

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of March 10, 1998

1. **CALL TO ORDER:**

The meeting was convened at 5:10 p.m. by Chairman Mark Begich in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. **ROLL CALL:**

Present: Charles Wohlforth, Bob Bell, Pat Abney, Dan Kendall, George Wuerch, Mark Begich, Fay Von Gemmingen, Cheryl Clementson,
Absent: Kevin Meyer (excused), Ted Carlson (excused), Joe Murdy (excused.)

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Ms. Clementson.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - February 3, 1998

Mr. Kendall moved, to approve the minutes of the regular
seconded by Mr. Wuerch, meeting of February 3, 1998.
and it passed without
objection,

5. **MAYOR'S REPORT:**

Mayor Mystrom welcomed the young people present for the Job Shadow event. He distributed the final 1997 crime statistics, which indicated a continued decline in many categories of crimes. Over two years, crime has declined 26 percent. Comparisons to cities of similar-size on the west coast of the United States show Anchorage is second-lowest in terms of crime per capita. He credited a number of factors including additional police, enhanced police-community programs such as community policing, increased community involvement and increased cleanliness of the city.

Chairman Begich noted the Junior Achievement Job Shadow participants present were also members of the Anchorage Youth Court.

The students "shadowing" the Assembly members introduced themselves.

6. **ADDENDUM TO AGENDA:**

Mr. Wohlforth moved, to amend the agenda to include
seconded by Mr. Kendall, 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. **REGULAR AGENDA:**

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

A. **BID AWARDS:**

1. Assembly Memorandum No. AM 258-98, recommendation of award to Denali Sewer & Drain Services for providing **sludge hauling services** to the Municipality of Anchorage, Water and Wastewater Utility (ITB 98-2), Purchasing.

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

1. Ordinance No. AO 98-57, an ordinance **continuing or reestablishing the Animal Control Advisory Board** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department/Municipal Clerk. public hearing 3-24-98.
 - a. Assembly Memorandum No. AM 263-98.
2. Ordinance No. AO 98-58, an ordinance amending Anchorage Municipal Code Title 8, The Penal Code, by enacting a new Chapter 8.55 to **authorize and establish conditions and procedures for the seizure, forfeiture, recovery and disposition by the Municipality of specified proceeds of a crime**, substituted proceeds of a crime, instrumentalities of a crime, contraband and other property the manufacture, possession, sale, distribution or use of which is illegal or which is used in illegal activities, Assemblymember Abney. public hearing 3-24-98. (**addendum**)
 - a. Assembly Memorandum No. AM 269-98.

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

3. Resolution No. AR 98-80, a resolution of the Municipality of Anchorage appropriating \$450,660 from the Building Safety Service Area (0181) Fund Balance to the Department of Public Works for **staff, hardware/software, and equipment needs**, Public Works. public hearing 3-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 270-98.
4. Resolution No. AR 98-81, a resolution of the Municipality of Anchorage **amending the 1992 Air Quality Attainment Plan for Anchorage, Alaska**, Health and Human Services. public hearing 3-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 271-98.

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-74, a resolution of the Anchorage Municipal Assembly **recognizing and honoring David W. Mapston for his nearly 22 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch.

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

2. Resolution No. AR 98-75, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Richard S. Giles O'Brien for his 20 years of service** with the Anchorage Police Department, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

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

3. Resolution No. AR 98-79, a resolution of the Anchorage Municipal Assembly **supporting House Bill 399, relating to municipal tax exemptions and deferrals on deteriorated property**, Assemblymembers Bell, Begich, Wuerch, Abney, Clementson, and Von Gemmingen. **(addendum)**

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

4. Resolution No. AR 98-82, a resolution of the Anchorage Municipal Assembly appropriating \$77,000 from Areawide General Fund (0101) Balance to the Department of the Assembly to provide funding for a **public education program on the ATU sale ballot proposition**, Assemblymember Wohlforth for Assembly ATU Committee. **(addendum)**
 - a. Assembly Memorandum No. AM 272-98.

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 251-98, change order No. 2 to purchase order 72678 with Davis Wright Tremaine LLP for providing **legal services for the Municipal Employee Relations Board**, Employee Relations.
2. Assembly Memorandum No. AM 259-98, contract change order No. 2 to SR Swett and Sons Construction for **Crestbrook WID No. 431**, Water and Wastewater Utility.
3. Assembly Memorandum No. AM 260-98, proprietary purchase of **computer hardware and software maintenance** from Digital Equipment Corporation (DEC) for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
4. Assembly Memorandum No. AM 261-98, change order No. 8 to purchase order 20728 with Wurts, Johnson & Company for providing **investment analyst services** for the Municipality of Anchorage, Police and Fire Retirement System/Purchasing.
5. Assembly Memorandum No. AM 262-98, change order No. 2 to purchase order 60931 to exercise the final option renewal period with Capitol Glass for providing **automotive glass replacement** for the Municipality of Anchorage, Purchasing Department.
6. Assembly Memorandum No. AM 267-98, cooperative purchase with the State of Alaska for **police interceptor vehicles** from Cal Worthington Ford for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing. **(addendum)**

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

7. Assembly Memorandum No. AM 268-98, **appointment to Executive Staff** (Larry J. Houle - Executive Director, Heritage Land Bank), Mayor Mystrom. **(addendum)**

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 38-98, **Unanswered Assembly Information Requests**, Assembly Chair Begich.
2. Information Memorandum No. AIM 40-98, **Russian Jack Greenhouse** - Contract C-80303, impending change order, Property and Facility Management. **(addendum)**

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

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

NAYS: None.

Mayor Mystrom noted this action confirmed the appointment of Larry Houle, new director of the Heritage Land Bank. He congratulated and welcomed Mr. Houle.

Mr. Wohlforth commended the Mayor on his selection of Mr. Houle. He has worked with Mr. Houle in the past and felt he was an excellent appointment.

8. **REGULAR AGENDA:**

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 98-58, an ordinance amending Anchorage Municipal Code Title 8, The Penal Code, by enacting a new Chapter 8.55 to **authorize and establish conditions and procedures for the seizure, forfeiture, recovery and disposition by the Municipality of specified proceeds of a crime**, substituted proceeds of a crime, instrumentalities of a crime, contraband and other property the manufacture, possession, sale, distribution or use of which is illegal or which is used in illegal activities, Assemblymember Abney. public hearing 3-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 269-98.

Ms. Abney, Mr. Kendall and Mr. Wuerch joined in introducing this ordinance. The public hearing was scheduled for March 24, 1998.

Ms. Abney described the purpose and effect of the ordinance.

2. Resolution No. AR 98-81, a resolution of the Municipality of Anchorage **amending the 1992 Air Quality Attainment Plan for Anchorage, Alaska**, Health and Human Services. public hearing 3-24-98. **(addendum)**
 - a. Assembly Memorandum No. AM 271-98.

Mr. Kendall, Ms. Clementson and Mr. Bell joined in introducing this resolution. The public hearing was scheduled for March 24, 1998.

Mr. Kendall said he would approach the administration with his questions on this item.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-74, a resolution of the Anchorage Municipal Assembly **recognizing and honoring David W. Mapston for his nearly 22 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch.

Ms. Abney moved, to approve AR 98-74.
seconded by Ms. Clementson,
and it passed without
objection,

Megan Bradner, Ms. Abney's "shadow" read the resolution while Ms. Abney presented it to Mr. Mapston.

Mr. Mapston thanked the Assembly.

2. Resolution No. AR 98-75, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Richard S. Giles O'Brien for his 20 years of service** with the Anchorage Police Department, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Ms. Von Gemmingen moved, to approve AR 98-75.
seconded by Ms. Clementson,
and it passed without
objection,

Heather Castle, Ms. Von Gemmingen's "shadow", read the resolution while Ms. Von Gemmingen presented it to Officer O'Brien.

Officer O'Brien thanked the Assembly.

3. Resolution No. AR 98-79, a resolution of the Anchorage Municipal Assembly **supporting House Bill 399, relating to municipal tax exemptions and deferrals on deteriorated property**, Assemblymembers Bell, Begich, Wuerch, Abney, Clementson, and Von Gemmingen. **(addendum)**

Ms. Abney moved, to approve AR 98-79.
seconded by Ms. Clementson,

Ms. Abney asked her name be added as a sponsor for this item. She spoke in support, saying the State legislation would provide an important solution for problems such as disposition of the MacKay building.

Ms. Clementson and Ms. Von Gemmingen also asked their names be added as sponsors.

Question was called on the motion to approve AR 98-79 and it passed without objection.

4. Resolution No. AR 98-82, a resolution of the Anchorage Municipal Assembly appropriating \$77,000 from Areawide General Fund (0101) Balance to the Department of the Assembly to provide funding for a **public education program on the ATU sale ballot proposition**, Assemblymember Wohlforth for Assembly ATU Committee. (**addendum**)
 - a. Assembly Memorandum No. AM 272-98.

Mr. Wuerch moved, to approve AR 98-82.
seconded by Mr. Wohlforth,

Mr. Wuerch moved, to amend AR 98-82 to change the
seconded by Ms. Abney, funding source to \$57,000 from the general fund and \$20,000 from the
Assembly budget.

Mr. Wohlforth spoke in support of the resolution. He felt the source of the funds was not the most important issue. He explained how the education funding figure was calculated. He pointed out the Anchorage School District spends a similar amount of money on public information campaigns for its bond issues.

Mr. Bell suggested leaving the funding as is, keeping \$20,000 of Assembly funds in reserve in case extra funds are needed.

Ms. Clementson supported taking the entire amount from Fund Balance, because the information campaign would benefit the administration as well as the Assembly.

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

AYES: Wohlforth, Wuerch, Begich.

NAYS: Bell, Abney, Kendall, Von Gemmingen, Clementson.

Question was called on the motion to approve AR 98-82 and it passed:

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

NAYS: None.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 267-98, cooperative purchase with the State of Alaska for **police interceptor vehicles** from Cal Worthington Ford for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing. (**addendum**)

Mr. Wuerch moved, to approve AM 267-98.
seconded by Ms. Clementson,

In response to Mr. Wuerch, Police Chief Duane Udland discussed the future of using front wheel drive police vehicles. His own vehicle is a Ford Taurus front wheel drive, which seems to be responsive and he felt would be adequate for detectives and administrative personnel. The size is a bit too small for officers, because their vehicles need to accommodate shields.

Question was called on the motion to approve AM 267-98 and it passed without objection.

F. INFORMATION AND REPORTS: None.

9. **OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:** None.

10. **APPEARANCE REQUESTS:**

A. **Linda Sharp, and others**, regarding Village Charter School.

Susan Anderson, chair of the Village Charter School (VCS) academic committee, pointed out charter schools are part of the Anchorage School District. The Anchorage School District (ASD) controls charter school funds, and charter schools must abide by ASD policies and procedures. She discussed the problems that VCS is having finding a location. She questioned whether a bond could be issued to fund a location.

Gerri Kurber, a teacher with the ASD, was an advocate to help children find the best method of education to fit their unique needs. She described the frustrating hurdles that charter schools must overcome. She felt the housing and financial burden placed on charter schools was slanted toward failure. She felt since the ASD approved the charter schools, it should help them succeed. Ms. Kurber said the funding provided VCS for was inadequate. She asked the Assembly to help in some way, perhaps a bond issue.

Linda Sharp outlined the process which created the charter school system. She was confused that a charter school would be authorized yet unable to find housing.

Chairman Begich explained the local school funding process. He suggested this topic be discussed at the Assembly/School

Board work session on March 17, 1998, and invited the VCS representatives to attend.

Mr. Wuerch asked representatives of the three existing charter schools be invited by the School District to attend the work session.

Students from Inlet View Elementary School choir performed some songs. They noted March was National Music in Our Schools month.

The meeting recessed at 6:30 p.m. and reconvened at 7:07 p.m.

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

12. **NEW PUBLIC HEARINGS:**

- A. Assembly Memorandum No. AM 182-98, **Employee Relations Board reappointment** (Joe Montgomery), Mayor's Office.

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

Mr. Wuerch moved, to approve AM 182-98.
seconded by Mr. Kendall,

Employee Relations Director Tom Tierney commended Mr. Montgomery for an outstanding attendance record.

Question was called on the motion to approve AM 182-98 and it passed:

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

NAYS: None.

- B. 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.
1. Assembly Memorandum No. AM 169-98.

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

Mr. Wuerch moved, to approve AR 98-49.
seconded by Mr. Kendall,

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

NAYS: None.

- C. 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.
1. Assembly Memorandum No. AM 170-98.

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

Ms. Von Gemmingen moved, to approve AR 98-50.
seconded by Mr. Wuerch,

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

NAYS: None.

- D. 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 \$7,813 from Airport Retained Earnings to Merrill Field's Capital Improvement Fund for **acquisition of snow removal equipment**, Merrill Field Airport.
1. Assembly Memorandum No. AM 171-98.

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

Mr. Kendall moved, to approve AR 98-51.
seconded by Ms. Von Gemmingen,

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

NAYS: None.

- E. 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.
1. Assembly Memorandum No. AM 172-98.

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

Ms. Abney moved, to approve AR 98-52.
seconded by Ms. Von Gemmingen,

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

- F. 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.
1. Assembly Memorandum No. AM 173-98.

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

Mr. Wuerch moved, to approve AR 98-53.
seconded by Ms. Von Gemmingen,

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

- G. Resolution No. AR 98-68, a resolution of the Municipality of Anchorage appropriating \$565,000 of Anticipated Building Permit Revenue to the Department of Public Works, Building Safety Division for **Phase II of the Permit Automation System, building permit counter improvements, and a wind study**, Public Works.
1. Assembly Memorandum No. AM 250-98.

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

Ms. Abney moved, to approve AR 98-68.
seconded by Ms. Clementson,

In response to Ms. Clementson, Gene Dusek of the Office of Management and Budget explained the building safety fund was not included in the fund balance matrix provided to the Assembly. That matrix includes only the five major funds: Areawide, Fire, Police, Anchorage Roads and Drainage Service Area and Parks and Recreation.

In response to Ms. Von Gemmingen, Operations Manager George Vakalis explained the Municipal the Code requires all buildings be designed to withstand winds of 100 miles per hour. These requirements are expensive, and possibly unnecessary for various areas of the city. The proposed study will clarify typical wind activity in various areas, and justify changes to the Code requirements.

Question was called on the motion to approve AR 98-68 and it passed:

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

- H. 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.
1. Assembly Memorandum No. AM 193-98.

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

Ms. Von Gemmingen moved, to adopt AO 98-49.
seconded by Ms. Abney,

In response to Mr. Bell, Assistant Municipal Attorney Bill Greene explained the proposed boundary changes for this and the following item would be contingent on approval by the voters. Approval was not contingent on a double majority.

Question was called on the motion to adopt AO 98-49 and it passed:

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

- I. 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.

1. Assembly Memorandum No. AM 208-98.

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

Mr. Bell moved, to adopt AO 98-52.
seconded by Mr. Kendall,

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

NAYS: None.

- J. 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.
 1. Assembly Memorandum No. AM 225-98.

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

Mr. Kendall moved, to adopt AO 98-56.
seconded by Mr. Bell,

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

NAYS: None.

Mr. Wuerch moved, immediate reconsideration.
seconded by Mr. Kendall,

AYES: None.

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

- K. 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.
 1. Assembly Memorandum No. AM 207-98.

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

Mr. Wuerch moved, to adopt AO 98-50.
seconded by Mr. Kendall,

In response to Ms. Abney, Merrill Field Manager Dave Lundebly stated the property was directly across from the Mapco station on 5th Avenue.

In response to Chairman Begich, Mr. Lundebly said only a small portion of the property was in the flight path. After going through the appropriate Federal process for this situation, it was viewed the same as 5th Avenue because it was merely an access agreement and there will be no structures.

Question was called on the motion to adopt AO 98-50 and it passed:

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

NAYS: None.

- L. Resolution No. AR 98-31, a resolution confirming and levying special assessments for street improvements on property specially benefited in **Paving Special Assessment District No. 2P94 - the G Street/H Street Alley from West Thirteenth Avenue to West Fourteenth** and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works.
 1. Assembly Memorandum No. AM 83-98.
 2. Information Memorandum No. AIM 41-98. (**addendum**)

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

JANINE SHELLHORN spoke in opposition to the assessment district. She said the proposed improvements would provide a convenience for some property owners, but were not a necessity. She noted her property was completely fenced and had no direct access to the alley. Her driveway accesses 13th Avenue. She asked her property be deleted from the district according to provisions in the Municipal Code that properties may be deleted if they do not benefit in whole or in part from the improvement.

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

Mr. Wohlforth moved, to approve AR 98-31.
seconded by Ms. Clementson,

In response to Mr. Wohlforth, Public Works Director Jim Fero said alleys are secondary access for properties. A fence does not preclude using the alley for access.

In response to Mr. Wohlforth, Assistant Municipal Attorney Bill Greene explained determining the necessity and benefits of the district is done at the time the district is created, in this case in 1994 by AO 94-105. The current public hearing was for confirmation of the assessment roll, where property owners can object to the assessment by showing errors and inequalities in the assessment. Changes to the assessment roll would likely have to be done with a separate ordinance.

Mr. Wohlforth moved, to postpone action on AR 98-31 until
seconded by Ms. Abney, March 24, 1998, pending review of AO 94-105 and the Municipal Code.

Ms. Clementson recommended against trying to delete the property. She pointed out the property abuts the alley. Dust is a serious problem in the Municipality; reduction is a benefit. She added the time to object to inclusion in the district was well past. If one property is exempted at this stage, other owners may petition for exemption.

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

AYES: Wohlforth, Abney, Begich.

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

Mr. Wuerch moved, to amend AR 98-31 to substitute the
seconded by Mr. Kendall, billing chart dated March 9, 1998 and
and it passed without attached to AIM 41-98.
objection,

Question was called on the motion to approve AR 98-31 as amended and it passed:

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

NAYS: None.

Mr. Bell requested information on billing costs and charges for assessment districts.

- M. Resolution No. AR 98-32, a resolution confirming and levying special assessments for street improvements on property specially benefited in **Paving Special Assessment District No. 1P96 - the East Fourth Avenue/ Fifth Avenue Alley from Ingra Street to Juneau Street** and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works.
1. Assembly Memorandum No. AM 84-98.

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

Ms. Von Gemmingen moved, to approve AR 98-32.
seconded by Mr. Wuerch,

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

NAYS: None.

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

- N. Ordinance No. AO 98-46, an ordinance determining and approving the total amount of the **annual operating budget of the Anchorage School District for its Fiscal Year 1998-99** and determining and appropriating the portion of the Assembly approved budget amount to be made available from local sources, Anchorage School District.
1. Assembly Memorandum No. AM 162-98.

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

BOB CRISTAL, Anchorage School District (ASD) Superintendent, distributed budget comparisons and briefly reviewed the figures. He said a more detailed review would be provided at next week's work session.

DEBBIE OSSIANDER, president of the School Board, outlined the programs and projects the proposed budget increase would fund. They include costs for an increase of 800 students in the next school year, enhancing student achievement and complying with Federal mandates on special education. Some teachers would be added in the largest classes, and in classes impacted by special education students. The budget will also fund additional buses and security at high and middle schools. She encouraged support of the budget.

In response to Mr. Wuerch, Janet Stokesbary of the ASD said the District would lose about \$2.4 million of State funds this year because of the funding formula.

BRUCE LAMB, president of the Anchorage Principals Association, urged the Assembly to support the proposed budget. He noted the State school funding formula has not been adjusted for inflation or unfunded mandates. He felt this formula must be continually adjusted. He noted no one from the Assembly, administration or School Budget Advisory Commission has visited

his school or questioned the school staff about educational and budget concerns.

ANDREA MCLELLAN, chair of the Special Education Advisory Council (SEAC) for the ASD, urged the Assembly to approve the budget as presented. She described the needs of special education and at-risk students.

DIANNE EDDER, vice president of curriculum for the Anchorage Council of PTA's, said the Council was very concerned about a proposed \$2 million reduction in the ASD budget. She said the Council sent representatives to meet with legislators, who are working on changes to the school funding formula. It would send a mixed message to legislators if the Assembly reduced the ASD budget at this time.

RICH KRONBURG, president of the Anchorage Education Association, spoke in support of the proposed budget. He disagreed with comments by the School Budget Advisory Commission. He said most teachers work more than the 40 hours per week for which they are paid. Some meetings regarding special education must be held during the school day as required by Federal law. He said if the budget is cut, some children will receive a lower-quality education. The proposed budget is not excessive, and rationale by the Commission to reduce it are not based on proper understanding of Federal laws.

LOUANN SITZMAN urged support of the budget as presented. She felt the School Board should be trusted to know the needs of the district. Students are the future of our society and deserve a quality education. Currently, efforts are being made to change the State school funding formula. If the Assembly reduces the budget, it will send a mixed message to legislators.

PEGGY ROBINSON-WILSON, a member of the School Board, described how parts of the budget increase were dedicated directly to classrooms. The supply fee has been eliminated, additional teachers are being hired to handle 800 more students, and programs have been added.

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

Mr. Wohlforth moved, to adopt AO 98-46.
seconded by Mr. Bell,

Mr. Kendall moved, to postpone action on AO 98-46 until
seconded by Ms. Abney, March 24, 1998.
and it passed without
objection,

- O. 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.
 1. Assembly Memorandum No. AM 265-98.
 2. Assembly Memorandum No. AM 266-98, Community Planning and Development. **(addendum)**

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

DEBBIE OSSIANDER urged support for the ordinance. She said selection of the site was important to generate support for the bond issue at the regular election.

In response to Mr. Wohlforth, Kathy Hammond of Community Development and Planning said a reservoir site was selected behind the school site. Because of resistance by area residents, a site adjacent to the road was selected for the reservoir. It was determined the reservoir can support the school, and all parties will work together in design of both facilities.

Mr. Wuerch asked that a stop light be part of the school design considerations.

BARBARA WEINIG noted the School District was responsible for performing a traffic analysis prior to designing the school. Then the project will be added to the AMATS process.

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 98-55.
seconded by Ms. Abney,

Ms. Abney moved, to amend AO 98-55 on page 2, to
seconded by Ms. Clementson, delete lines 21 through 26 and
and it passed without replace them with language to read:
objection, "WHEREAS a public hearing was held before the Planning and Zoning
Commission in accordance with AMC 21.15.015c and the
Commission recommends the selection of Site A with
conditions. Now therefore,..."

Question was called on the motion to adopt AO 98-55 as amended and it passed:

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

- 13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.
- 14. **SPECIAL ORDERS:**

Chairman Begich thanked the job shadow students for their participation with Assembly members.

15. **ASSEMBLY COMMENTS:**

1. Mr. Wohlforth announced a meeting of the Assembly ATU Committee on March 11, 1998.

16. **UNFINISHED AGENDA:** None.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. **ADJOURNMENT:**

The meeting adjourned at 8:50 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: April 14, 1998

LF/db

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