO 98-6(S) and AO 98-7(S).
 objection,

- B. Ordinance No. AO 98-6(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$36,600,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality on April 21, 1998, Anchorage School District.
1. Assembly Memorandum No. AM 78-98.
 2. Ordinance No. AO 98-6(S-1), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$36,600,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality on April 21, 1998, Assemblymember Bell. **(addendum)**
 3. Ordinance No. AO 98-6(S-2), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$36,600,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality on April 21, 1998, Anchorage School District. **(addendum)**
- C. Ordinance No. AO 98-7(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$25,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage in and for the Municipality of Anchorage on April 21, 1998, Anchorage School District.
1. Assembly Memorandum No. AM 78-98.
 2. Ordinance No. AO 98-7(S-1), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$25,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Bell. **(addendum)**
 3. Ordinance No. AO 98-7(S-2), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$25,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 21, 1998, Anchorage School District. **(addendum)**

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

DEBBIE OSSIANDER spoke in support of both bond propositions. She explained the \$36 million bond was specifically designed to meet building renovation needs, including major maintenance projects. The \$25 million bond would rebuild and expand Muldoon Elementary, and add a new elementary school in southeast Anchorage, to meet increasing enrollment in those areas. She urged the Assembly to approve both bond issues.

BOB CHRISTAL, Anchorage School District (ASD) Superintendent, noted this year almost 49,000 students would attend ASD schools. There are some serious needs which can be addressed by the proposed bonds.

Mr. Bell noted two ordinances introduced earlier in the meeting, AO 98-40 and AO 98-41, would have public hearings on February 24, 1998. He explained these ordinances posed two separate questions: whether to spend \$25 million to build the schools, and whether to raise the tax cap to pay for operation and maintenance of the schools.

Assistant Municipal Attorney Bill Greene advised AO 98-6(S-2) and AO 98-7(S-2) be scheduled for another public hearing on February 24, because their titles are different from the other versions.

TERRI INCH, parent of a Baxter Elementary student, pointed out many people in the audience were in support of the proposed bonds. She said they will work diligently to educate the community and advocate for passage of the bonds. She felt all items in the bonds were necessary, and the bonds should not be split. She noted splitting the bonds would decrease the likelihood of passage. Ms. Inch described the safety renovations which were critical at Baxter, Muldoon Creekside and Oceanview schools. She urged support for the bonds as proposed by the ASD.

CHARLES MCKEE spoke about construction and the method of title searches. He felt the skills to achieve a school building should be part of the ASD curriculum.

DIANE EDDER, representing the Anchorage Council of PTA's, said the Council voted to support the bond propositions as presented by the ASD. The Council would strongly object to any change in the ASD's proposals. ASD staff has done the research necessary to determine the most pressing needs of District students.

ERIN BOCKHEIM, JESSIE and another unidentified student, 4th grade students at Muldoon elementary, spoke about the need to attend a safe school. They asked the Assembly to approve the bonds which would fund renovation of the school.

CHRYSTAL LAWSON, a former Creekside Elementary student, said she and other students had to wear their coats during the day because of the cold. Also, new textbooks are needed at the school. The playground is also unsafe. She was concerned about these problems because her younger sister now attends the school.

DAVID COMBS, principal of Creekside Elementary, urged the Assembly to approve the bonds as proposed by the ASD. He felt separating the bonds would endanger passage by the voters.

DEENA BLACKBURN, a Creekside student, spoke in support for the bonds which would finance remodeling of the schools. She described problems in the school, including lack of heating, electrical problems, lack of hot water, desks which are in disrepair and sometimes collapse, inadequate handicapped access and improper ventilation.

JESSICA SELLERS, a Creekside student, related an incident last year when a heater exploded. She added the school needs more computers. She pointed out it is difficult for students to study when they are cold.

CHARLENE KLUGS, president of Baxter PTA, asked the Assembly to approve the bonds as proposed by the ASD.

WHITNEY MCCAULY JOHNSON, president of the Baxter student body, said the renovations proposed for the school would enhance the community greatly. She said it is difficult to concentrate because there are no walls separating classes. There is no space for outdoor clothing storage or storage of school supplies. She urged the Assembly to approve the proposed bonds.

ALFRED SELLERS, parent of a Creekside student, urged the Assembly to approve the proposed bonds. He said it was a great burden on parents to worry that their children are studying in an environment where they are cold.

YVONNE BEAVER, parent of a special needs student in the District, felt the bonds must be passed as presented. This would allow children to study in a safe, warm environment.

LOU CUSTON, principal of Oceanview Elementary, said Oceanview was built in 1971 as an open concept school. The classrooms are too small and have no doors or solid walls, allowing noise disruption. There is inadequate storage for supplies and outdoor clothing. He said the roof leaks every year; water also enters through the doors and pipes because of surrounding drainage problems. Computers and necessary equipment are available, but cannot be wired because of asbestos in the ceiling. The bond funds approved last year for renovation were deemed to be inadequate to complete the necessary work.

TRAVIS REED, an Oceanview student, spoke representing the student body. He explained the school was in great need of funding for renovations. Classrooms have partitions or curtains as dividers rather than walls. He described the problems associated with noise traveling from one class to another.

KELSEY WHIT, also an Oceanview student, added that the school library also has the open format. Noise is a real problem, from students going to lunch, restrooms and other classes. She asked the Assembly to approve the bonds to fund renovation to create walls, thereby enhancing the learning environment.

In response to Ms. Clementson, Mr. Custon supported the bonds as proposed. He was concerned if the question of construction and operation were separated, there was the potential that the buildings would be constructed and have no operating funds.

SHERRY ROACH, representing the Muldoon PTA, felt the bond propositions should be placed on the ballot as proposed. She felt all the needs represented in the bond packages were necessary; splitting the bonds might favor one area of town over another. She pointed out Muldoon has been waiting a long time for a new school. The existing school has many maintenance problems and safety hazards. Other schools also have significant needs.

SHERRY SPINK, representing Creekside Community School, noted Creekside and Baxter schools are unique in that they open their school to the public and encourage public use. She asked the bond propositions be approved as presented; she felt it would benefit the northeast Anchorage community. Creekside is adjacent to a Municipal park; renovations to the school would provide the community with a multi-use recreational facility.

SHARON HARRIS, representing Baxter Community School, noted community schools open the facilities of the ASD to the general public. Renovating aging schools will increase public access. She felt public facilities should be in the best condition possible.

SHERRI GOGENOLA, parent of an Oceanview student, opposed splitting the bonds into two packages. To the uninformed voter, it would provide choices that would not benefit the ASD. She asked the bonds be approved as presented.

TODD HESS, principal of Baxter Elementary, spoke in support of the bonds as proposed. He noted the School Board spent considerable time identifying needs throughout the ASD. He complimented the Board and ASD administration for the thoughtful, thorough process to identify these needs. He discussed the specific needs at Baxter. He felt if the proposal was split into two questions, uninformed voters may assume there are options to choose.

JANANN KAUFMAN, a teacher at Muldoon Elementary, asked Mr. Bell to withdraw his bond proposal for high schools. She pointed out the School Board and ASD administration have spent much time to identify elementary school needs. Mr. Bell's proposals was added after this process was completed. She felt adding high schools to the questions may tend to confuse voters.

SARA GANT spoke as representative for Goldenview Middle School PTSA, south Anchorage representative on the Capital Bonds Advisory Committee and a parent of four students. She expressed frustration at the apparent lack of relief for overcrowding and renovation needs at Dimond and Service High Schools. She felt needs of middle and high schools should be addressed with the same intensity as those of elementary schools. She questioned the proposal to build a new elementary school prior to confirmed identification of a site. She asked the Assembly to delay packaging of the bonds until verification of the site for a proposed southeast Anchorage elementary school.

JEFF LIPSCOMB, a parent, spoke to the needs of District high schools. He pointed out test scores are fairly high in lower grades, and decline steadily for each grade after grade 9. He discussed the overcrowding problems at Service High. The needs of Service and Dimond are the highest in the District. He felt the renovation needs at Service were greater than the need for a new southeast elementary school, especially if the school was placed in the wrong location.

The meeting recessed at 9:15 p.m. and reconvened at 9:30 p.m.

LISA FITZPATRICK, parent of a Government Hill Elementary student, spoke representing the Government Hill PTA. She said a small part of the bond package was designated for Government Hill, for planning and auditing funds. She spoke about the coming capacity crisis at the school. She opposed splitting the bonds into separate packages.

ROD, a teacher at Creekside Elementary, pointed out some areas of town receive more services than other areas. He opposed splitting the bond package, because this dynamic might occur. People might vote to approve funding for schools in their area only. He felt the large bond package would create a community effort to improve all schools.

AN UNIDENTIFIED PARENT spoke in support of placing the bond on the ballot as proposed. She suggested the Assembly consider splitting the proposed bond for road maintenance instead. She felt if the public was adequately informed of the dire condition of area schools, one large school bond would be approved.

PAT MCDOWELL, principal of Dimond High, spoke in support of keeping the proposed bond intact. She said the intent when constructing the package was to have each area of town receive some relief. If the bond is split, there is a danger that some schools might not receive badly needed renovation. Although needs of high schools are great, she felt elementary schools have serious needs. She pointed out the bond development process was important and should be followed.

TOM REYNOLDS, parent of an Oceanview student, said the PTA directed him to speak in support of adoption of the proposed bonds as presented. He noted schools were needed to produce graduates with every advantage to compete in the global work force. He felt their success should not be burdened with deteriorating and congested schools, but enabled with clean, modern, comfortable facilities. He asked the Assembly to ensure there is adequate funds to operate and maintain new facilities in the future.

MEGAN MONTAGUE, a student at Service High School, spoke in support of Mr. Bell's proposal for two high schools. She noted Service and Dimond have critical needs which must be addressed immediately. Too often the needs of these schools are unfairly overlooked because of prejudice and politics. In the interest of fairness, she asked the Assembly recognize the needs of high schools, which are just as pressing as those of elementary schools.

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

Mr. Bell moved, seconded by Mr. Kendall, and it passed without objection,	to continue the public hearing for AO 98-6(S) and AO 98-7(S) and all substitute versions, and item 12.D, AO 98-23, until February 24, 1998.
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Mr. Kendall moved, seconded by Ms. Clementson, and it passed without objection,	to introduce AO 98-6(S-2) and AO 98-7(S-2) for public hearing on February 24, 1998.
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- D. Ordinance No. AO 98-23, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$10,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of planning and designing two high schools** within the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 21, 1998, Assemblymember Bell.

1. Assembly Memorandum No. AM 81-98.

The public hearing for this item was continued until February 24, 1998 by the preceding motion.

- E. Resolution No. AR 98-25, a resolution of the Assembly adopting the **AMATS 1997 Anchorage Bowl Long-Range Transportation Plan** and associated air quality conformity determination, Community Planning and Development.
 1. Assembly Memorandum No. AM 61-98.

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

Ms. Clementson moved, to approve AR 98-25.
seconded by Mr. Murdy,

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

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

- F. Ordinance No. AO 98-10, an ordinance amending Anchorage Municipal Code Section 21.20.090 to prohibit any increase in existing residential density, **a zoning change to permit residential land uses; mobile home parks; or camper parks in the 60 day night level (DNL) contour of Anchorage International Airport**, Community Planning and Development.
 1. Assembly Memorandum No. AM 60-98.

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

DEANNA ESSERT, representing the Sand Lake Community Council, said a rezoning issue came before the Council recently. The residents of the area supported larger lots as long as water and sewer were introduced into the area prior to development. She felt the Airport's proposal to restrict the number of residents in the area would be generally supported.

ROBERT OTT, representing the Spenard Community Council, described some concerns the Council has with the ordinance. Property owners affected by this ordinance have not received notice. Also, the noise contour map has not been provided to the public or property owners, and is not included in the ordinance. Another problem is the ordinance would become part of criteria for zoning map amendments. However, zoning map amendments are to be approved only if they further the goals and policies of the Comprehensive Plan, which is currently being revised. Given these concerns, the Council voted to recommend the Assembly postpone action until the public process on Comprehensive Plan revisions is complete and affected property owners receive proper notice and a copy of the contour map.

MARGARET OTT, representing the Spenard Community Council, noted the 1976 Comprehensive Plan stated residentially-zone neighborhoods should be protected from the intrusion of incompatible land uses and their effects, such as noise, glare and dust. High density residential zoning should be permitted and encouraged in those areas where amenities can be provided. Ms. Ott expressed concern land in the contour area would be restricted, and there will be no suitable land for development in the bowl area in the future.

BARBARA WEINIG expressed concern about the process in this situation. She questioned why Airport officials did not make a presentation to the Council many months ago to give Council members time to consider the issue.

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

Tom Middendorf, Planning Manager at Anchorage International Airport, noted the planning process for the Part 150 Study began in the mid 1980's with creation of a technical advisory committee with representatives from the Spenard, Sand Lake and Turnagain Community Councils. In recent years, ongoing updates to the Part 150 Study have included representatives from these councils and the Bayshore Community Council. Public hearings have been associated with this project. He has learned Community Planning and Development Director Sheila Selkregg spoke on this issue before the Spenard Community Council. The proposed ordinance is part of the Airport's overall noise-compatibility program. He explained the program is important to the Airport and the entire State as well as residents. The three parties in the noise-compatibility program are the Airport, the Federal Aviation Administration (FAA) and the Municipality. The Airport's responsibility is to direct air traffic as much as possible over water. The FAA manages traffic in the air, to direct it as much as possible to reduce noise effect on the community. Land use measures are preventative against further incompatible development around the Airport.

Mary Ellen Tuttle, Noise-Compatibility Program manager, said the Airport management has serious concerns about delaying action on the ordinance pending revisions of the Comprehensive Plan. The FAA recently passed regulations stipulating the Airport may not use Federal noise mitigation funds to mediate development that occurs after January 1, 1998. Therefore, it is important this issue be dealt with quickly.

Mr. Murdy supported the Airport, but also expressed concern that the community was not adequately notified on this ordinance.

In response to Mr. Wohlforth, Ms. Tuttle explained the contour map lines are drawn according to noise measurements. The lines may change if configuration of the runways change or if activity at the Airport increases more than 15 or 20 percent. The proposed ordinance would affect land within the lines as they change within the 5-year forecast.

Mr. Bell encourage Airport officials to mail notices to all those affected by the ordinance.

Mr. Meyer supported a postponement pending more adequate notification of the public, as well as a work session.

Don Alspach of Community Planning and Development clarified the ordinance would apply only to rezoning applications, not building permits or conditional use permits.

In response to Mr. Wuerch, Ms. Tuttle explained the five-year forecast showed a smaller contour area in part because Congress passed legislation requiring airlines to phase in use of quieter aircraft. However, anticipated increased use of the airport may eventually enlarge the contour area.

In response to Ms. Clementson, Mr. Alspach said under the ordinance, rezoning in residential zones would be allowed only if the density was equal or reduced. He said Elmendorf Air Force Base has conducted similar noise studies. He did not know if final results have been adopted; EAFB officials have not approached the Municipality to request an action similar to the proposed ordinance.

Ms. Clementson felt EAFB should initiate the same process as the Airport.

Mr. Murdy moved, seconded by Mr. Carlson,	to postpone action on AO 98-10 until March 24, 1998 pending notification, distribution of the contour map and presentations at the affected community councils.
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In response to Mr. Wuerch, Mr. Alspach said there were no rezoning cases in this area that would be considered in the next sixty days.

Question was called on the motion to postpone and it passed:

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

Municipal Manager Larry Crawford suggested a work session be held on the topic.

Mr. Wohlforth moved, seconded by Mr. Bell,	reconsideration of closure of the public hearing for AO 98-10.
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AYES:	Wohlforth, Bell, Abney, Kendall, Begich, Meyer, Von Gemmingen, Clementson, Murdy.
NAYS:	Wuerch, Carlson.

Mr. Bell moved, seconded by Ms. Von Gemmingen, and it passed without objection,	to continue the public hearing for AO 98-10 until March 24, 1998.
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13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.

14. **SPECIAL ORDERS:**

Special orders were considered earlier in the meeting, before item 11 and under item 16, Unfinished Agenda.

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

16. **UNFINISHED AGENDA:**

- A. Assembly Memorandum No. AM 51-98, Latino Cafe - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Mountain View Community Council), Clerk's Office.
(POSTPONED FROM 1-27-98)

Mr. Wohlforth noted the applicant was not present, and did not respond to the Mountain View Community Council's invitation to appear before the Council. He said normally, it would be beneficial for a license to be transferred from a problem operator. However, the new operator did not care to appear, and they are operating the establishment now without approval or a permit. He felt the Assembly should support the Council by protesting the license.

Mr. Wohlforth moved,
seconded by Ms. Clementson,

to amend AM 51-98 on line 35 to read: "...protest the transfer of this license because taxes have not been paid, and for reasons set out below. The Assembly has received information that the establishment has been the scene of serious violations of liquor laws. The applicant has failed to appear before the Assembly or the Mountain View Community Council, and has provided no indication of how these problems will be corrected. The president of the Council has indicated that the applicant is currently operating the license even though no transfer has been approved, and no Management Agreement is on file with the ABC Board which would permit this arrangement. The Mountain View Community Council has requested the Assembly protest transfer of the license. The Assembly hereby does protest this transfer."

Ms. Clementson noted the deadline to protest was February 15. If the applicant wishes to appear in the future, the Assembly may vote to lift the protest.

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

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

Question was called on the motion to approve AM 51-98 as amended and it passed:

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

- B. Ordinance No. AO 98-43, an ordinance submitting to the qualified voters residing in the South Golden View Limited Road Service Area ("SGVLRSA") and the area to be annexed, a ballot proposition **altering the boundaries of the South Golden View Limited Road Service Area to include in that service area property described as Mt. McKinley View Estates Subdivision** according to Plat No. 74-80 abutting but not presently in the South Golden View LRSA, Assemblymember Abney. **(LAID ON THE TABLE)**

Mr. Bell, Mr. Wohlforth and Ms. Abney joined in introducing this ordinance. The public hearing was scheduled for February 24, 1998.

C. Assembly Comments.

1. Mr. Wohlforth felt the Assembly should have a unified position when speaking in public about Anchorage Telephone Utility.
2. Mr. Bell asked the Alaska Aviation Heritage Museum be a topic in the upcoming Assembly retreat.
3. Ms. Abney requested information on a pending ordinance regarding antennae farms.
4. Mr. Meyer offered condolences to the friends and family of the taxi cab driver who was shot and killed recently. He noted this type of incident is increasing in frequency, so some changes in the industry should be made. He asked the Transportation Commission to expedite consideration of a proposal regarding a new dispatch system.
5. Ms. Clementson, Mr. Carlson and Mr. Murdy thanked the ATU Committee for its assistance in helping the Assembly with decisions on ATU.
6. Mr. Murdy said the Public Safety Committee would meet to address problems faced by taxi cab drivers.
7. Chairman Begich noted the Anchorage Legislative Caucus would meet on February 14, 1998 at 2:00 p.m.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:**

- A. Anchorage Telephone Utility. **(LAID ON THE TABLE)**

This executive session was held earlier in the meeting.

19. **ADJOURNMENT:**

Mr. Murdy moved, to adjourn.
seconded by Ms. Clementson,
and it passed without
objection,

The meeting adjourned at 11:00 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: March 24, 1998

VC/db

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