

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of February 24, 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 13, 1998

Mr. Murdy moved, seconded by Mr. Wuerch, and it passed without objection, to approve the minutes of the regular meeting of January 13, 1998.

5. **MAYOR'S REPORT:**

Mayor Mystrom reported on the recommendations of the Public Facilities Advisory Commission on ice rinks. The recommendation was that the cost of ice time rental be raised to \$175 per hour for six months. If, in that time, the rate increase does not trigger private sector development of ice space, the rate should return to \$160 per hour. Meetings with various user groups are ongoing to discuss the impact and receive feedback. The goal is to develop and implement a plan of action in about two weeks. Secondly, Mayor Mystrom noted all Municipal departments are participating in the Junior Achievement job shadow program.

6. **ADDENDUM TO AGENDA:**

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

Chairman Begich read the addendum items.

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

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:** None.

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

1. Ordinance No. AO 98-48, an ordinance amending the zoning map and providing for the rezoning of approximately nine (9) acres from R-3 (Multi-Family Residential District) to B-3/SL (General Business District) with Special Limitations for **Tract B, Cook Subdivision**, generally located on the west side of Denali Street and south of 40th Avenue (Spenard Community Council) (Planning and Zoning Commission Case 97-164), Community Planning and Development. public hearing 3-31-98.
  - a. Assembly Memorandum No. AM 166-98.
2. Ordinance No. AO 98-49, an ordinance amending Anchorage Municipal Code Section 27.30.700 to **amend the Villages Scenic Parkway Limited Road Service Area boundaries and map** to include within the Villages Scenic Parkway Limited Road Service Area the three lots abutting Hill Road and described as Tracts 13A and 13B, The Villages Subdivision and Lot 3 Pine Ridge Subdivision, Legal Department. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 193-98.
3. Ordinance No. AO 98-50, an ordinance of the Anchorage Municipal Assembly authorizing the long term access agreement between the Municipality of Anchorage as assignor and Alaska Laser Wash Incorporated as assignee for a **portion of Tract C-1, Merrill Field Replat Addition No. 4**, located on the north side of 5th Avenue and directly east of 1515 East 5th Avenue, Merrill Field Airport. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 207-98.

4. Resolution No. AR 98-47, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating Alaska Clean Water Fund loan offers in the amount of \$2,010,650 for **financing a portion of the costs of fuel tank upgrades, Wastewater System Expansion-1998, Equipment Wastewater-1998, Wastewater Facility Replacement and Rehabilitation-1998 and the Chester Creek Sewer Trunk Study**, Water and Wastewater Utility. public hearing 3-3-98.
  - a. Assembly Memorandum No. AM 167-98.
5. Resolution No. AR 98-48, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating an Alaska Clean Water Fund loan offer in the amount of \$1,950,000 for **financing the costs of the Operations Facility Phase II project**, Water and Wastewater Utility. public hearing 3-3-98.
  - a. Assembly Memorandum No. AM 168-98.
6. Resolution No. AR 98-49, a resolution of the Municipality of Anchorage accepting when tendered \$300,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$10,000 from the Alaska State Department of Transportation and Public Facilities grant; and appropriating said grants and \$10,000 from the Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **constructing RIAT security fencing**, Merrill Field Airport. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 169-98.
7. Resolution No. AR 98-50, a resolution of the Municipality of Anchorage accepting when tendered \$1,050,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$35,000 from the Alaska State Department of Transportation and Public Facilities grant; and appropriating said grants and \$35,000 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **reconstructing Runway 6-24 Lighting; construct Runway 24 Overrun and Compass Rose**, Merrill Field Airport. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 170-98.
8. Resolution No. AR 98-51, a resolution of the Municipality of Anchorage accepting when tendered \$234,375 from the Federal Aviation Administration Airport Improvement Program grant, and \$7,812 from the Alaska State Department of Transportation and Public Facilities grant; and appropriating said grants and \$7,812 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **acquisition of snow removal equipment**, Merrill Field Airport. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 171-98.
9. Resolution No. AR 98-52, a resolution of the Municipality of Anchorage accepting when tendered \$478,125 from the Federal Aviation Administration Airport Improvement Program grant, and \$15,937 from the Alaska State Department of Transportation and Public Facilities Grant; and appropriating said grants and \$15,938 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **constructing Taxiway Bravo-Phase I**, Merrill Field Airport. public hearing 3-10-98.
  - a. Assembly Memo randum No. AM 172-98.
10. Resolution No. AR 98-53, a resolution authorizing the Municipality of Anchorage, Department of Public Works to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$150,000 with the State of Alaska, Department of Transportation and Public Facilities for **financing a portion of the design of Lake Otis/Tudor roadway capacity improvements**, Public Works. public hearing 3-10-98.
  - a. Assembly Memorandum No. AM 173-98.
11. Assembly Memorandum No. AM 182-98, **Employee Relations Board reappointment** (Joe Montgomery), Mayor's Office. public hearing 3-10-98.
12. Ordinance No. AO 98-52, an ordinance amending Anchorage Municipal Code Section 27.30.700 to **amend the South Goldenview Limited Road Service Area boundaries and map** to include within the South Goldenview Limited Road Service Area the property described as the Mt. McKinley View Estates Subdivision according to Plat No. 74-80, Assemblymember Abney. public hearing 3-10-98. (**addendum**)
  - a. Assembly Memorandum No. AM 208-98.
13. Ordinance No. AO 98-53, an ordinance amending Anchorage Municipal Code Zoning District Subsections 21.40.030 I. (R-1 and R-1A Single-Family Residential), 21.40.040 I. (R-2A and R-2D Two-Family Residential), 21.40.045 I. (R-2M Multi-Family Residential), 21.40.100 I. (R-8, Rural Residential), 21.40.110 I. (R-9 Rural Residential), 21.40.115 G. (R-10 Residential Alpine), and 21.40.120 I. (D-2 and D-3 Residential) to **increase the maximum height of accessory buildings to not greater than five feet (5') less than the maximum permitted height for principal structures**, Assemblymember Kendall. public hearing ~~3-10-98~~ 6-2-98. (**addendum**)
  - a. Assembly Memorandum No. AM 221-98.

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

14. Ordinance No. AO 98-54, an ordinance amending Anchorage Zoning Ordinance 94-235(S-1) to delete the requirements therein that the zoned property become part of the Municipality's Building Safety Service Area and that snow removal and disposal be provided said property by special assessment district and amending AO 94-235(S-1) requirements for street light maintenance and operation AO 94-235(S-1) rezoned to Planned Community District (PC) approximately 530 acres described as **Tract A of the Powder Reserve** located immediately northwest and southwest of the North Eagle River Interchange of the new Glenn Highway in Eagle River and within portions of Sections 25, 26, 35 and 36, Township 15 North, Range 2 West, Seward Meridian Alaska, Assemblymember Kendall. public hearing ~~3-10-98~~ 5-19-98. (**addendum**)
  - a. Assembly Memorandum No. AM 222-98.

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

15. Ordinance No. AO 98-55, an ordinance **selecting a 15 acre site in Hillside Park for an elementary school to serve the southeast Anchorage area** and repealing the site's designation as part of dedicated park land. The site is located in the southwestern corner of Hillside Park and is generally described as the North 800 feet of the West 1/2 of the Southwest 1/4 of the Southeast 1/4 and the South 200 feet of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 10, Township 12 North, Range 3 West, Seward Meridian, Alaska, Assemblymember Begich. public hearing 3-10-98. (**addendum**)

16. Ordinance No. AO 98-56, an ordinance **calling a Special Election on April 21, 1998 and submitting to the qualified voters residing in the Raven Woods/Bubbling Brook Limited Road Service Area** and the area to be annexed a ballot proposition altering the boundaries of the Raven Woods/Bubbling Brook Limited Road Service Area to include in that service area three lots described as Parcel 21C of Section 23, Township 12 North, Range 3 West Seward Meridian, Alaska and Lots 4 and 5, Block 1 Alpine Woods Subdivision, which are not presently within but abut said service area. This ordinance also amends Anchorage Municipal Code Section 27.30.700 to change the boundaries of the Raven Woods/Bubbling Brook Limited Road Service Area to include the above-described property contingent upon voter approval, Assemblymember Bell. public hearing 3-10-98. **(addendum)**
  - a. Assembly Memorandum No. AM 225-98.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-54, a resolution **amending and designating new district area boundaries for the Northeast Community Council**, Assemblymembers Begich and Clementson.
2. Resolution No. AR 98-55, a resolution of the Anchorage Municipal Assembly opposing Senate Bill No. 208 and its companion House Bill No. 365 which propose to severely restrict the **authority of Home Rule and other municipalities over the creation, alteration and abolition of local, municipal service areas**, Assemblymembers Clementson and Von Gemmingen.

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

3. Resolution No. AR 98-56, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Anchorage School District teachers Alison Vail, Judy Jeffery, and Maureen Petrunic upon receiving the National Science Foundation's Presidential Award for Excellence**, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

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

4. Resolution No. AR 98-57, a resolution of the Anchorage Municipal Assembly **opposing HB 28, Work Draft "E", An act modifying the Alaska Coastal Management Program and the responsibilities of the Alaska Coastal Policy Council**, Assemblymembers Abney, Begich, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, and Wohlforth. **(addendum)**

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

5. Resolution No. AR 98-63, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 259, "An act relating to the membership of and the State's participation in a Metropolitan Highway Planning Organization"**, Assemblymember Clementson. **(addendum)**

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 183-98, **Equal Rights Commission reappointments** (Dave Cavitt, David Levy, Shelby Nuenke-Davison), Mayor's Office.
2. Assembly Memorandum No. AM 184-98, **Investment Advisory Commission reappointments** (Julius Brecht, Roderick Shipley), Mayor's Office.
3. Assembly Memorandum No. AM 185-98, **Memorial Park Cemetery Advisory Commission appointment** (Marlene Rapp), Mayor's Office.
4. Assembly Memorandum No. AM 186-98, **On-Site Wastewater System Technical Review Board appointments** (Carol Nesbett, Robert Shafer), Mayor's Office.
5. Assembly Memorandum No. AM 187-98, **Parking Authority Board of Directors appointments** (Michael Zoske, Joanne Brause, Louise Lazur), Mayor's Office.
6. Assembly Memorandum No. AM 188-98, **Planning and Zoning Commission appointments** (Richard Birkinshaw, Toni Jones, Christopher Hodel), Mayor's Office.

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

7. Assembly Memorandum No. AM 189-98, **Sister City Commission appointments** (Linda Jackson, Dick Stallone, Ken Stout, Teri Lakshas), Mayor's Office.
8. Assembly Memorandum No. AM 190-98, **Transit Advisory Board appointment** (David Schulhofer), Mayor's Office.
9. Assembly Memorandum No. AM 163-98, **1998-1999 Liquor License Renewals**: The Pastime Club (Beverage Dispensary); Viking Hall (Club); Party Time Plaza Liquor (Package Store); La Scala Restaurant (Restaurant/Eating Place), Clerk's Office.
10. Assembly Memorandum No. AM 161-98, **Anchorage Telephone Utility Labor Board** impending vacancy and Assembly procedure for new appointment, Municipal Clerk.
11. Assembly Memorandum No. AM 174-98, contract amendment No. 7 to Quality Asphalt Paving, Inc., for the **construction of the Lore Road Upgrade (Brayton Drive to Lake Otis Parkway)**, File No. 93-13, Public Works.
12. Assembly Memorandum No. AM 175-98, amendment No. 1 to the professional engineering services contract with R&M Consultants, Inc. for **Eagle River Reservoir and Eagle River Water Improvements - 1998 Projects**, Water and Wastewater Utility.
13. Assembly Memorandum No. AM 176-98, proprietary purchase to McKesson Drug and Bergen Burnswig Medical Corporation for furnishing **medical supplies** to the Municipality of Anchorage, Department of Health and Human Services/Purchasing.

14. Assembly Memorandum No. AM 177-98, change order No. 3 to purchase order 54222 with AAA Window Cleaning for providing **window cleaning services** at various municipal facilities to the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
15. Assembly Memorandum No. AM 178-98, proprietary purchase from Woodward Governor Company for a **remote control system to operate and monitor turbines** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
16. Assembly Memorandum No. AM 179-98, recommendation of award to the South Central Chapter - American Red Cross for providing **leased space for the Job Training Partnership Act (JTPA) Office** for the Municipality of Anchorage, Department of Property and Facility Management (RFP 85-97), Purchasing.
17. Assembly Memorandum No. AM 180-98, recommendation of award to various firms for providing **professional engineering services for the 1998 Watershed Management Program** for the Municipality of Anchorage, Public Works Department (RFP 73-97), Purchasing.

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

18. Assembly Memorandum No. AM 181-98, recommendation of award to The Boutet Company for providing **professional project management services** for the Municipality of Anchorage, Public Works Department (RFP 81-97), Purchasing.
19. Assembly Memorandum No. AM 191-98, **professional 1998 Federal lobbying services** with Birch, Horton, Bittner, and Cherot by William P. Horn, Municipal Manager's Office.
20. Assembly Memorandum No. AM 203-98, **Sunny Slopes West water R&R**, contract with Newton Excavating, Inc. contract change order No. 3 (C-70317), Water and Wastewater Utility.

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

21. Assembly Memorandum No. AM 204-98, change order No. 7 to purchase order 51579 with Denali HVAC, Inc. for **furnace and boiler repairs/replacement** for the Municipality of Anchorage, Department of Health and Human Services/Purchasing.
22. Assembly Memorandum No. AM 205-98, change order No. 7 to purchase order 63332 with G & S Trucking for furnishing **end dumps with operators** to the Municipality of Anchorage, Public Works Department/Purchasing.
23. Assembly Memorandum No. AM 206-98, **April 28, 1998 Assembly Meeting**, Office of Management and Budget.

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

24. Assembly Memorandum No. AM 212-98, recommendation of award to the Boniface Mall Group c/o H & R Management, Inc. for providing **lease space for the Muldoon Library** for the Municipality of Anchorage, Department of Property and Facility Management (RFP 69-97), Purchasing. **(addendum)**

#### E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 27-98, Internal Audit Report 98-03 - **Contract for Professional Services with Montgomery Watson, Anchorage Water and Wastewater Utility**, Internal Audit.

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

2. Information Memorandum No. AIM 28-98, Internal Audit Report 98-04 - **1997 Parts Inventory, Fleet Services - Property and Facility Management**, Internal Audit.
3. Information Memorandum No. AIM 29-98, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of January 1998, Purchasing.
4. Information Memorandum No. AIM 30-98, **Sole Source Procurement Report** for the month of January 1998, 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 98-53, an ordinance amending Anchorage Municipal Code Zoning District Subsections 21.40.030 I. (R-1 and R-1A Single-Family Residential), 21.40.040 I. (R-2A and R-2D Two-Family Residential), 21.40.045 I. (R-2M Multi-Family Residential), 21.40.100 I. (R-8, Rural Residential), 21.40.110 I. (R-9 Rural Residential), 21.40.115 G. (R-10 Residential Alpine), and 21.40.120 I. (D-2 and D-3 Residential) to **increase the maximum height of accessory buildings to not greater than five feet (5') less than the maximum permitted height for principal structures**, Assemblymember Kendall.  
public hearing ~~3-10-98~~ 6-2-98. **(addendum)**
  - a. Assembly Memorandum No. AM 221-98.

2. Ordinance No. AO 98-54, an ordinance amending Anchorage Zoning Ordinance 94-235(S-1) to delete the requirements therein that the zoned property become part of the Municipality's Building Safety Service Area and that snow removal and disposal be provided said property by special assessment district and amending AO 94-235(S-1) requirements for street light maintenance and operation. Anchorage Ordinance 94-235(S-1) rezoned to Planned Community District (PC) approximately 530 acres described as **Tract A of the Powder Reserve** located immediately northwest and southwest of the North Eagle River Interchange of the new Glenn Highway in Eagle River and within portions of Sections 25, 26, 35 and 36, Township 15 North, Range 2 West, Seward Meridian Alaska, Assemblymember Kendall. public hearing ~~3-10-98~~ 5-19-98. (**addendum**)
  - a. Assembly Memorandum No. AM 222-98.

Mr. Kendall, Mr. Wuerch and Mr. Carlson joined in introducing AO 98-53 and AO 98-54. To allow time for consideration by the Planning and Zoning Commission, the public hearing for AO 98-53 was scheduled for June 2, 1998. The public hearing for AO 98-54 was scheduled for May 19, 1998.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-55, a resolution of the Anchorage Municipal Assembly opposing Senate Bill No. 208 and its companion House Bill No. 365 which propose to severely restrict the **authority of Home Rule and other municipalities over the creation, alteration and abolition of local, municipal service areas**, Assemblymembers Clementson and Von Gemmingen.

Ms. Clementson moved, to approve AR 98-55.  
seconded by Ms. Von Gemmingen,

Mr. Kendall moved, to table AR 98-55.  
seconded by Ms. Abney,

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

NAYS: Wohlforth, Meyer, Von Gemmingen, Clementson, Murdy.

Ms. Clementson discussed the effect of the proposed State legislation. She said it had serious implications for the Municipality.

2. Resolution No. AR 98-56, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Anchorage School District teachers Alison Vail, Judy Jeffery, and Maureen Petrunic upon receiving the National Science Foundation's Presidential Award for Excellence**, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. (**addendum**)

Ms. Abney moved, to approve AR 98-56.  
seconded by Mr. Wuerch,  
and it passed without  
objection,

Chairman Begich read the resolution while Ms. Abney presented it to the recipients.

Ms. Petrunic and Ms. Jeffery thanked the Assembly.

3. Resolution No. AR 98-57, a resolution of the Anchorage Municipal Assembly **opposing HB 28, Work Draft "E", An act modifying the Alaska Coastal Management Program and the responsibilities of the Alaska Coastal Policy Council**, Assemblymembers Abney, Begich, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, and Wohlforth. (**addendum**)

Ms. Abney moved, to approve AR 98-57.  
seconded by Mr. Wohlforth,

Ms. Abney asked a copy of this resolution be forwarded to the State office of Governmental Coordination as well as other recipients listed in the document.

Question was called on the motion to approve AR 98-57 and it passed without objection.

4. Resolution No. AR 98-63, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 259, "An act relating to the membership of and the State's participation in a Metropolitan Highway Planning Organization"**, Assemblymember Clementson. (**addendum**)

Mr. Murdy moved, to approve AR 98-63.  
seconded by Mr. Wohlforth,

Mayor Mystrom said he had no objection to approval of this resolution.

Ms. Clementson noted the Senate unanimously passed Bill 259 earlier in the day.

There was a discussion of how the bill would change the AMATS committee membership.

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

to amend AR 98-63 to insert a "WHEREAS" clause  
at line 27 to read: "WHEREAS, the action to change  
the AMATS process, entered into unilaterally by the State  
of Alaska, could endanger federal highway funding for  
Anchorage, which is intended to be handled cooperatively  
between the Municipality and the State; and"

Question was called on the motion to approve AR 98-63 as amended and it passed:

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

NAYS: Kendall, Wuerch, Murdy.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 188-98, Planning and Zoning Commission appointments  
(Richard Birkinshaw, Toni Jones, Christopher Hodel), Mayor's Office.

Ms. Clementson moved,  
seconded by Mr. Murdy,

to approve AM 188-98.

Ms. Clementson commended the administration for the proposed appointments. She noted Ms. Jones served on the Commission in the early 1980's and would bring important perspective from a time when Anchorage experienced a development boom.

Question was called on the motion to approve AM 188-98 and it passed without objection.

2. Assembly Memorandum No. AM 180-98, recommendation of award to various firms for providing professional engineering services for the 1998 Watershed Management Program for the Municipality of Anchorage, Public Works Department (RFP 73-97), Purchasing.

Mr. Wuerch moved,  
seconded by Mr. Murdy,

to approve AM 180-98.

Mr. Wuerch moved,  
seconded by Mr. Kendall,

to postpone action on AM 180-98 until March 3, 1998  
pending information from the administration on the mark-up  
which would be received by the various contractors for  
purchases and sub-contracts.

Ms. Abney requested information on whether these services would include work on Chester Creek.

Question was called on the motion to postpone action on AM 180-98 until March 3, 1998 and it passed without objection.

3. Assembly Memorandum No. AM 203-98, Sunny Slopes West water R&R, contract with Newton Excavating, Inc. contract change order No. 3 (C-70317), Water and Wastewater Utility.

Ms. Von Gemmingen declared a conflict of interest on this item.

Ms. Clementson moved,  
seconded by Mr. Murdy,

to approve AM 203-98.

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

NAYS: None.

ABSTAIN: Von Gemmingen.

4. Assembly Memorandum No. AM 206-98, April 28, 1998 Assembly Meeting, Office of Management and Budget.

Mr. Wuerch moved,  
seconded by Mr. Murdy,

to approve AM 206-98.

Mr. Wuerch argued the mill rate should not be set before certification of the election, which is scheduled for May 5, 1998.

Gene Dusek of the Office of Management and Budget hoped proposition results would be known by April 28. If results are not known by that date, action on the mill levy would be postponed until May 5. However, delaying until May 5 would create the possibility that tax bills could not be mailed on May 15. About \$100,000 of interest revenues would be lost every week of delay past May 15. He knew of no laws prohibiting setting of the mill rate prior to certification of the election. The Municipal general operating budget is not impacted, because usually bonds are not sold until the last half of the year. The only bonds which might be affected would be those of the Anchorage School District, which operates on a fiscal year.

Municipal Manager Larry Crawford supported scheduling a meeting on April 28.

Mr. Wohlforth recommended the Assembly reinstate the April 28 meeting, and keep the agenda reserved solely for action on the mill rate.

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

to postpone action on AM 206-98  
until March 3, 1998.

## F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 27-98, Internal Audit Report 98-03 - Contract for Professional Services with Montgomery Watson, Anchorage Water and Wastewater Utility, Internal Audit.

Mr. Wuerch moved, to accept AIM 27-98.  
seconded by Mr. Kendall,

Mr. Wuerch noted the amount of the mark-up given to the contractor was about 12 percent, whereas the industry average was between 4 and 10 percent. He suggested review by a project management organization to establish a more accurate benchmark.

Question was called on the motion to accept AIM 27-98 and it passed without objection.

The Assembly then considered item 10, Appearance Requests at 6:00 p.m. as required by Municipal Code.

**Jennifer Goff**, regarding animal control services.

Ms. Goff described her recent problems with the animal control system, regarding an incident with her dog. She has pursued every administrative channel, yet there is still a conflict. In response to Mr. Bell, Ms. Goff said she was cited with an obstruction of a peace officer misdemeanor. The prosecutor dismissed this charge.

In response to Mr. Kendall, Miles Fujimoto of the Health Department said the law clearly allows impoundment of an animal exhibiting level I and II behavior. He said animal control staff was preparing a written response to Ms. Goff's case.

Ms. Goff added she felt the animal control hearing officer was too closely connected to the Municipal administration.

**Linda Sharp and Carrie Merrill**, regarding housing for charter schools.

Ms. Sharp, representing the academic policy committee of the Village Charter School, noted the School was approved and recommended by the Anchorage School Board in November, 1997. She said finding a location for the School has been unsuccessful to date. She asked the Assembly's assistance to find a suitable location prior to the School's commencement in the fall of 1998. A building has recently been found, but it does not comply with zoning laws; she asked the Assembly to waive the zoning requirements for the building. If they cannot waive the requirements, she asked they offer suggestions on Municipally-owned buildings which may be suitable. Failing that, she asked for funds to allow the school to lease a space which is too expensive for the School's current budget. Lastly, Ms. Sharp asked the Assembly arrange to have Loussac Library open at 8:00 a.m. two days a week to accommodate Village Charter School students.

Ms. Merrill added school staff has dedicated 90 percent of their time on the effort to find housing. Other necessary activities have been put on hold.

In response to Mr. Carlson, Carol Comeau of the Anchorage School District said the administration supports charter schools and has tried to help in this situation. State law requires a charter school facility must meet all State and local fire, health and safety codes and regulations. The District has no available space for the school. She said she would provide information on any vacant classrooms at West and Romig schools.

Chairman Begich explained to address zoning requirements, the zoning process must be followed. The Assembly cannot intervene outside that process. He referred Ms. Sharp and Ms. Merrill to the Heritage Land Bank to determine availability of any Municipal facilities.

**Theresa Nangle Obermeyer**, regarding Christmas plates.

Ms. Obermeyer discussed her gifts of decorative glass serving platters to Assembly members in December 1997. She explained the gifts were meant as a gesture to recognize members' time and effort in service to the community.

**Joireen Cohen**, regarding the ice rink issue. (addendum)

Ms. Cohen discussed the shortage of ice rinks in Anchorage. She felt more indoor rinks should be built, and a way identified to fund this construction at the lowest cost. She said the recent recommendation by the Public Facilities Advisory Commission would supply additional ice quickly, but at a very high cost. The increase in cost would make ice sports unaffordable to hundreds of Anchorage youth. She asked the Assembly to help find a solution to increase ice space at an affordable cost.

**Chuck Eddy**, regarding Lake Otis/Tudor Road intersection. (addendum)

Reverend Eddy, rector of St. Mary's Episcopal church, discussed plans to alter the intersection of Tudor and Lake Otis. He did not object to plans to add turn lanes at the intersection until he heard of the necessity to take part of the Church property and remove trees for the construction easement. Change to the retaining wall easement might affect the Church's future expansion. Also, replacement of the retaining wall might involve heaving pounding activities which may damage the existing Church structure. Rev. Eddy said he would not grant an easement until more information about the impact is available. He pointed out a new intersection has not been nor is now in the Long Range Transportation Plan. He encouraged the Assembly to investigate other options to reduce traffic congestion at the intersection. He felt merely enlarging the intersection would not solve the problem.

In response to Mr. Wohlforth, Rev. Eddy said the Church expanded its facility at a cost of about \$2.3 million after receiving assurance in 1991 that plans to expand Lake Otis & Tudor were not included in the Long Range Transportation Plan.

Mayor Mystrom clarified his understanding was that the expansion would not exceed the existing State right-of-way. However, it would be necessary to encroach onto Church property during construction to allow certain equipment to operate. He said he would discuss the matter further with Rev. Eddy.

The meeting recessed at 6:56 p.m. and reconvened at 7:40 p.m.

Mr. Bell moved,	to suspend the rules to introduce
seconded by Mr. Murdy,	Boy Scouts in attendance.
and it passed without	
objection,	

Members of Boy Scout Den 9, Pack 102 introduced themselves to the Assembly. They were present to work toward their citizenship badges.

Mr. Kendall moved,	to change the orders of the day to
seconded by Ms. Clementson,	consider item 9.A, AM 133-98.
and it passed without	
objection,	

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

- A. 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.  
(POSTPONED FROM 2-10-98)

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

Operations Manager George Vakalis indicated the Risk Manager was present to answer any questions.

Question was called on the motion to approve AM 133-98 and it passed:

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

Mr. Wohlforth moved,	to change the orders of the day to
seconded by Mr. Bell,	consider items 11.A, B and C with
and it passed without	items 12.G. and 12.H, also education
objection,	items.

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

This item was not addressed during this meeting. See minutes of March 3, 1998.

- C. 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.  
1. Assembly Memorandum No. AM 128-98.  
(AMENDED AND POSTPONED FROM 2-10-98)
- D. 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.  
1. Assembly Memorandum No. AM 151-98.  
(AMENDED AND POSTPONED FROM 2-10-98)

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

#### 10. APPEARANCE REQUESTS:

- A. **Jennifer Goff**, regarding animal control services.  
B. **Linda Sharp and Carrie Merrill**, regarding housing for charter schools.  
C. **Theresa Nangle Obermeyer**, regarding Christmas plates.  
D. **Michael Hansen**, regarding the Municipal Legal Department.

Mr. Hansen's appearance was rescheduled for March 3, 1998.

- E. **Joireen Cohen**, regarding the ice rink issue. (**addendum**)  
F. **Chuck Eddy**, regarding Lake Otis/Tudor Road intersection. (**addendum**)

These persons, with the exception of Mr. Hansen, appeared earlier in the evening. See after item 8.

#### 11. CONTINUED PUBLIC HEARINGS:

- A. 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.
  3. Assembly Memorandum No. AM 196-98, AO 98-6(S-1) - the question of the issuance of \$36,600,000 of General Obligation Bonds to pay the cost of educational capital improvements, Assemblymember Bell.
  4. 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.
  5. Assembly Memorandum No. AM 215-98, Office of Management and Budget. **(addendum)**  
(CONTINUED FROM 2-10-98)
- B. 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.
  3. Assembly Memorandum No. AM 197-98, Assemblymember Bell.
  4. 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.
  5. Assembly Memorandum No. AM 215-98. **(addendum)**  
(CONTINUED FROM 2-10-98)
- C. 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, Assemblymembers Bell and Kendall.
1. Assembly Memorandum No. AM 81-98.  
(CONTINUED FROM 2-10-98)

Items 11.A. through 11.C. were considered with items 12.G. and 12.H.

## 12. NEW PUBLIC HEARINGS:

- A. 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.
1. Assembly Memorandum No. AM 110-98.
  2. Assembly Memorandum No. AM 213-98, Health and Human Services. **(addendum)**

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

TOM MCGRATH spoke about the importance of young people in the community. He suggested a position on the Commission be designated for a member under the age of 22 years. Further, he suggested other appropriate boards and commissions have similar designations.

DON SIMMONS, a member of the Commission, spoke to the merits of continuing the Commission. He said the Commission is involved in community education and advocating the causes of people with disabilities.

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

Mr. Murdy moved, to adopt AO 98-24.  
seconded by Ms. Clementson,

Chairman Begich called attention to a typographical error in AM 110-98.

Mr. Murdy moved, to amend the accompanying memorandum,  
seconded by Ms. Clementson, AM 110-98 on line 18 to read:  
and it passed without "...expire in 1998."  
objection,

Question was called on the motion to adopt AO 98-24 and it passed:

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

- B. Ordinance No. AO 98-25, an ordinance **continuing or reestablishing the Investment Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assembly Chair Begich.
1. Assembly Memorandum No. AM 111-98.
  2. Assembly Memorandum No. AM 114-98, Finance.

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

JACK DIAMOND, a member of the Commission, asked the Assembly to consider denying continuation of the Commission. He explained during his two year tenure, the Commission had not been very successful in moving Municipal accounts to local firms. Business continues with out-of-state firms. Although the administration and Assembly express a desire to do business with local companies, this goal remains elusive. He felt the point of the Commission was moot without involvement with local businesses.

ROD SHIPLEY, chair of the Commission, felt although the issue of establishing relations with local businesses was important, it did not warrant termination of the Commission. He said the Commission serves a valuable purpose. The Municipality's investments are significant; citizen oversight of investments and policies is important. In response to Mr. Bell, Mr. Shipley said he shared some of Mr. Diamond's frustration with the lack of involvement with local companies, however, he felt the agenda of the Commission should be expanded beyond this issue.

THERESA OBERMEYER commended the previous speakers. She felt there was no accountability for advisory commissions, and there was no guarantee their advise was taken into consideration.

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

Mr. Carlson moved, to adopt AO 98-25.  
seconded by Mr. Murdy,

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

Chairman Begich requested a response from the administration regarding Mr. Diamond's concerns.

Municipal Manager Larry Crawford said he would provide copies of the letter from the administration requesting one company switch Anchorage's account to their Anchorage office.

Employee Relations Director Tom Tierney added with respect to the Police and Fire Retirement system, whenever a search for a new investment manager occurs, the consultant is instructed to ensure Anchorage fund managers are apprised and given an opportunity to bid.

- C. Ordinance No. AO 98-26, an ordinance **continuing or reestablishing the Youth Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assembly Chair Begich.
1. Assembly Memorandum No. AM 112-98.
  2. Assembly Memorandum No. AM 116-98, Cultural and Recreational Services.

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

WAYLON KNUDSEN, a member of the Commission, described the Commission's activities. He said the Commission recently passed a resolution encouraging the administration to create available seats on appropriate boards and commissions for youth, an actively solicit youth members. The Commission also passed a resolution encouraging the Assembly and AMATS Policy Committee to select a 20 percent allocation for transportation enhancements.

KIKKAN RANDALL read the resolution in support of an AMATS 20 percent allocation for transportation enhancements.

KARIN KUSANO, a member of the Commission, thanked the Assembly for creating an outlet for youth to have a voice in community issues.

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

Mr. Murdy moved, to adopt AO 98-26.  
seconded by Ms. Von Gemmingen,

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

- D. 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.
1. Assembly Memorandum No. AM 158-98.
  2. Assembly Memorandum No. AM 226-98, Municipal Manager's Office. (**addendum**)

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

ROD PFLEIGER, representing the Anchorage Downtown Partnership, spoke in support of the ordinance. He felt the exemption would further efforts to provide a clean, safe and beautiful downtown area within the Downtown Business Improvement District.

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

Mr. Murdy moved, to adopt AO 98-37.  
seconded by Mr. Wohlforth,

In response to Ms. Abney, Mr. Wohlforth noted this exemption was similar to one given to the Spenard Community Council, that allowed placement of banners along Spenard Road.

Question was called on the motion to adopt AO 98-37 and it passed:

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

- E. Ordinance No. AO 98-27, an ordinance amending Anchorage Municipal Code Chapters 8.05 and 14.60 to **enact an exemption for retail adults-only tobacco stores** from the requirement of restrictions on access to tobacco and to create a penalty for retail tobacco-only stores which permit the entry of persons under nineteen (19) years of age without a parent or legal guardian, Assemblymembers Meyer and Begich.
1. Ordinance No. AO 98-27(S), an ordinance amending Anchorage Municipal Code Chapters 8.05 and 14.60 to enact an exemption for retail adults-only tobacco stores from the requirement of restrictions on access to tobacco and to create a penalty for retail tobacco-only stores which permit the entry of persons under nineteen (19) years of age without a parent or legal guardian, Assemblymembers Meyer and Begich. (**addendum**)
  2. Assembly Memorandum No. AM 223-98.

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

ANN MARIE HOLAN, manager of the Tobacco Control Program at the Alaska Native Health Board, spoke in opposition to the proposed ordinance. She noted the recent law passed by the Assembly restricting access to tobacco was designed to reduce deaths caused by tobacco use. The proposed ordinance would weaken this law. Some critics of the self-serve restriction say it will lead to the demise of tobacco-only stores. Ms. Holan pointed out in New Jersey, 48 local governments have enacted a tobacco self-serve ban, with no adverse affects on tobacco-only stores. She asked the Assembly not reduce the strength of the law to prevent access by minors.

ERIC MEYERS, a volunteer with the American Cancer Society, thanked Mr. Meyer for his efforts to reduce access to tobacco by youth. He noted Anchorage has some of the best laws in the country regarding tobacco, and is setting standards for the nation. Laws banning self-service displays will become commonplace in the future. He felt the proposed exemption was acceptable, as long as tobacco-only merchants' pledges to keep minors out of the stores is strictly enforced.

SHANE INCH, assistant principal at Hanshew Middle School, says he takes tobacco away from students every day. He says most students obtain tobacco by shoplifting from stores. He pointed out many parents take their children into tobacco only stores, where the children have the opportunity to steal products.

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

Mr. Meyer said he was working with tobacco specialty store owners, and expected a compromise by next week.

Mr. Meyer moved, to adopt AO 98-27(S).  
seconded by Mr. Wuerch,

Mr. Meyer moved, to postpone action on AO 98-27(S)  
seconded by Mr. Meyer, until March 3, 1998.  
and it passed without  
objection,

- F. Ordinance No. AO 98-11, an ordinance amending the zoning map and providing for the rezoning of approximately four (4) acres from B-3/SL (General Business District) with Special Limitations to I-1 (Light Industrial District), for **Lots 1A-4, 1A-5, 1A-6 and 2A, Independence Park Shopping Village Subdivision**, generally located on the west side of Toloff Street, between Abbott Road and 88th Avenue (Abbott Loop Community Council) (Planning and Zoning Commission Case 97-150, 97-151, and 97-152), Community Planning and Development.
1. Assembly Memorandum No. AM 62-98.

In response to Chairman Begich, Don Alspach of Community Planning and Development explained the proposal. He said the Comprehensive Plan supports commercial industrial land uses in this area. The Planning and Zoning Commission voted unanimously to support the rezoning.

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

Mr. Carlson moved, to adopt AO 98-11.  
seconded by Ms. Von Gemmingen,

In response to Mr. Carlson, Mr. Meyer said he asked the Abbott Loop Community Council about this rezoning, and they had no comments.

Question was called on the motion to adopt AO 98-11 and it passed:

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

Mr. Murdy moved, to combine the public hearings for  
seconded by Ms. Abney, items 12.G. and H. and 11.A, B and C,  
and it passed without AO 98-40, AO 98-41, AO 98-6(S),  
objection, AO 98-7(S) and AO 98-23.

- G. 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.
1. Ordinance No. AO 98-40(S), 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.
  2. Assembly Memorandum No. AM 198-98.
  3. Assembly Memorandum No. AM 215-98. **(addendum)**
- H. 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.
1. Ordinance No. AO 98-41(S), 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.
  2. Assembly Memorandum No. AM 199-98.
  3. Assembly Memorandum No. AM 215-98. **(addendum)**
- 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.
  3. Assembly Memorandum No. AM 196-98, AO 98-6(S-1) - the question of the issuance of \$36,600,000 of General Obligation Bonds to pay the cost of educational capital improvements, Assemblymember Bell.
  4. 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.
  5. Assembly Memorandum No. AM 215-98, Office of Management and Budget. **(addendum)**
- (CONTINUED FROM 2-10-98)
- 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.
  3. Assembly Memorandum No. AM 197-98, Assemblymember Bell.
  4. 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.
  5. Assembly Memorandum No. AM 215-98. **(addendum)**
- (CONTINUED FROM 2-10-98)
- 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, Assemblymembers Bell and Kendall.
1. Assembly Memorandum No. AM 81-98.

(CONTINUED FROM 2-10-98)

Chairman Begich opened the public hearing for AO 98-40, AO 98-41, AO 98-6(S) and other versions, AO 98-7(S) and other versions and AO 98-23, and asked if anyone wished to speak.

SCOTT BANKS, parent of two students at Baxter Elementary, urged the Assembly to adopt the education bonds as presented by the Anchorage School District. He felt splitting the bond projects would lead to discrimination against certain geographic areas of town, and increase the likelihood that some would not be approved. He said although east Anchorage residents pay the highest mill rate in the Municipality, they are willing to pay higher taxes if it ensures students have the best educational environment possible.

DEBBIE OSSIANDER, president of the Anchorage School Board, pointed out the S-2 versions of AO 98-6 and AO 98-7 clearly state the impact of approving the operation and maintenance (O&M) funding with the bonds. She noted the importance of adequate maintenance of public buildings. The Anchorage School District (ASD) faces great challenges to fund maintenance. She said approval of AO 98-40 and AO 98-41 would create the possibility that the public would authorize construction of the facilities and not authorize funding to maintain the buildings. Ms. Ossiander added the Board has been working very hard with Legislators to obtain debt reimbursement.

In response to Mr. Kendall, ASD Superintendent Bob Christal discussed funding of O&M costs.

BARBARA NAGANGAST, principal of Spring Hill Elementary, discussed the problems with overcrowding at the school. The School is in an area with high density residential housing, with new subdivisions being built all the time, designed to meet the needs of families with young children. A new school in south Anchorage is needed as much as renovations to Muldoon Elementary. She urged the Assembly to keep these projects together in one package, to ensure approval for all projects.

MATTHEW KRAMER, president of Muldoon Elementary student council, discussed the maintenance needs at the school.

VIRGINIA JETTNER, principal of Muldoon Elementary, reiterated the need for replacement of the school. She commended the ASD maintenance department for the increasingly difficult task of keeping the building maintained. She emphasized the need for voter approval of all the bonds this year. Ms. Jettner spoke about the specific needs of the northeast Anchorage area, which is a diverse community challenged by low incomes, high crime rates and poor resources. Many groups and individuals are working to revitalize the area; economic renewal and opportunities begin with education. Replacement and renovation of northeast schools will enhance the ability to provide education services and meet community needs. She asked the Assembly to ensure the bonds are passed by placing the ASD versions on the ballot.

JOHN STEINER, president of the Eagle River Valley Community Council, spoke in support of AO 98-23. The Council unanimously voted to support this bond, which would plan and design two new high schools. Eagle River is experiencing tremendous growth; Chugiak High School is already at 120 percent capacity. If planning and designing for a new school is not funded soon, overcrowding will be at a critical level by the time a school is actually built. In response to Mr. Kendall, Mr. Steiner said expansions to Chugiak would not be supported by the infrastructure. Also, expansion of the existing school would further delay construction of a much-needed second school.

SUSAN MORSE, of the Goldenview Middle School PTSA, spoke in support of the \$10 million bond package for planning and design of two high schools. She was very concerned about overcrowding at Service High, the continuing decline of the facility and students' declining test scores. She noted the 1994 report card in American Education found that school size, rather than classroom size, was the key to student performance.

TOM REYNOLDS, a parent and member of the Oceanview PTA Legislative Action Committee, spoke in support of the bonds as proposed by the ASD. He said the PTA felt Mr. Bell's proposal to split the bond into two packages would reduce the chances of either bond passing. Historically, proposals with district-wide appeal are successful while those limited to a specific geographic area often fail.

LEE SMITH, a teacher at Creekside Park, described how maintenance at the school has declined. Dust and dirt from the ventilation system make students sick; she has had two eye infections recently. She felt residents of Anchorage who do not pay a sales tax or State income tax and receive a dividend annually from the State can afford both the renovation and O&M bonds. She asked the Assembly to approve the bonds as presented by ASD.

CHRISTINE UTTER, a teacher at Creekside Park, discussed the health hazard at the school because of lack of cleaning. Funding is not available for proper custodial care; teachers wash desks themselves but must use cold water and cleaning supplies purchased with their personal funds. O&M costs are an important issue and should be included in the bond package. She asked the Assembly approve the bonds as proposed by the ASD.

ANNA FAIRCLOUGH, of Homestead Elementary PTA, spoke in support of the ASD bond proposal. As part of an overcrowding committee addressing Chugiak High, she felt expanding that facility was not a realistic option because of the septic system, parking restraints and other infrastructure. Expansion would merely postpone the inevitable need for a new school. She noted the ASD is working to develop education specifications for high schools.

KAY AMRI, a Goldenview Middle School student, spoke in support of the proposal to fund design of two new high schools.

CAROLYN HOLMES spoke as a member of the Northeast Community Council and parent of a Creekside Park Elementary student. She said the Council, at its last meeting, voted to support the bonds as presented by ASD.

RANDY BROUGH, parent of Bear Valley and Goldenview students, spoke as an individual. He supported bonds to fund maintenance and playground renovations at Bear Valley. He opposed the proposal to divide the bond package. He also spoke in support of bonds to design two new high schools.

PATTI BRADFORD, Kasuun Elementary PTA president, urged the Assembly to adopt the ASD bonds as presented. She noted new residential development in the area will increase the number of elementary students enrolled at the school.

WALLY JENKINS said his wife was president of the Tudor Elementary PTA. He spoke in favor of keeping the bonds in a single package. He felt it might be more difficult for the single package to be approved, but the risk of only one of a divided package being approved was worth this difficulty.

SARALYN ACKERMAN, parent of a Creekside student, felt the projects should be balanced geographically. She felt the ASD bonds would achieve this goal. She said if the ASD bonds were placed on the ballot, she and many others would campaign to get the bonds passed.

DIANE JOHNSON, parent of a Creekside student, said although she is subject to the highest mill rate in Anchorage, she would vote to increase the tax cap if it would help schools. She felt the bond has the best chance of approval if it remains as packaged by the ASD. She pointed out a geographically-balanced bond would have the best chance of approval because voters usually support items which may affect them directly.

DEBORAH ALLEN, a taxpayer, said her tax burden has increased significantly in the past two years. She felt the 1% For Art program should be eliminated from schools, so more money could be dedicated for operation and maintenance. She supported the bond package remaining in a single package.

HARRIET DRUMMOND, vice president of the Anchorage School Board, opposed AO 98-40 and AO 98-41 because the projects are not geographically balanced. She also opposed separating the question for operation and maintenance. She felt the Board could successfully lobby the Legislature to provide matching funds, which would encourage voters to approve the bonds.

JIM GALE pointed out increasing the ASD budget did not guarantee an increase in the quality of education. He felt it might be time to consider another tax source, such as a sales tax or a tax on individual net worth, which would be more equitable than property taxes.

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 98-6(S-2).  
seconded by Ms. Von Gemmingen,

Mr. Wohlforth moved, to amend AO 98-6(S-2) to reflect typographical error  
seconded by Mr. Wuerch, corrections recommended in a memorandum from  
and it passed without Superintendent Bob Christal: to add Mears Middle School  
objection, to the list of Districtwide Underground Storage Tanks,  
correct the spelling of Mt. View Elementary on the list of  
Districtwide Heating and Ventilation Upgrades, and add  
Oceanview and Spring Hill Elementary schools to the list of  
Districtwide Playground Safety and Equipment Upgrades.

In response to Ms. Clementson, ASD Superintendent Bob Christal said although Oceanview school is scheduled for renovation, the playground was not included. The proposed amendment to add Oceanview to the list of Playground Upgrades was needed to complete Oceanview school.

Mr. Bell noted the Assembly received a letter from the Deferred Maintenance Task Force which indicated they would recommend the Legislature fund 70% of these bonds. This recommendation made him more comfortable in approving the larger bond package submitted by the ASD.

Mr. Bell moved, to amend AO 98-6(S-2) to reflect  
seconded by Mr. Wuerch, language in AO 98-41(S) on page 3, to  
and it was withdrawn, separate the operation and maintenance costs.

The meeting recessed at 9:55 p.m. and reconvened at 10:07 p.m.

Mr. Bell spoke in support of his proposal, which was complicated, therefore, bond counsel has recommended a postponement to carefully draft the language. He felt the voters should only act on one question at a time. Combining O&M costs with construction costs asked for one answer for two questions.

Mr. Bell moved, to postpone action on AO 98-6(S-2)  
seconded by Mr. Wuerch, until March 3, 1998.

Ms. Abney opposed the postponement and division of the question. She pointed out children have a short window of time in which to learn critical skills. This learning would be impacted by avoiding or deferring the needs of schools.

Ms. Clementson also opposed the postponement. She felt the question should be linked; whether to construct and pay for operating schools. Separate questions would mislead and confuse voters.

Mr. Wohlforth noted the ASD has been working on the package since last fall, and has received a lot of input from citizens. He agreed the question should not be divided, so voters can make an informed choice.

Mr. Bell objected to using bond funds for vehicles or operation and maintenance costs. Bonds should be used to pay for long-term capital investments.

Question was called on the motion to postpone action on AO 98-6(S-2) until March 3, 1998 and it failed:

AYES: Bell, Kendall, Wuerch.

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

Question was called on the motion to adopt AO 98-6(S-2) as amended and it passed:

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

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

AYES: None.

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

Ms. Clementson moved, to adopt AO 98-7(S-2).  
seconded by Ms. Von Gemmingen,

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

Ms. Abney moved, immediate reconsideration.  
seconded by Mr. Carlson,

AYES: None.

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

Mr. Bell moved, to adopt AO 98-23.  
seconded by Ms. Abney,

Mr. Bell argued the high school population would be increased by several thousand by the time new schools can be built even if planning begins this year. Waiting another year would make the situation worse. He also felt new schools should be smaller in size.

Ms. Abney spoke in support of the ordinance. She felt boundary changes and bussing used to alleviate crowding is disruptive to the community, and these strategies merely defer the problem.

Ms. Von Gemmingen spoke against the ordinance. She felt the type of school should be decided before a decision to build is made. She favored new schools being smaller in size.

Mr. Kendall spoke about the need for a new school in the Chugiak/Eagle River area. He pointed out Chugiak High is extremely overcrowded. He also supported designing smaller high schools.

Ms. Clementson agreed the need was pressing. However, she was concerned voters would not support another \$10 million to design two schools. Also, no sites for the schools have been selected, so she can't answer constituent questions.

Mr. Wuerch moved, to extend the meeting until midnight  
seconded by Ms. Abney, to consider public hearings and old  
and it passed without business.  
objection,

In response to Mr. Wohlforth, Mr. Christal said the administration wants to carefully plan and demonstrate the specific needs for high schools. Studies are ongoing to determine the desired size for schools. He felt these issues would be critical in the next three to ten years. However, he did not think the administration was ready this year to proceed.

Mr. Bell pointed out sites have been identified. He felt it was time to be aggressive and pursue the new schools.

Mr. Bell moved, to amend AO 98-23 to include ballot language to read:  
seconded by Mr. Wuerch, "The 1998 cost estimates of a standard high school could  
and it passed without range between \$40 and \$70 million each, and will require  
objection, a future ballot proposition that will require a public vote."

(Clerk's Note: This amendment was reworded by bond counsel in the course of preparing the ballot for 1998.)

Mr. Wohlforth moved, to amend AO 98-23 on page 2, line 18  
seconded by Mr. Bell, and 19 to change the capitalized text  
and it passed without to lower case.  
objection,

Question was called on the motion to adopt AO 98-23 as amended and it passed:

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

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after the next two motions.)

Mr. Bell moved, to table AO 98-41 and all substitute  
seconded by Mr. Meyer, versions.  
and it passed without  
objection,

Mr. Bell moved, to table AO 98-40 and all substitute  
seconded by Mr. Kendall, versions.  
and it passed without  
objection,

Mr. Bell moved, to reconsider action on AO 98-23.  
seconded by Mr. Meyer,

Ms. Clementson moved, to substitute a motion to spread  
seconded by Mr. Wohlforth, reconsideration of AO 98-23 on the minutes.

Chairman Begich ruled a motion to spread reconsideration takes precedence.

(Clerk's Note: It was later determined Ms. Clementson's motion was improper because she did not vote on the prevailing side. Therefore, reconsideration was not taken up at the meeting of March 3, 1998.)

- I. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98, Public Works. (**addendum**)

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

Mr. Murdy moved, to adopt AO 98-13.  
seconded by Ms. Von Gemmingen,

Ms. Von Gemmingen felt all roads should be part of the Anchorage Roads and Drainage Service Area.

Question was called on the motion to adopt AO 98-13 and it passed:

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

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

- J. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. (**addendum**)

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

Mr. Murdy moved, to adopt AO 98-14.  
seconded by Mr. Meyer,

Ms. Von Gemmingen reiterated her argument that all roads should be part of the Anchorage Roads and Drainage Service Area.

Question was called on the motion to adopt AO 98-14 and it passed:

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

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

- K. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. (**addendum**)

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

Mr. Murdy moved, to adopt AO 98-15.  
seconded by Mr. Meyer,

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

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



- L. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-16.  
seconded by Mr. Meyer,

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

NAYS: Wohlforth, Von Gemmingen.

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

- M. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-17.  
seconded by Mr. Wuerch,

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

NAYS: Von Gemmingen.

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

- N. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-18.  
seconded by Mr. Meyer,

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

NAYS: Von Gemmingen.

(Clerk's Note: Mr. Wohlforth and Ms. Clementson were out of the room at the time of the vote.)

- O. 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.
1. Assembly Memorandum No. AM 154-98.

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

Mr. Meyer moved, to adopt AO 98-19.  
seconded by Mr. Wuerch,

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

NAYS: Von Gemmingen.

(Clerk's Note: Mr. Wohlforth and Ms. Clementson were out of the room at the time of the vote.)

- P. 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.
1. Assembly Memorandum No. AM 154-98.

2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-20.  
seconded by Mr. Meyer,

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

(Clerk's Note: Mr. Wohlforth and Ms. Clementson were out of the room at the time of the vote.)

- Q. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-21.  
seconded by Mr. Carlson,

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

(Clerk's Note: Mr. Wohlforth and Ms. Clementson were out of the room at the time of the vote.)

- R. 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.
1. Assembly Memorandum No. AM 154-98.
  2. Assembly Memorandum No. AM 217-98. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-22.  
seconded by Mr. Wuerch,

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

(Clerk's Note: Mr. Wohlforth and Ms. Clementson were out of the room at the time of the vote.)

- S. 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.
1. Assembly Memorandum No. AM 192-98, Public Works.
  2. Assembly Memorandum No. AM 217-98, Public Works. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-38.  
seconded by Mr. Meyer,

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

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

- T. 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.
1. Assembly Memorandum No. AM 194-98, Public Works.
  2. Assembly Memorandum No. AM 217-98, Public Works. **(addendum)**

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

Mr. Murdy moved, to adopt AO 98-39.  
seconded by Mr. Meyer,

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

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

- U. Ordinance No. AO 98-43, an ordinance submitting to the qualified voters residing in the South Goldenview Limited Road Service Area ("SGVLRSA") and the area to be annexed, a ballot proposition **altering the boundaries of the South Goldenview 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 Goldenview LRSA, Assemblymember Abney.
1. Assembly Memorandum No. AM 195-98.
  2. Assembly Memorandum No. AM 216-98, Public Works. (**addendum**)
  3. Assembly Memorandum No. AM 217-98, Public Works. (**addendum**)
  4. Information Memorandum No. AIM 34-98, Assemblymember Abney. (**addendum**)

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

Mr. Murdy moved, to adopt AO 98-43.  
seconded by Mr. Meyer,

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

- V. 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.
1. Assembly Memorandum No. AM 157-98.

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

JIM GALE spoke against the ordinance. He felt it amounted to a tax increase for Eagle River and Chugiak residents.

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

Mr. Murdy moved, to adopt AO 98-36.  
seconded by Mr. Kendall,

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

- W. 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.
1. Assembly Memorandum No. AM 156-98.

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 adopt AO 98-35.  
seconded by Mr. Meyer,

Mr. Wuerch recalled the purpose of the Charter. He felt the proposal would reduce citizens' rights to redress grievances on legislation.

Mr. Kendall concurred with Mr. Wuerch's remarks.

Ms. Clementson moved, to postpone action on AO 98-35  
seconded by Ms. Abney, until March 3, 1998.  
and it passed without  
objection,

- X. 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.
1. Assembly Memorandum No. AM 121-98.
  2. Information Memorandum No. AIM 23-98.

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

MIKE SEAWRIGHT, representing City View Little League, said he is a member of a task force working with the Municipality to develop a partnering plan for the Tikishla Park/Davenport Fields area. The plan would take a occasionally-used big league field and transform it into three smaller fields for use by children. Affected community councils, the adult league and the American Legion League have indicated support. He spoke in support of the ordinance, specifically the funding for construction and upgrade of sports fields. He also asked the Assembly support allocating part of the bond funds for the Tikishla Park/ Davenport Fields project.

JIM GALE felt recreation programs and parks should be self-sufficient via user fees. He thought it was unfair that taxpayers had to fund activities of others.

BRUCE BURTINI, representing City View Little League, noted sports programs for kids keep them out of trouble. He encouraged the Assembly's support.

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

Mr. Murdy moved, to adopt AO 98-28.  
seconded by Mr. Wuerch,

Mr. Meyer moved, to amend the accompanying memorandum,  
seconded by Mr. Wuerch, AIM 23-98, to add a project to read: "Tikishla Park/Davenport  
Park City View Little League ballfields."

Mr. Meyer said his intent was that the total amount remain the same.

Cultural and Recreational Services Director Connie Jones said the City View group was just one of many her staff is working with on the partnering concept. The concept is supported, but it is premature to define the project. It has not yet been reviewed by the Parks and Recreation Commission; the costs are unknown.

Mr. Wuerch pointed out adding the project to the list would not commit funds, it would just establish intent.

Mr. Bell felt the project was a good idea, however, he pointed out the proposed project list was developed through a process. He felt another project should not be added at this point.

Municipal Manager Larry Crawford felt adding a project at this point was unfair to other projects that have gone through the process.

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

AYES: Wuerch, Begich, Meyer.

NAYS: Wohlforth, Bell, Abney, Kendall, Carlson, Murdy.

(Clerk's Note: Ms. Von Gemmingen and Ms. Clementson were out of the room at the time of the vote.)

Mr. Wuerch moved, to amend the accompanying memorandum, AIM 23-98, to  
seconded by Mr. Meyer, add a project to read: "Pedestrian walkway on Chester  
Creek."

Mr. Kendall moved, to postpone action on AO 98-28 until  
seconded by Mr. Wohlforth, later in the meeting.  
and it passed without  
objection,

(See further action on this item under item 16, Unfinished Agenda.)

- Y. 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.

1. Assembly Memorandum No. AM 122-98.
2. Information Memorandum No. AIM 23-98.

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 adopt AO 98-29.  
seconded by Mr. Kendall,

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

NAYS: None.

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

- Z. 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.

1. Assembly Memorandum No. AM 123-98.
2. Information Memorandum No. AIM 23-98.

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 adopt AO 98-30.  
seconded by Ms. Clementson,

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

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

- aa. 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.
1. Assembly Memorandum No. AM 218-98, Office of Management and Budget. (**addendum**)
  2. 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.
  3. Assembly Memorandum No. AM 200-98, Assemblymember Bell.
  4. Assembly Memorandum No. AM 219-98, Office of Management and Budget. (**addendum**)
  5. Ordinance No. AO 98-31(S-2), 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. (**addendum**)
  6. Assembly Memorandum No. AM 220-98.

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 adopt AO 98-31(S-2).  
seconded by Ms. Clementson,

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

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

- bb. 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 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.
1. Assembly Memorandum No. AM 201-98.
  2. Assembly Memorandum No. AM 219-98, Office of Management and Budget. (**addendum**)

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

Mr. Bell moved, to table AO 98-47.  
seconded by Mr. Kendall,  
and it passed without  
objection,

- cc. 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.
1. Assembly Memorandum No. AM 125-98.
  2. Information Memorandum No. AIM 23-98.

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 adopt AO 98-32.  
seconded by Mr. Kendall,

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

(Clerk's Note: Mr. Wuerch and Ms. Clementson were out of the room at the time of the vote.)

- dd. 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.
1. Assembly Memorandum No. AM 150-98.

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 adopt AO 98-33.  
seconded by Mr. Meyer,

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

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

- ee. 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.
1. Assembly Memorandum No. AM 164-98.
  2. Ordinance No. AO 98-44(S), 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, ATU Committee, Assembly Members Wohlforth, Von Gemmingen, and Meyer. (**addendum**)
  3. Assembly Memorandum No. AM 209-98.
  4. Ordinance No. AO 98-44(S-1), 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 Kendall. (**addendum**)
  3. Assembly Memorandum No. AM 210-98.
- ff. 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.
1. Assembly Memorandum No. AM 165-98.
  2. Ordinance No. AO 98-45(S), an ordinance of the Municipality of Anchorage providing for conditions for the sale of Anchorage Telephone Utility and use of the sale proceeds, ATU Committee, Assembly Members Wohlforth, Von Gemmingen, and Meyer. (**addendum**)
  3. Assembly Memorandum No. AM 214-98.
- gg. Ordinance No. AO 98-3, 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**, Assemblymember Kendall.
1. Ordinance No. AO 98-3(S), 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, Assemblymember Kendall. (**addendum**)
  2. Assembly Memorandum No. AM 211-98.
- hh. Ordinance No. AO 98-4, an ordinance submitting to the qualified voters of the Municipality of Anchorage a ballot proposition to **amend the Anchorage Municipal Charter Section 16.02 to require a majority vote of the electorate to approve the sale of a municipal utility**, Assemblymember Kendall.
- ii. 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 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.
1. Assembly Memorandum No. AM 202-98.

Items 12. ee. through 12. ii. were continued until March 3, 1998.

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

14. **SPECIAL ORDERS:**

- A. Information Memorandum No. AIM 25-98, 1997 Bar Violations/Fourth Quarterly Report (Annarae's, Great Wall, K-Mart Rodeo Pl.); **The Raven** (Third Quarterly Report), Municipal Clerk.

This item was continued until March 3, 1998.

See other special orders under item 16, Unfinished Agenda.

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

## 16. UNFINISHED AGENDA:

- A. 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.
1. Assembly Memorandum No. AM 128-98.  
(AMENDED AND POSTPONED FROM 2-10-98)

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

Question was called on the motion to approve AR 98-38 as amended and it passed:

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

- B. Ordinance No. AO 98-28, 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.
1. Assembly Memorandum No. AM 121-98.
  2. Information Memorandum No. AIM 23-98.

Chairman Begich noted a motion to amend by Mr. Wuerch was pending from earlier in the meeting.

Mr. Wuerch withdrew his amendment.

Question was called on the motion to adopt AO 98-28 and it passed:

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

- C. 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.
1. Assembly Memorandum No. AM 151-98.  
(AMENDED AND POSTPONED FROM 2-10-98)

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

Question was called on the motion to approve AR 98-41 as amended and it passed:

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

- D. Assembly Comments.

1. Mr. Wohlforth noted the Assembly ATU Committee would meet on February 26, 1998. John Ayers' final report and a resolution from the Municipal Attorney outlining a sale process will be received.

- E. Resolution No. AR 98-64, a resolution of the Anchorage Municipal Assembly **supporting Senate Bill 233, extending the termination date of the Alcoholic Beverage Control Board**, Assemblymembers Clementson, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(LAID ON THE TABLE)**

Ms. Clementson moved, to approve AR 98-64.  
seconded by Mr. Murdy,  
and it passed without  
objection,

## 17. AUDIENCE PARTICIPATION: None.

## 18. EXECUTIVE SESSIONS: None.

## 19. ADJOURNMENT:

The meeting adjourned at 11:52 p.m.

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Chairman

ATTEST:

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Municipal Clerk

Date Minutes Approved: March 31, 1998

LF/db



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