

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of June 9, 1998

1. **CALL TO ORDER:**

The meeting was convened at 5:10 p.m. by Chair Fay Von Gemmingen in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. **ROLL CALL:**

Present: Bob Bell, Ted Carlson, George Wuerch, Melinda Taylor, Charles Wohlforth, Fay Von Gemmingen, Cheryl Clementson, Kevin Meyer, Pat Abney, Dan Kendall, Joe Murdy.
Absent: None.

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Kendall.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - March 24, 1998

Mr. Wuerch moved, seconded by Mr. Meyer, and it passed without objection, to approve the minutes of the regular meeting of March 24, 1998.

5. **MAYOR'S REPORT:**

Mayor Mystrom requested the Assembly vote on immediate reconsideration of the Consent Agenda bid awards items, because the next four Assembly meetings are canceled. Secondly, he updated the Assembly on negotiations with the Joint Crafts Council union, and explained why the union vote on the agreement failed.

Chair Von Gemmingen presented a ten-year Municipal service pin to Mayor Mystrom.

6. **ADDENDUM TO AGENDA:**

Mr. Wuerch moved, seconded by Mr. Wohlforth, to amend the agenda to include the addendum items.

Chair Von Gemmingen read the addendum items.

Ms. Clementson requested Carylee Kilgrow be added under item 10, Appearance Requests. There was no objection.

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

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:**

1. Assembly Memorandum No. AM 568-98, recommendation of award to Matrix General, Inc. for **South Anchorage park improvements** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 98-C24), Purchasing.
2. Assembly Memorandum No. AM 569-98, recommendation of award to SeaCoast Construction Co., Inc. for **East Anchorage Parks Improvement Package** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 98-C28), Purchasing.
3. Assembly Memorandum No. AM 570-98, recommendation of award to Dalcov, Inc. for **Dempsey Anderson Ice Arena addition** for the Municipality of Anchorage, Property and Facility Management (ITB 98-C12), Purchasing.
4. Assembly Memorandum No. AM 571-98, recommendation of award to S.R. Swett & Sons Construction for the **1997 Transit Americans with Disabilities Act (ADA) construction services contract** for the Municipality of Anchorage, Public Works (ITB 98-C29), Purchasing.
5. Assembly Memorandum No. AM 585-98, recommendation of award to Potelcom Supply and WESCO for furnishing **transformers** to the Municipality of Anchorage, Municipal Light and Power (ITB 98-48), Purchasing.
6. Assembly Memorandum No. AM 586-98, recommendation of award to Pacific North Equipment and Yukon Equipment to furnish **motor graders and loader mounted snowblowers** to the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-60), Purchasing.

7. Assembly Memorandum No. AM 587-98, recommendation of award to Alaska Sales & Service for furnishing **all-wheel drive mid-size vans** to the Municipality of Anchorage, Public Transportation Department (ITB 98-42), Purchasing.
8. Assembly Memorandum No. AM 606-98, recommendation of award to Matrix General, Inc. for the **Girdwood Fire Station Improvements and Addition - Phase 1** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-C30), Purchasing.
9. Assembly Memorandum No. AM 607-98, recommendation of award to Summit Paving & Construction for the **realignment of Holes #4 and #7 at the Anchorage Golf Course** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-C31), Purchasing.

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

10. Assembly Memorandum No. AM 608-98, recommendation of award to Smith Tractor & Equipment Company, Inc. for furnishing an **articulating six-wheel drive dump truck** to the Municipality of Anchorage, Solid Waste Services (ITB 98-51), Purchasing.
11. Assembly Memorandum No. AM 612-98, recommendation of award to Coastal, Inc. for **sports field irrigation improvements** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 98-C36), Purchasing.

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

12. Assembly Memorandum No. AM 613-98, recommendation of award to Summit Paving & Construction for the **Tony Knowles Coastal Trail** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 98-C37), Purchasing.
13. Assembly Memorandum No. AM 614-98, recommendation of award to Eastwind a Division of Norcon, Inc. for **East 68th Avenue Road Improvements-Lake Otis Parkway to Abbott Loop Road** for the Municipality of Anchorage, Public Works (ITB 98-C33), Purchasing.
14. Assembly Memorandum No. AM 615-98, recommendation of award to General Parts and Service, Inc. for furnishing **transfer tractors** to the Municipality of Anchorage, Solid Waste Services (ITB 97-131), Purchasing.
15. Assembly Memorandum No. AM 632-98, recommendation of award to DAR-CON Corporation for the **Alaska Center for the Performing Arts roof repairs-Phase I** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-C26), Purchasing. (**addendum**)
16. Assembly Memorandum No. AM 633-98, recommendation of award to Summit Paving & Construction for **Lake Otis Parkway Phase VI-Huffman Road to Chinook Avenue** for the Municipality of Anchorage, Public Works (ITB 98-C41), Purchasing. (**addendum**)

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 98-102, an ordinance amending the zoning map and providing for the rezoning from R-4 (Multi-Family Residential District) to B-3/SL (General Business District with Special Limitations) for the **Hillside Subdivision, Tracts A-1 and B-2**, generally located north of East 22nd Avenue and west of the Seward Highway (Fairview Community Council) (Planning and Zoning Commission Case 98-038), Community Planning and Development. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 572-98.
2. Ordinance No. AO 98-103, an ordinance of the Municipality of Anchorage **creating Alley Reconstruction Special Assessment District 1SR98 - West 4th/5th Avenue Alley from 'G' Street to 'H' Street** and determining to proceed with proposed improvements therein, Public Works. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 573-98.
3. Ordinance No. AO 98-104, an ordinance of the Municipality of Anchorage **creating Alley Reconstruction Special Assessment District 2SR98 - West 5th/6th Avenue Alley from 'H' Street to 'I' Street** and determining to proceed with proposed improvements therein, Public Works. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 574-98.
4. Ordinance No. AO 98-105, an ordinance of the Municipality of Anchorage **creating Alley Reconstruction Special Assessment District 3SR98 - West 3rd/4th Avenue Alley from 'E' Street to 'F' Street** and determining to proceed with proposed improvements therein, Public Works. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 575-98.
5. Ordinance No. AO 98-106, an ordinance of the Municipality of Anchorage **amending the term "prisoner" found in AMC 21.35.020(B)**, Assemblymember Wohlforth. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 584-98.
6. Ordinance No. AO 98-107, an ordinance amending Chapter 11.50 of the Anchorage Municipal Code by adding a new Section 11.50.280 to provide for an **annual payment from the Port of Anchorage** to the General Fund and providing the formula for the payment calculation, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 588-98.
7. Ordinance No. AO 98-108, an ordinance amending the zoning map and providing for the rezoning from PLI (Public Lands and Institutions) to R-10 (Residential Alpine/Slope Affected) for the **N 1/2 of the E 1/2 of the SE 1/4 of Section 16, T15N, R3W, S.M., Alaska** located on the west side of Jasmine Road and south of Sumac Drive (Chugiak Community Council) (Planning and Zoning Commission Case 98-037), Community and Planning Development. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 589-98.
8. Ordinance No. AO 98-109, an ordinance of the Municipality of Anchorage **creating Natural Gas Line Special Assessment District No. 1G98 - Natural Gas Line in the East Eagle River Valley Area** and determining to proceed with proposed improvements therein, Public Works. public hearing 7-14-98.

- a. Assembly Memorandum No. AM 609-98.

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

- 9. Resolution No. AR 98-197, a resolution authorizing eminent domain proceedings and acceptance of the Decisional Document for the **1998 Construction of East 68th Avenue Improvement Project** between Lake Otis Parkway and Abbott Loop Road, Public Works.
public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 590-98.

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

- 10. Resolution No. AR 98-200, a resolution approving **construction of the Airport Phase 1B Water Transmission Main extension** and providing for assessment of benefited properties at time of service connection, Water and Wastewater Utility.
public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 610-98.
- 11. Resolution No. AR 98-201, a resolution authorizing the Municipality of Anchorage, Community Planning and Development Department to enter into a Memorandum of Agreement in the amount of \$138,000 with the Department of Transportation and Public Facilities, State of Alaska, for **financing the Municipal Transportation Planning Model Update** and appropriating these funds to the State Categorical Grants Fund (0231), Community and Planning Development. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 611-98.
- 12. Resolution No. AR 98-203, a resolution of the Municipality of Anchorage appropriating \$362,000 to the Equipment Maintenance Internal Service Capital Fund (0606) from Cultural and Recreational Service sources for the purpose of **purchasing vehicles and equipment**, Property and Facility Management.
public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 616-98.
- 13. Ordinance No. AO 98-110, an ordinance amending the zoning map and providing for the rezoning from B-1A SL (Local and Neighborhood Business) District and R-10 SL (Alpine/Slope with Special Limitations) District to B-1A SL (Local and Neighborhood Business) District, R-10 SL (Alpine/Slope with Special Limitations) District and PLI SL (Public Lands and Institutions with Special Limitations); **Tracts A and B, Stuckagain Heights Subdivision, located in the NE 1/4 of Section 6, T12N, R2W, S.M., AK**, generally located to the east of Basher Drive and north of Nearpoint Drive (Basher (Stuckagain Hgts.) Community Council) (Planning and Zoning Commission Case 98-052), Assemblymember Wohlforth. public hearing 7-14-98. **(addendum)**

C. RESOLUTIONS FOR ACTION:

- 1. Resolution No. AR 98-182, a resolution to **establish the delinquent dates for the first and second half of yearly business personal and personal property tax payments** for Tax Year 1998, Finance.
a. Assembly Memorandum No. AM 542-98.
- 2. Resolution No. AR 98-191, a resolution of the Municipality of Anchorage providing for the acceptance and appropriation of a grant totaling \$13,812 from the State of Alaska, Department of Education to the State Categorical Grants Fund (0231) for the **Net Lender Reimbursement Program**, Cultural and Recreational Services/ Library.
a. Assembly Memorandum No. AM 576-98.
- 3. Resolution No. AR 98-192, a resolution of the Municipality of Anchorage providing for the acceptance and appropriation of \$5,000 to the Federal Categorical Grants Fund (0241) from the National Park Service for **reconstruction of the Girdwood Iditarod Trail**, Cultural and Recreational Services.
a. Assembly Memorandum No. AM 577-98.
- 4. Resolution No. AR 98-193, a resolution authorizing the **granting of a tax refund to Steve M. Adams as a result of manifest clerical error** on Real Property Account 001-253-06, Finance.
a. Assembly Memorandum No. AM 578-98.
- 5. Resolution No. AR 98-204, a resolution **approving the extension and amendment of the collective bargaining agreement between the Municipality and the International Brotherhood of Electrical Workers, Local 1547 (IBEW)** effective January 1, 1995 covering eligible employees of Municipal Light and Power/Employee Relations Department.
a. Assembly Memorandum No. AM 617-98.

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

- 6. Resolution No. AR 98-198, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Larry D. Crawford for his years of service** to the Municipality of Anchorage and its citizens, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

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

- 7. Resolution No. AR 98-199, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Connie Jones for her years of service** to the Municipality of Anchorage and its citizens, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

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

8. Resolution No. AR 98-202, a resolution of the Anchorage Municipal Assembly **requesting and encouraging the Legislature and the Governor to make the International Airport Road/Seward Highway Interchange a top priority for state highway funding**, Assemblymember Wuerch.
 - a. Resolution No. AR 98-202(S), a resolution of the Anchorage Municipal Assembly requesting and encouraging the Legislature and the Governor to make the International Airport Road/Seward Highway Interchange a top priority for state highway funding, Assemblymembers Wuerch, Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Taylor, and Wohlforth. **(addendum)**

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

9. Resolution No. AR 98-205, a resolution of the Municipality of Anchorage appropriating \$50,000 from the Areawide General (0101) Fund Balance to the Office of the Municipal Attorney to **execute two awarded sole source contracts to codify and assist in finalizing the title code for the land use ordinances applicable to Girdwood, Alaska**, Legal Department. **(addendum)**
 - a. Assembly Memorandum No. AM 628-98.
10. Resolution No. AR 98-207, a resolution of the Municipality of Anchorage appropriating \$45,957 from the Department of Community and Regional Affairs to the State Categorical Grants Fund (0231) for the **Day Care Assistance Program**, Health and Human Services. **(addendum)**
 - a. Assembly Memorandum No. AM 634-98.
11. Resolution No. AR 98-208, a resolution of the Anchorage Municipal Assembly **recognizing the month of June as National Bite Prevention Month**, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 591-98, **appointment of a Citizen Facility Naming Panel** for the naming of a new ice arena adjacent to the Dempsey Anderson Ice Arena, Cultural and Recreational Services.

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

2. Assembly Memorandum No. AM 618-98, **Chugiak, Birchwood, Eagle River Rural Road Service Area Board of Supervisors appointments** (Dave Sellie, Charlie Horsman, Lee Cline, Jim Ricks), Mayor's Office.
3. Assembly Memorandum No. AM 619-98, **Platting Board appointment** (Don Poulton), Mayor's Office.
4. Assembly Memorandum No. AM 620-98, **Police and Fire Retirement Board appointments** (Tim Rogers, Bob Kniefel), Mayor's Office.

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

5. Assembly Memorandum No. AM 621-98, **School Budget Advisory Commission appointment** (Paul Schilling), Mayor's Office.
6. Assembly Memorandum No. AM 601-98, **1998-1999 Liquor License Renewals**: Days Inn-Anchorage, The Family Restaurant, Humpty's Great Alaskan Alehouse, The Panhandle Bar, Park Lanes Lounge, PKG, Inc., Romano's Trattoria, Sports Edition Bar-Anchorage, Top of the World (Duplicate) (Beverage Dispensary); American Legion Post #29, VFW #9978 (Club); Bob's Liquor, Circle S Liquor, Kmart-Rodeo, Oasis Liquors (Package Store); Hogg Bros. Cafe/Watering Trough, Panda Restaurant, Phyllis' Cafe, Pizza Olympia, Skipper's #314 (Minnesota), Skipper's #315 (Dimond), Skipper's #316 (Benson), Villa Nova Restaurant, Yakitori Restaurant, Zana's Government Hill Pizza (Restaurant/Eating Place); Specialty Imports (Wholesale), Clerk's Office.
7. Assembly Memorandum No. AM 602-98, **1998-1999 Liquor License Renewals**: Club Oasis, Last Frontier Bar, El Toro Cantina Lounge (Beverage Dispensary); Los Arcos Mexican Restaurant (Restaurant/Eating Place), Clerk's Office.
8. Assembly Memorandum No. AM 603-98, **Circle "S" Liquors** - Transfer of Ownership of a Package Store Liquor License (Birchwood Loop Community Council), Clerk's Office.
9. Assembly Memorandum No. AM 604-98, **Del-Mar Seafood & Grill** - Transfer of Ownership and Location of a Beverage Dispensary Liquor License and Restaurant Designation Permit (Bayshore-Klatt/Taku-Campbell Community Councils), Clerk's Office.
10. Assembly Memorandum No. AM 605-98, **Panda Restaurant** - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Spenard Community Council), Clerk's Office.
11. Assembly Memorandum No. AM 579-98, State of Alaska DOT-PF utility relocation agreement No. 1-52512-98-11 for **sewer improvements with Project 52512, "C" Street, International Airport Road to Tudor Road**, Water and Wastewater Utility.
12. Assembly Memorandum No. AM 580-98, recommendation of award to EES Consulting, Inc. for providing **professional independent consulting engineering services** for the Municipality of Anchorage, Municipal Light and Power (RFP 8-98), Purchasing.
13. Assembly Memorandum No. AM 592-98, **Fiscal Years 1999 and 2000 Human Services Matching Grant Awards**, Health and Human Services.

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

14. Assembly Memorandum No. AM 593-98, amendment number two (2) to professional services contract with Land Design North for **Town Square & Kincaid Parks Improvements Package**, Cultural and Recreational Services.

15. Assembly Memorandum No. AM 594-98, recommendation of award to Anchorage Housing Initiatives, Inc. for providing a **Disabled Homeownership Demonstration Program** for the Municipality of Anchorage, Department of Community Planning and Development (RFGP 2-98), Purchasing.
16. Assembly Memorandum No. AM 595-98, change order No. 1 to purchase order 81147 with Unisys Corporation for furnishing **computer hardware and software maintenance** to the Municipality of Anchorage, Finance Department/Purchasing.
17. Assembly Memorandum No. AM 596-98, proprietary purchase of **biomedical equipment** from Physio Control Corporation for the Municipality of Anchorage, Fire Department/Purchasing.
18. Assembly Memorandum No. AM 597-98, proprietary purchase of **computer software maintenance** from Environmental Systems Research Institute, Inc. (ESRI) for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
19. Assembly Memorandum No. AM 598-98, recommendation of award to Edgar, Dunn & Company for providing **business consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 29-98), Purchasing.

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

20. Assembly Memorandum No. AM 599-98, recommendation of award to Donaldson, Lufkin & Jenrette for providing **sale consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 30-98), Purchasing.

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

21. Assembly Memorandum No. AM 600-98, change order No. 2 to purchase order 71620 to exercise the option with Engineered Fire Systems, Inc. for providing **alarm, audio and video systems maintenance** to the Municipality of Anchorage, Property and Facility Management/ Purchasing.
22. Assembly Memorandum No. AM 622-98, recommendation of award to TWS Services of Alaska, Inc. for providing **remittance hardware and software equipment** to the Municipality of Anchorage, Finance Department (RFP 71-97), Purchasing.
23. Assembly Memorandum No. AM 623-98, proprietary purchase of **computer software usage and maintenance** from Computer Associates International, Inc. for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
24. Assembly Memorandum No. AM 624-98, change order No. 2 to purchase order 63869 with Sub Zero Thawing for furnishing **steam thawing services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
25. Assembly Memorandum No. AM 625-98, change order No. 7 to purchase order 33655 with The Boniface Mall Group for **leased space for the Women Infant Children's Satellite Clinic** for the Municipality of Anchorage, Department of Property and Facility Management/ Purchasing.
26. Assembly Memorandum No. AM 626-98, amendment to the **IBM PeopleSoft implementation contract**, Finance.

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

27. Assembly Memorandum No. AM 627-98, Fiscal Years 1999 & 2000 **Community Development Block Grant (CDBG) Public Services grant awards**, Health and Human Services.

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

28. Assembly Memorandum No. AM 629-98, change order No. 7 to purchase order 53717 with USKH, Inc. for providing **professional architectural/engineering services for the Capital Improvement Projects** for the Municipality of Anchorage, Merrill Field Airport/Purchasing. (addendum)
29. Assembly Memorandum No. AM 630-98, **Findings and Conclusions, Board of Adjustment Appeal S-10180, Horizon Park Estates**, Clerk's Office. (addendum)

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

30. Assembly Memorandum No. AM 631-98, **Trader Jim's Liquor Store** - Transfer of Ownership of a Package Store Liquor License (Abbott Loop/Campbell Park Community Councils), Clerk's Office. (addendum)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 73-98, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of May 1998, Purchasing.

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

2. Information Memorandum No. AIM 74-98, **1997 Comprehensive Annual Financial Report**, Finance.

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

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

(Clerk's Note: A motion for immediate reconsideration of this action was considered later in the meeting. See after item 8.F.)

8. REGULAR AGENDA:

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS:

1. Assembly Memorandum No. AM 607-98, recommendation of award to Summit Paving & Construction for the **realignment of Holes #4 and #7 at the Anchorage Golf Course** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 98-C31), Purchasing.

Ms. Clementson moved, to approve AM 607-98.
seconded by Mr. Murdy,

In response to Ms. Clementson, Don Simmons of Property and Facility Management described the loan in the fund certification. The loan, for a maximum of \$600,000, was approved by the Assembly last year and would be repaid with a surcharge on golf user fees.

In response to Mr. Wohlforth, Mr. Simmons explained the holes were proposed to be realigned to improve the golf course. The realignment will also mitigate a liability issue; there have been problems with golf balls traveling onto adjacent properties.

Mayor Mystrom added a third reason was to correct a danger of balls from one hole hitting golfers playing other holes.

Question was called on the motion to approve AM 607-98 and it passed without objection.

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

2. Assembly Memorandum No. AM 612-98, recommendation of award to Coastal, Inc. for **sports field irrigation improvements** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 98-C36), Purchasing.

Ms. Clementson moved, to approve AM 612-98.
seconded by Ms. Taylor,

In response to Ms. Clementson, Dan Moore of the Office of Management and Budget confirmed the fund certification should refer to a 1997 bond.

Ms. Clementson moved, to amend AM 612-98 in the fund
seconded by Mr. Wohlforth, certification to read:
and it passed without "...\$174,565.75 (1997 Bond &
objection, State Match Grant..."

Question was called on the motion to approve AM 612-98 as amended and it passed without objection.

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 98-109, an ordinance of the Municipality of Anchorage **creating Natural Gas Line Special Assessment District No. 1G98 - Natural Gas Line in the East Eagle River Valley Area** and determining to proceed with proposed improvements therein, Public Works. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 609-98.

Ms. Clementson, Mr. Wohlforth and Mr. Wuerch joined in introducing this ordinance. The public hearing was scheduled for July 14, 1998.

Ms. Clementson questioned why there was no fund certification for this item.

Municipal Manager Larry Crawford explained the certification was not necessary.

2. Resolution No. AR 98-197, a resolution authorizing eminent domain proceedings and acceptance of the Decisional Document for the **1998 Construction of East 68th Avenue Improvement Project** between Lake Otis Parkway and Abbott Loop Road, Public Works. public hearing 7-14-98.
 - a. Assembly Memorandum No. AM 590-98.

Mr. Wuerch, Mr. Meyer and Mr. Kendall joined in introducing this resolution. The public hearing was scheduled for July 14, 1998.

Mr. Wuerch encouraged the administration to continue negotiations with property owners to avoid eminent domain.

Mr. Meyer added he hoped eminent domain would be used as a last resort only.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-204, a resolution **approving the extension and amendment of the collective bargaining agreement between the Municipality and the International Brotherhood of Electrical Workers, Local 1547 (IBEW)** effective January 1, 1995 covering eligible employees of Municipal Light and Power/Employee Relations Department.

- a. Assembly Memorandum No. AM 617-98.

Municipal Manager Larry Crawford noted a public hearing should be scheduled for this item.

Mr. Murdy moved, to schedule AR 98-204 for public
seconded by Mr. Wohlforth, hearing on July 14, 1998.
and it passed without
objection,

2. Resolution No. AR 98-199, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Connie Jones for her years of service** to the Municipality of Anchorage and its citizens, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

Ms. Abney moved, to approve AR 98-199.
seconded by Mr. Wohlforth,
and it passed without
objection,

Ms. Taylor read the resolution while Ms. Abney presented it to Ms. Jones.

Mr. Jones thanked the Assembly.

3. Resolution No. AR 98-198, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Larry D. Crawford for his years of service** to the Municipality of Anchorage and its citizens, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

Ms. Clementson moved, to approve AR 98-198.
seconded by Ms. Taylor,
and it passed without
objection,

Mr. Wuerch read the resolution while Ms. Clementson presented it to Mr. Crawford.

Mr. Crawford thanked the Assembly.

4. Resolution No. AR 98-202, a resolution of the Anchorage Municipal Assembly **requesting and encouraging the Legislature and the Governor to make the International Airport Road/Seward Highway Interchange a top priority for state highway funding**, Assemblymember Wuerch.
a. Resolution No. AR 98-202(S), a resolution of the Anchorage Municipal Assembly requesting and encouraging the Legislature and the Governor to make the International Airport Road/Seward Highway Interchange a top priority for state highway funding, Assemblymembers Wuerch, Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Taylor, and Wohlforth. **(addendum)**

Mr. Wuerch moved, to approve AR 98-202(S).
seconded by Ms. Taylor,
and it passed without
objection,

5. Resolution No. AR 98-208, a resolution of the Anchorage Municipal Assembly **recognizing the month of June as National Bite Prevention Month**, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Meyer moved, to approve AR 98-208.
seconded by Ms. Clementson,
and it passed without
objection,

Mr. Meyer read the resolution while Mr. Murdy presented it to Karen Moore of the Animal Control Center.

Ms. Moore noted last year, Animal Control dealt with 561 animal bites; about sixty percent were children. She said a pet summer solstice gathering at the Center is hoped to become an annual event. There will be family activities, free food and drink, exhibitors and education on prevention of animal bites. She encouraged Assembly members to attend.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 591-98, **appointment of a Citizen Facility Naming Panel** for the naming of a new ice arena adjacent to the Dempsey Anderson Ice Arena, Cultural and Recreational Services.

Mr. Wohlforth moved, to approve AM 591-98
seconded by Ms. Clementson,

Mr. Wohlforth expressed concern that confusion would result if there are two differently-named rinks in the same building.

In response, Mayor Mystrom noted rinks in the Ben Boeke facility have two different names and there has not been a problem. He felt confident the Parks and Recreation Commission would provide a reasonable recommendation.

Question was called on the motion to approve AM 591-98 and it passed without objection.

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

2. Assembly Memorandum No. AM 620-98, **Police and Fire Retirement Board appointments** (Tim Rogers, Bob Kniefel), Mayor's Office.

Municipal Manager Larry Crawford requested this item be amended to reflect expiration of the term to 2000.

Ms. Clementson moved, seconded by Ms. Abney, and it passed without objection,	to approve and amend AM 620-98 to reflect expiration of Mr. Rogers' and Mr. Kniefel's terms on June 20, 2000.
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(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

3. Assembly Memorandum No. AM 592-98, **Fiscal Years 1999 and 2000 Human Services Matching Grant Awards**, Health and Human Services.
4. Assembly Memorandum No. AM 627-98, **Fiscal Years 1999 & 2000 Community Development Block Grant (CDBG) Public Services grant awards**, Health and Human Services.

Mr. Wohlforth moved, seconded by Mr. Murdy,	to postpone action on AM 592-98 until July 14, 1998 pending further review of the grant allocations.
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Mr. Wohlforth recommended a meeting with the chair of the Commission to discuss the issue prior to July 14.

Health and Human Services Director Elaine Christian explained most grants commence on July 1, so there would be a two-week impact to some agencies.

Chair Von Gemmingen said she would appoint an ad hoc committee.

Question was called on the motion to postpone action on AM 592-98 until July 14 and it passed without objection.

Mr. Wohlforth moved, seconded by Mr. Murdy,	to approve AM 627-98.
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Mr. Wohlforth moved, seconded by Mr. Murdy, and it passed without objection,	to postpone action on AM 627-98 until July 14, 1998 pending further review of the grant allocations.
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5. Assembly Memorandum No. AM 598-98, recommendation of award to Edgar, Dunn & Company for providing **business consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 29-98), Purchasing.

Mr. Wohlforth moved, seconded by Mr. Murdy,	to approve AM 598-98.
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Mr. Wohlforth moved, seconded by Mr. Murdy, and it passed without objection,	to postpone action on AM 598-98 until after action on items 12.E, AR 98-194.
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6. Assembly Memorandum No. AM 599-98, recommendation of award to Donaldson, Lufkin & Jenrette for providing **sale consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 30-98), Purchasing.

Mr. Wohlforth moved, seconded by Mr. Murdy,	to approve AM 599-98.
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Mr. Wohlforth moved, seconded by Mr. Murdy, and it passed without objection,	to postpone action on AM 599-98 until after action on items 12.E, AR 98-194.
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7. Assembly Memorandum No. AM 626-98, amendment to the **IBM PeopleSoft implementation contract**, Finance.

Ms. Taylor moved, seconded by Ms. Clementson,	to approve AM 626-98.
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In response to Ms. Taylor, Municipal Manager Larry Crawford explained there were contingency funds established of \$400,000. The additional \$15,000 was part of the cost savings in various elements of the project.

Question was called on the motion to approve AM 626-98 and it passed without objection.

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

8. Assembly Memorandum No. AM 630-98, Findings and Conclusions, Board of Adjustment Appeal S-10180, Horizon Park Estates, Clerk's Office. **(addendum)**

Ms. Clementson moved, to approve AM 630-98.
seconded by Mr. Murdy,

Ms. Clementson moved, to amend AM 630-98 on page 4 of the
seconded by Mr. Wohlforth, findings to read: "...upon the
and it was withdrawn, construction of a 30' wide paved..."

Ms. Clementson moved, to amend AM 630-98 on page 4 of the findings to read:
seconded by Mr. Wohlforth, "...construction of a 24' wide paved non-gated emergency
access for ingress and egress..." and to delete the sentence
"Access shall be limited to emergency use by knock down
bollards or similar device other than a gate."

Mr. Wuerch moved, to amend the amendment to retain part
and it was accepted as of the sentence: "Access shall be
a friendly amendment, limited to emergency use."

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

Ms. Clementson moved, to amend AM 630-98 on page 5 of the
seconded by Mr. Wohlforth, findings to read: "...to permit
and it passed without construction of a 30' wide strip
objection, -paved interior street..."

Question was called on the motion to approve AM 630-98 as amended and it passed without objection.

(Clerk's Note: A motion to reconsider this action was made later in the meeting. See after item 8.F.)

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 73-98, contracts awarded between \$30,000 and \$100,000 through formal competitive processes for the month of May 1998, Purchasing.

Mr. Wohlforth moved, to accept AIM 73-98.
seconded by Mr. Wuerch,

In response to Mr. Wohlforth, Municipal Attorney Mary Hughes advised the contract with Don Wonnell is for legal services relating to electric utility industry restructuring in the State. Mr. Wonnell, as part of a consultant group, will provide expertise necessary for several Alaska Public Utilities Commission dockets. She added a Request For Proposal was issued for the services.

Question was called on the motion to accept AIM 73-98 and it passed without objection.

Ms. Clementson moved, to reconsider action on items
seconded by Mr. Wuerch, 7.A.1 through 7.A.16, 7.C.1 through 7.C.4, 7.D.1 through
7.D.5, and 7.D.11 through 7.D.29.

AYES: None.

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

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

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

A. Resolution No. AR 98-135, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant/Eating Place Liquor License) located on the east side of W.D. McKinney 2nd Add. Lot 7, generally located on the east side of "C" Street and north of West Fireweed Lane. (Arturo R. Esparza d.b.a. **Las Margaritas**) (Case 98-079), Community Planning and Development.

1. Assembly Memorandum No. AM 406-98.
(POSTPONED FROM 5-19-98)

This item was considered later in the meeting. See after item 11.B.)

10. **APPEARANCE REQUESTS:**

A. **Les Gara**, AKPIRG Board Member, regarding ATU sale and fees. **(addendum)**

Mr. Gara began speaking about item 12.E, AR 98-194, the proposed appropriation to fund a contract with consultants to organize the sale of Anchorage Telephone Utility.

Mr. Bell pointed out this item would be open for public hearing later in the meeting. He felt Mr. Gara should address the Assembly at that time.

Mr. Wohlforth moved, to suspend the rules to allow Mr.
seconded by Mr. Meyer, Gara to continue speaking.
and it was withdrawn,

B. **Carylee T. Kilgrow**, regarding Sunset Trailer Park. (**LAI**D ON THE TABLE)

Ms. Kilgrow said she cannot sell her trailer because of the condition of the Sunset Trailer Park. She said the Park does not receive all the services it should. There have been numerous complaints about the quality of the water, and rent increases. Ms. Kilgrow described behavior by the Park manager which she felt was harassing and discriminatory. There are no provisions for the elderly and handicapped residents. She felt since the park was grandfathered and does not have to meet code requirements, rents should not be increased.

Ms. Clementson noted there is a trailer park inspection program.

Operations Manager George Vakalis said he would look into the matter and respond to Ms. Kilgrow.

The meeting recessed at 6:50 p.m. and reconvened at 7:15 p.m.

11. **CONTINUED PUBLIC HEARINGS:**

- A. 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.
1. Assembly Memorandum No. AM 269-98.
 2. Ordinance No. AO 98-58(S), 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, Legal Department.
 3. Assembly Memorandum No. AM 337-98.
 4. Assembly Memorandum No. AM 360-98, Legal Department.
 5. Ordinance No. AO 98-58(S-1), 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, Assemblymembers Abney and Murdy.
 6. Assembly Memorandum No. AM 460-98.
 7. Ordinance No. AO 98-58(S-2), 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, Assemblymembers Abney and Murdy.
 8. Assembly Memorandum No. AM 461-98.
- (CONTINUED FROM 3-24-98, 4-7-98, 4-28-98, AND 5-5-98)

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one.

Mr. Bell moved, to continue the public hearing for
seconded by Ms. Abney, AO 98-58 until August 18, 1998.
and it passed without
objection,

Mr. Wohlforth moved, to change the orders of the day to
seconded by Ms. Clementson, consider item 12.E, AR 98-194, and
and it passed without AM 598-98 and AM 599-98.
objection,

Resolution No. AR 98-194, a resolution of the Municipality of Anchorage appropriating \$300,000 from Areawide General Fund Balance (0101) to the Municipal Attorney Office for **business and sale consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility**, Office of Management and Budget.

1. Assembly Memorandum No. AM 581-98.
Assembly Memorandum No. AM 598-98, recommendation of award to Edgar, Dunn & Company for providing **business consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 29-98), Purchasing.
Assembly Memorandum No. AM 599-98, recommendation of award to Donaldson, Lufkin & Jenrette for providing **sale consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility** for the Municipality of Anchorage, Municipal Attorney's Office (RFP 30-98), Purchasing.

Chair Von Gemmingen opened the public hearing for AR 98-194 and asked if anyone wished to speak.

LES GARA, of the Alaska Public Research Interest Group, objected to the proposal to hire Donaldson, Lufkin & Jenrette to assist in the ATU sale. He felt the proposed fee was exorbitant. He asked what this firm offers that cannot be provided by Municipal staff. He also questioned the selection process, and whether appropriate efforts were used to solicit bidders. Mr. Gara felt the firm would have a conflict if they help the Municipality select a purchaser, and also offered the purchaser financing.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one and she closed the public hearing.

Mr. Wuerch moved, to approve AR 98-194.
seconded by Mr. Meyer,

Mr. Wohlforth recused himself from voting on this item because he was a member of the RFP selection committee, and the scoring committee. He was told he may participate in the debate in terms of making comments of an informational nature about the selection process.

There was no objection.

Mr. Wohlforth explained the selection committee negotiated a sliding fee scale with Donaldson, Lufkin & Jenrette in order to provide an incentive to get the highest possible proceeds for ATU. He outlined the scale provisions. The selection committee was impressed with the reputation and expertise of the firm. The committee selected a firm with this experience and stature to reduce the chances the sale process would fail.

In response to Ms. Taylor, Mr. Wohlforth recalled the firm representatives said they would not handle both sides of the transaction; they would only represent the seller and would direct clients to another investment banking firm to represent the purchaser.

Question was called on the motion to approve AR 98-194 and it passed:

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

(Clerk's Note: A motion to reconsider this action was made after the following two items.)

Mr. Wuerch moved, to approve AM 598-98.
seconded by Mr. Murdy,

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

Mr. Wuerch moved, to approve AM 599-98.
seconded by Mr. Murdy,

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

Mr. Murdy moved, to reconsider action on AR 98-194,
seconded by Mr. Wuerch, AM 598-98 and AM 599-98.

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

- B. 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.
1. Assembly Memorandum No. AM 221-98.
 2. Information Memorandum No. AIM 75-98, Community Planning and Development.
 3. Ordinance No. AO 98-53(S), 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. (**addendum**)
 4. Assembly Memorandum No. AM 635-98.
- (CONTINUED FROM 6-2-98)

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

BARBARA WEINIG supported the Planning and Zoning Commission's recommendation that the increased height be for garages and carports only, not accessory buildings. She pointed out in some smaller lot neighborhoods, allowing accessory buildings to be higher would eliminate views and create a "boxey" feeling.

LOREN SOLEY spoke in support of the ordinance, which would allow garages to accommodate motor homes and campers. He pointed out many people own these recreational vehicles, and there is a need for sheltered storage.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one and she closed the public hearing.

Mr. Kendall moved, to adopt AO 98-53(S).
seconded by Mr. Wuerch,

Mr. Kendall spoke in support of the ordinance.

In response to Mr. Wohlforth, Don Alspach of Community Planning and Development explained the allowable heights for garages differ in various zoning districts because they relate to the height of principal structures which are different in various zones.

Question was called on the motion to adopt AO 98-53(S) and it passed:

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

Mr. Meyer moved, to change the orders of the day to
seconded by Mr. Wuerch, consider item 9.A, AR 98-135.
and it passed without
objection,

Resolution No. AR 98-135, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant/Eating Place Liquor License) located on the east side of W.D. McKinney 2nd Add. Lot 7, generally located on the east side of "C" Street and north of West Fireweed Lane. (Arturo R. Esparza d.b.a. **Las Margaritas**) (Case 98-079), Community Planning and Development.
1. Assembly Memorandum No. AM 406-98.
(POSTPONED FROM 5-19-98)

Chair Von Gemmingen gave the history of the resolution and noted a motion to approve was on the floor.

Mr. Wuerch announced the applicant met with the community council, which did not object to the conditional use.

Mr. Esparza said he attended the Northstar and Spenard Community Council meetings; neither group had an objection to the conditional use permit.

Question was called on the motion to approve AR 98-135 and it passed:

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

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 98-169, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating an Alaska Clean Water Fund loan offer in the amount of \$1,182,000 for financing a portion of the **costs of wastewater data processing equipment**, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 486-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one and she closed the public hearing.

Mr. Murdy moved, to approve AR 98-169.
seconded by Mr. Wuerch,

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

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

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

- B. Resolution No. AR 98-185, a resolution of the Municipality of Anchorage **accepting, appropriating, reappropriating and deleting State of Alaska legislative grants** per Senate Bill 231, Office of Management and Budget.
1. Assembly Memorandum No. AM 554-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one and she closed the public hearing.

Mr. Murdy moved, to approve AR 98-185.
seconded by Mr. Meyer,

In response to Mr. Wohlforth, Dan Moore of the Office of Management and Budget explained the reappropriations. He said grant funds for Ship Creek were reappropriated for other projects by the Assembly. Others projects are funded by matching grants and others, Mountain View Recreation Center and Basher Limited Road Service area, by a discretionary district appropriation. He said the State grants followed the Municipality's priorities exactly, with the exception of priority #2, major facility upgrades. That project received \$901,000 whereas \$1.2 million was requested. The difference was allocated to priority #10, Lake Otis/Tudor turn lanes. The change was done by the Legislature at their initiative and not at the request of the Municipality. Although the Legislature usually follows local governments' priorities, there is no statutory requirement that they allocate funding exactly as requested.

Ms. Clementson moved, to divide the question between
seconded by Mr. Wohlforth, matching grants and the deleted/ reappropriated grants.

Ms. Clementson explained the matching grants have already had some discussion before the Assembly; the deleted and reappropriated grants are in a different category and she would like the opportunity to vote against them.

Municipal Manager Larry Crawford explained the Assembly may accept or decline the funds, but reappropriation is not an option.

Mr. Moore clarified the purpose of the resolution is to accept and appropriate the net amount of grants where the Municipality is a recipient. Information on the deleted and reappropriated grants was included in anticipation of Assembly inquiry about funds that are not returning to the Municipality.

Question was called on the motion to divide the question and it failed:

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

Mr. Wohlforth objected to the process the Legislature used to reappropriate the Ship Creek funds. He felt the funds should have remained designated for the area's redevelopment. He urged the Governor to veto the reappropriation projects.

Question was called on the motion to approve AR 98-185 and it passed:

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

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

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

- C. Resolution No. AR 98-189, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating State of Alaska matching grant funds in the amount of \$2,000,000 for **projects constructed under the ADEC Matching Grant Program** (Senate Bill 231), Water and Wastewater Utility.
1. Assembly Memorandum No. AM 565-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one and she closed the public hearing.

Ms. Clementson moved, to approve AR 98-189.
seconded by Mr. Murdy,

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

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

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

- D. Resolution No. AR 98-190, a resolution of the Municipality of Anchorage appropriating \$5,500,000 of proceeds from the sale of revenue bonds to the Anchorage Parks and Recreation Service Area CIB Fund (0461) for the **Dempsey Anderson Ice Arena expansion**, Property and Facility Management.
1. Assembly Memorandum No. AM 567-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one and she closed the public hearing.

Mr. Murdy moved, to approve AR 98-190.
seconded by Mr. Wuerch,

Ms. Clementson requested a memorandum detailing the actual bond sale data, when the bonds are sold.

Question was called on the motion to approve AR 98-190 and it passed:

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

Mr. Murdy moved, immediate reconsideration.
seconded by Mr. Meyer,

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

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

- E. Resolution No. AR 98-194, a resolution of the Municipality of Anchorage appropriating \$300,000 from Areawide General Fund Balance (0101) to the Municipal Attorney Office for **business and sale consulting services for the acquisition by a purchaser of the assets of the Anchorage Telephone Utility**, Office of Management and Budget.
1. Assembly Memorandum No. AM 581-98.

This item was considered earlier in the meeting. See after item 11.A.

- F. Ordinance No. AO 98-101, an ordinance amending Anchorage Municipal Code Title 21 by enacting a new Chapter 21.67, Stormwater Discharge, to provide for **stormwater restrictions and system plan review**, Public Works.
1. Assembly Memorandum No. AM 564-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

DAVID ARGETSINGER spoke as an engineer and chair of a joint Associated General Contractors/Alaska Department of Environmental Conservation committee. He discussed ADEC review of system plans. There is currently inadequate State regulation of the topic, yet Public Works is proposing to adopt code to mirror the State. He suggested the proposal be rewritten. He disagreed with arguments that a delay would impact this season's construction.

Mr. Murdy suggested the public hearing be continue to allow for a work session on the topic.

In response to Mr. Bell, Operations Manager George Vakalis said industry representatives asked the Municipality to assume the review functions, because of the long delay in getting permits from the State. He said a delay would not be a problem.

Public Works Director Jim Fero noted the Planning and Zoning Commission reviewed this ordinance and voted unanimously in support. He added the intent was not to review State or Municipal projects, which will continue to be reviewed by ADEC.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one.

Mr. Murdy moved, to continue the public hearing for
seconded by Mr. Wuerch, AO 98-101 until July 21, 1998 and
and it passed without schedule a work session on the same
objection, date.

- G. Resolution No. AR 98-177, a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Budget for FY 1998-99**, Anchorage School District.
1. Assembly Memorandum No. AM 531-98.
 2. Resolution No. AR 98-177(S), a resolution of the Municipality of Anchorage providing for a revision of the Anchorage School District Budget for FY 1998-99, Anchorage School District.
 3. Assembly Memorandum No. AM 582-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

HARRIET DRUMMOND, president of the School Board, noted the goal of a new State education funding formula has been met. She thanked Legislators for their support on this issue. She was pleased to request approval of the budget increase that requires no additional local tax contribution, rather reduces the local tax contribution by \$1,125,448. The proposed revision addresses reduction of class size, maintenance and technology. She urged support of the resolution.

BOB CHRISTAL, Superintendent, discussed how tax relief would result from the funding increase.

The Assembly stood at ease from 8:52 p.m. to 8:55 p.m.

DIANE ETTER, of the Anchorage Council of PTA's, said the new State education funding formula met a major goal of the group. She supported using a large portion of the funding increase to reduce class size. The Council supports the proposed budget revision.

THERESA OBERMEYER spoke in support of the resolution.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one and she closed the public hearing.

Mr. Murdy moved, to approve AR 98-177(S).
seconded by Mr. Wuerch,

Mr. Wohlforth suggested approval of a resolution thanking the Legislature for the new education funding formula.

Question was called on the motion to approve AR 98-177(S) and it passed:

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

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

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

- H. Ordinance No. AO 98-96, an ordinance amending the zoning map and providing for the **rezoning from B-3 (General Business) District to I-1 (Light Industrial) District for a 5.25 acre parcel of land within the SE 1/4, NW 1/4, Sec. 31, T13N, R3W, S.M., Alaska**, located at the northeast corner of International Airport Road and C Street, approximate frontage 525' of International Airport Road and 436.4' on C Street (Spenard Community Council) (Case 98-071), Assemblymembers Carlson, Meyer, and Wuerch.
1. Information Memorandum No. AIM 76-98, Community Planning and Development.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

JOE STIMSON, of Stimson Consulting Service, noted the ordinance would return the subject land to original zoning. At that time, industrial zoning did not allow hotels, so the land was rezoned to allow a hotel. That use was never developed. He said the parcel has a direct relationship to the Anchorage International Airport and the Port. He noted the Planning and Zoning Commission unanimously supported the rezoning. The Spenard Community Council also supports the proposal.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one and she closed the public hearing.

Mr. Wuerch moved, to adopt AO 98-96.
seconded by Ms. Clementson,

Mr. Wuerch moved, to amend AO 98-96 to add a new Section 4 to read:
seconded by Ms. Clementson, "The special limitations set forth in this
and it passed without ordinance prevail over any inconsistent provisions of Title
objection, 21 of the Anchorage Municipal Code, unless specifically
provided otherwise. All provisions of Title 21 of the
Anchorage Municipal Code not specifically affected by a
special limitation set forth in this ordinance shall apply in the
same manner as if the district classification applied by the
ordinance was not subject to special limitations." and add a
new Section 5 to read: "The Director of Community Planning
and Development shall change the zoning map accordingly."
and add a new Section 6 to read: "The ordinance referenced
in Section 1 above shall become effective on such date as the
director of the Department of Community Planning and
Development determines that the special limitations set forth
in Section 2 above have the written consent of the owners of
the property within the area described in Section 1 above.
The Director of the Department of Community Planning and
Development shall make such a determination only if he/she
receives evidence of the required consent within 120 days
after the date on which this ordinance is passed and
approved."

Ms. Clementson moved, to amend AO 98-96 in Section 2, paragraph a.i. to read:
seconded by Mr. Wohlforth, "An average planting bed width of 25 feet with a minimum
planting bed width of 15 feet along the entire length of the
south and west property lines, except where driveways are
present."

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

Question was called on the motion to adopt AO 98-96 as amended and it passed:

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

Mr. Meyer moved, immediate reconsideration.
seconded by Mr. Murdy,

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

- I. Resolution No. AR 98-164, a resolution revoking the conditional use permit allowing the retail sale and dispensing of alcoholic beverages at 6119 Old Seward Highway, formerly known as the Sawmill Club and currently known as **Klondike Kate's Bare Trap Saloon**, Community Planning and Development/Public Works.
1. Assembly Memorandum No. AM 474-98.

Mr. Murdy moved,
seconded by Mr. Wohlforth,

to reschedule the public hearing for
AR 98-164 for July 14, 1998.

Ms. Clementson pointed out the Assembly would not have time to meet with its attorney on this matter by July 14, and there are many other items scheduled for consideration on that date.

Ms. Clementson moved,
and it died for lack
of a second,

to substitute a motion to reschedule
the public hearing for July 21,
1998.

In response to Mr. Meyer, Municipal Attorney Mary Hughes advised Assembly members not to speak with anyone regarding this topic. She said citizens could be referred to Assembly staff for information on the public hearing date. She pointed out the Assembly has never revoked a conditional use permit, so caution in proceeding is recommended. She explained the Municipal Attorney cannot represent the Assembly in this matter because she is representing Public Works Code Enforcement, which is requesting the revocation.

Chair Von Gemmingen noted she may schedule a special meeting on July 14 with an executive session to discuss this matter with the Assembly's attorney.

Question was called on the motion to reschedule the public hearing for July 14 and it passed:

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

NAYS: Clementson.

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

14. **SPECIAL ORDERS:**

- A. Resolution No. AR 98-208, a resolution of the Municipality of Anchorage **requesting ATU's execution of the lease with the Municipality for the "E" Street Building**, Assemblymember Wohlforth.
(LAID ON THE TABLE)

Mr. Wohlforth moved,
seconded by Mr. Kendall,

to approve AR 98-208.

Mr. Wohlforth read the resolution and explained a new facility was needed for the Office of Emergency Management. Bond funds were approved by the voters for this purpose, and the E Street Building is an appropriate location. The proposed lease would not result in a loss of value to the Municipality. Mr. Wohlforth said the proposal was reviewed by the Assembly ATU Committee. He recommended approval of the resolution to indicate the Assembly's position to the Anchorage Telephone Utility Board of Directors. In response to Ms. Clementson, Mr. Wohlforth said he asked the investment banking firm to investigate the status of ATU leased properties in the event of a sale of the utility.

Question was called on the motion to approve AR 98-208 and it passed:

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

NAYS: Clementson.

15. **ASSEMBLY COMMENTS:**

- A. Mr. Murdy noted there would be a meeting of the skateboard park committee later this week (June 12), to discuss site selection. He thanked everyone involved in the National League of Cities Public Safety Committee conference in Anchorage. The Spenard Do Dah Parade is on June 20; he invited everyone to attend.
- B. Mr. Kendall announced the Bear Paw Festival would be held in Eagle River July 10 through July 12, 1998. He invited everyone to attend and participate in the Slippery Salmon contest.
- C. Ms. Abney invited everyone to the Girdwood Forest Fair July 3 through July 5, 1998.
- D. Mr. Wuerch noted on Flag Day, June 14, there would be a ceremony at the Veterans Memorial on the Delaney Park Strip at 10:00 a.m. He invited everyone to attend.
- E. Mr. Carlson thanked everyone for prayers for the health of his wife during her pregnancy. She and their baby are doing well. He added the Chugiak Business Association would hold a parade on July 4, 1998, in conjunction with the Chugiak Volunteer Fire Department.
- F. Mr. Bell pointed out action on AO 98-48, regarding rezoning of land near the Midtown Park, was postponed until July 21, 1998. He noted the concerned parties were supposed to meet in the interim, but have not done so yet. He intended to further postpone the hearing until that group meets, if they have not done so by July 21.
- G. Chair Von Gemmingen reminded her colleagues of a parliamentary procedure training session on June 11, 1998.

16. **UNFINISHED AGENDA:** None.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. ADJOURNMENT:

The meeting adjourned at 9:55 p.m.

Chair

ATTEST:

Municipal Clerk

Date Minutes Approved: September 15, 1998

LF/db

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