

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of July 13, 1999

1. CALL TO ORDER:

The meeting was convened at 5:00 p.m. by Assembly Chair George Wuerch in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Kendall, Dan Sullivan, Cheryl Clementson, Allan Tesche, Melinda Taylor, George Wuerch, Kevin Meyer, Anna Fairclough, Dick Tremaine, Fay Von Gemmingen, Pat Abney.
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Meyer.

4. MINUTES OF PREVIOUS MEETING: None.

5. MAYOR'S REPORT:

Mayor Mystrom requested a breakfast briefing to advise the Assembly about projects the administration intends to pursue in the coming year. He thanked the businesses and city of Ketchikan for donating a 110 foot tall, Sitka spruce flag pole which will be dedicated on July 22 at 5:00 p.m. on the Park Strip.

6. ADDENDUM TO AGENDA

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

Chair Wuerch read the addendum items.

Ms. Clementson moved, to amend the addendum and move AR 99-185 from
seconded by Ms. Von Gemmingen, "Ordinances and Resolutions for Introduction" to "Resolutions
for Action."

Mr. Tesche stated the Assembly committee recommended the resolution be set for public hearing on August 10.

Ms. Clementson responded that a timetable was in place for the comprehensive plan.

Mayor Mystrom noted the comprehensive plan had been in the works for a long time and will be coming forward soon. The resolution does not need a public hearing and should be considered tonight.

In response to Ms. Taylor, Director of Community Planning and Development Caren Mathis stated the goal is to have a public hearing draft ready by December 1. She outlined what work had been done on the plan since last November.

Mayor Mystrom added he would be meeting with the Assembly comprehensive plan committee regularly.

In response to Ms. Fairclough, Mayor Mystrom stated the comprehensive plan activity calendar would be furnished to the Assembly tomorrow. Ms. Mathis described the composition and tasks of various groups that will be involved in creating the draft plan.

Mayor Mystrom welcomed Assembly input on his appointments to comprehensive plan focus groups but felt it was not appropriate for the Assembly to pass a resolution defining the administration's role.

Ms. Taylor was especially concerned that focus groups would eliminate public input. Mayor Mystrom reiterated the plan would have public hearings before the Planning and Zoning Commission as well as the Assembly. The purpose of involving focus groups was to get information on specific needs in combination with broader needs expected to be voiced at open houses.

Question was called on the motion to amend the addendum to the agenda and it passed:

AYES: Kendall, Sullivan, Clementson, Wuerch, Meyer, Von Gemmingen.
NAYS: Tesche, Taylor, Fairclough, Tremaine, Abney.

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

7. CONSENT AGENDA:

Ms. Clementson moved,
seconded by Mr. Kendall,

to approve all items on the consent agenda
as amended

A. BID AWARDS:

1. Assembly Memorandum No. AM 603-99, recommendation of award to N. C. Machinery Company for furnishing an **articulating front end wheel loader** to the Municipality of Anchorage, Solid Waste Services (ITB 99-B050), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 99-102, an ordinance of the Municipality of Anchorage repealing creation Ordinance 81-110 and dissolving **Turnagain-West Lateral Sewer Improvement District Number 128**, Water and Wastewater Utility. public hearing 8-10-99.
 - a. Assembly Memorandum No. AM 611-99.
2. Ordinance No. AO 99-103, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 7, Purchasing and Contract and Professional Services, to add a new Section 7.20.103 B. providing for **review of competitive procurement** undertaken under AMC 7.20.060 by the Bidding Review Board, Assemblymember Tesche. public hearing 8-10-99.
 - a. Assembly Memorandum No. AM 644-99.
3. Ordinance No. AO 99-104, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple Family Residential District) to R-4SL (Multiple Family Residential District) with Special Limitations for **Third Addition Subdivision, Block 15C, Lots 1 through 12**; generally located between East 12th and 13th Avenues between Cordova and Barrow Streets (Fairview Community Council) (Case 99-004), Community Planning and Development. public hearing 8-10-99.
 - a. Assembly Memorandum No. AM 652-99.
4. Resolution No. AR 99-169, a resolution of the Municipality of Anchorage appropriating \$687,233 from the State of Alaska Department of Community and Regional Affairs to the State Categorical Grants Fund (231) for the **Day Care Assistance Program** in the Department of Health and Human Services. public hearing 7-20-99.
 - a. Assembly Memorandum No. AM 604-99.
5. Resolution No. AR 99-170, a resolution of the Municipality of Anchorage appropriating the sum of \$132,600 from the U.S. Environmental Protection Agency and \$323,000 as a cash match from the 1999 Department of Health and Human Services Operating Budget to the Federal Categorical Grants Fund (241) for the **operation of the Anchorage Air Pollution Control Agency**, Health and Human Services.
 - a. Assembly Memorandum No. AM 605-99.

Municipal Manager George Vakalis asked this item be considered the regular agenda. See 8.C.

6. Resolution No. AR 99-176, a resolution of the Municipality of Anchorage appropriating the sum of \$158,993 from the U.S. Environmental Protection Agency and \$323,000 as a cash match from the 1999 Department of Health and Human Services Operating Budget to the Federal Categorical Grants Fund (241) for the **operation of the Anchorage Air Pollution Control Agency**, Health and Human Services. public hearing 7-20-99.
 - a. Assembly Memorandum No. AM 616-99.
7. Resolution No. AR 99-183, a resolution of the Municipality of Anchorage for the **review and approval of the collective bargaining agreement between the Municipality of Anchorage and the Anchorage Police Department Employees Association**, Employee Relations. public hearing 7-20-99.
 - a. Assembly Memorandum No. AM 649-99.
8. Assembly Memorandum No. AM 612-99, **Employee Relations Board appointment** (Ernie Hall), Employee Relations. public hearing 7-20-99.
9. Resolution No. AR 99-185, a resolution of the Anchorage Municipal Assembly **setting forth a process and timetable for completion of the Anchorage Bowl Comprehensive Plan**, Assemblymembers Taylor, Fairclough, Tesche, and Tremaine. public hearing ~~8-10-99~~. (**addendum**)
 - a. Assembly Memorandum No. AM 656-99.

(Clerk's Note: This item was moved to 8.C. by previous action.)

10. Resolution No. AR 99-186, a resolution of the Municipality of Anchorage, Alaska, **accepting and appropriating \$1,500,000 for projects constructed under the AEDC Matching Grant Program** (Senate Bill 32), Anchorage Water and Wastewater Utility. public hearing 7-20-99. (**addendum**)
 - a. Assembly Memorandum No. AM 657-99.
11. Ordinance No. AO 99-105, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 11.30.070, by **deleting provisions regarding smoking, eating, drinking and playing audio entertainment devices in a regulated vehicle**, Assemblymember Kendall. public hearing 8-10-99. (**addendum**)
 - a. Assembly Memorandum No. AM 659-99.
12. Resolution No. AR 99-187, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to file for a Federal Transit Administration Section 5303 Metropolitan Transportation Planning Program grant, enter into a Transfer of Responsibilities Agreement in the amount of \$175,605 with the Department of Transportation and Public Facilities, State of Alaska, and to appropriate these funds along with \$43,901 for local matching funds from the Public Transportation Department's 1999 Operating Budget as a contribution to the State Categorical

Grants Fund (231) for the **Transit Planning Program**, Public Transportation Department. public hearing 7-20-99. (**addendum**)

- a. Assembly Memorandum No. AM 660-99.
13. Resolution No. AR 99-189, a resolution of the Municipality of Anchorage appropriating \$240,000 from the State of Alaska, Department of Transportation and Public Facilities, to **design and implement a new public involvement program for transportation planning**, Community Planning and Development. public hearing 7-20-99. (**addendum**)
 - a. Assembly Memorandum No. AM 667-99.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-175, a resolution of the Anchorage Municipal Assembly **honoring Anchorage Public Transportation on the 25th Anniversary of service** to the citizens of Anchorage, Assemblymembers Abney, Taylor, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

2. Resolution No. AR 99-177, a resolution of the Anchorage Municipal Assembly **supporting "U.S. Census 2000"**, Assemblymembers Tesche, Fairclough, and Von Gemmingen.

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

3. Resolution No. AR 99-184, a resolution of the Anchorage Municipal Assembly **honoring and remembering Joe Redington Sr., Father of the Iditarod**, Assemblymembers Von Gemmingen, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, and Wuerch.

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

4. Resolution No. AR 99-171, a resolution of the Municipality of Anchorage appropriating the sum of \$30,000 from the Alaska Department of Environmental Conservation to the State Categorical Grants Fund (231) for the Anchorage Air Pollution Control Agency in the Department of Health and Human Services to **fund fine particulate pollution monitoring**, Health and Human Services.
 - a. Assembly Memorandum No. AM 606-99.
5. Resolution No. AR 99-172, a resolution of the Municipality of Anchorage appropriating the sum of \$85,000 from the Alaska Department of Transportation and Public Facilities to the State Categorical Grants Fund (231) for an **Air Quality Public Awareness Campaign** coordinated by the Department of Health and Human Services.
 - a. Assembly Memorandum No. AM 607-99.
6. Resolution No. AR 99-173, a resolution of the Municipality of Anchorage appropriating \$30,000 of Fund Balance from the Mountain Park/Robin Hill Limited Road Service Area Fund (118) to the Department of Public Works 1999 General Operating Budget for **summer maintenance projects**, Public Works.
 - a. Assembly Memorandum No. AM 608-99.
7. Resolution No. AR 99-174, a resolution of the Municipality of Anchorage appropriating \$32,000 from the Areawide General (0101) Fund Balance to the Department of Law to obtain the professional auditing services of KPMG Peat Marwick LLP to **conduct an audit for purposes of Anchorage Telephone Utility**, Legal Department.
 - a. Assembly Memorandum No. AM 609-99.

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

8. Resolution No. AR 99-178, a resolution of the Municipality of Anchorage appropriating \$50,000 from the Areawide General Fund (101) Fund Balance for **fiscal impact analysis of the Anchorage Bowl Comprehensive Plan**, Community Planning and Development.
 - a. Assembly Memorandum No. AM 617-99.

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

9. Resolution No. AR 99-179, a resolution of the Municipality of Anchorage appropriating a Federal Health and Human Services Welfare to Work grant through the State of Alaska Health and Social Services Department in the amount of \$74,000 from the State of Alaska to the Public Transportation Capital Improvement Fund (485) for the **purchase of two van pool vans**, Public Transportation Department.
 - a. Assembly Memorandum No. AM 618-99.
10. Resolution No. AR 99-180, a resolution of the Municipality of Anchorage appropriating \$40,000 from the State of Alaska Department of Natural Resources to the Areawide General CIP Fund (401) for **rehabilitation of Fire Lake Dam**, Public Works.
 - a. Assembly Memorandum No. AM 619-99.

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

11. Resolution No. AR 99-182, a resolution **requesting FY 2000 safe communities funding** from the Department of Community and Regional Affairs, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 648-99.

12. Resolution No. AR 99-190, a resolution of the Anchorage Municipal Assembly **requesting the Administration expedite the purchase of the new Medic 9 ambulance unit** and fill the funded vacant positions to provide the necessary support staff for the Unit, Assemblymembers Abney, Taylor, Fairclough, Meyer, Tesche, and Tremaine. **(addendum)**
13. Resolution No. AR 99-185, a resolution of the Anchorage Municipal Assembly **setting forth a process and timetable for completion of the Anchorage Bowl Comprehensive Plan**, Assemblymembers Taylor, Fairclough, Tesche, and Tremaine. **(addendum)**
 - a. Assembly Memorandum No. AM 656-99.

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 613-99, **Solid Waste Advisory Commission appointment** (Ellen Allman), Mayor's Office.
2. Assembly Memorandum No. AM 645-99, **Applebee's Neighborhood Grill & Bar** - Transfer of Location and Ownership of a Beverage Dispensary Liquor License and a Restaurant Designation (Spenard Community Council), Clerk's Office.
3. Assembly Memorandum No. AM 646-99, **Los Arcos Restaurant** - Transfer of Location and Ownership of a Beverage Dispensary Liquor License and a Restaurant Designation (Campbell Park and Abbott Loop Community Councils), Clerk's Office.

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

4. Assembly Memorandum No. AM 647-99, **Anchorage Marriott Hotel** - New Beverage Dispensary Tourism Liquor License and Restaurant Designation Permit (Downtown/South Addition Community Councils), Clerk's Office.

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

5. Assembly Memorandum No. AM 610-99, amendment No. 2 to professional services contract with CRW Engineering Group for the **1998 term contract for professional engineering services**, Cultural and Recreational Services.

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

6. Assembly Memorandum No. AM 611-99, recommendation of award to Carrera Consulting Group for providing **personnel in support of the PeopleSoft Public Sector Financial and Human Resources System** for the Municipality of Anchorage, Management Information Systems Department (RFP 99-P006), Purchasing.
7. Assembly Memorandum No. AM 620-99, sole source contract with Tischler & Associates to complete a **fiscal impact analysis** for the Municipality of Anchorage, Department of Community Planning and Development/Purchasing.

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

8. Assembly Memorandum No. AM 621-99, proprietary **purchase of hardware, software, and services** from Data Research Associates, Inc. for the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
9. Assembly Memorandum No. AM 622-99, proprietary purchase of Wright Line **modular storage units** for the Municipality of Anchorage, Management Information Systems Department (MISD), Purchasing.
10. Assembly Memorandum No. AM 623-99, change order No. 1 to purchase order 82213 to exercise the first option with Anchorage Sand & Gravel for furnishing **ready mix concrete, cement, and sand slurry** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
11. Assembly Memorandum No. AM 624-99, proprietary purchase of **boiler and cooler water treatment chemicals and services** from Betz Dearborn Water Management for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
12. Assembly Memorandum No. AM 625-99, sole source **membership with Electric Power Research Institute** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

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

13. Assembly Memorandum No. AM 626-99, proprietary purchase of **computer upgrades** from Newbridge, Inc. for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

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

14. Assembly Memorandum No. AM 627-99, sole source contract with Resource Data, Inc. for providing **technical assistance for report development** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

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

15. Assembly Memorandum No. AM 628-99, cooperative purchase of **front end loaders** from Yukon Equipment, Inc. for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
16. Assembly Memorandum No. AM 629-99, change order No. 1 to purchase order 81986 to exercise the first option period with Young's Firehouse for providing **bus driver uniforms** to the Municipality of Anchorage, Public Transportation Department/Purchasing.
17. Assembly Memorandum No. AM 630-99, change order No. 2 to purchase order 83530 to exercise the first option period with Glen Alps Road Services for **year round road maintenance services** for the Municipality of Anchorage, Department of Public Works/Purchasing.
18. Assembly Memorandum No. AM 631-99, recommendation of award to USKH for providing **traffic engineering services for the preparation of traffic signal record drawings, traffic signals, striping, and signage design** for the Municipality of Anchorage, Public Works Department (RFP 99-P003), Purchasing.

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

19. Assembly Memorandum No. AM 632-99, change order No. 1 to purchase order 82918 to exercise the option with Alaska Paper Company for furnishing **computer paper** to the Municipality of Anchorage, Purchasing Department.
20. Assembly Memorandum No. AM 633-99, amendment No. 1 to purchase order 82300 with Alaska Regional Hospital for providing **collection and testing of blood and/or urine samples** for the Municipality of Anchorage, Anchorage Police Department.
21. Assembly Memorandum No. AM 634-99, Assembly Request: **Subdivision agreement time extension for Tudor Centre Subdivision**, Community Planning and Development.

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

22. Assembly Memorandum No. AM 635-99, amendment No. 3 to professional services contract with Group Three Design for **Midtown Anchorage Park Improvements Package**, Cultural and Recreational Services.
23. Assembly Memorandum No. AM 636-99, change order No. 3 to construction contract with Summit Paving & Construction, Inc. for **Midtown Anchorage Park Improvements Package**, Cultural and Recreational Services.
24. Assembly Memorandum No. AM 637-99, amendment No. 4 to professional legal services contract with Stoel Rives, LLP regarding the **litigation of Bruns & Saathoff v. MOA and AWWU**, Legal Department.

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

25. Assembly Memorandum No. AM 638-99, amendment No. 2 to the agreement with the Boys & Girls Club of Greater Anchorage for the **development and management of the Mt. View Community Recreation Center**, Property and Facility Management.
26. Assembly Memorandum No. AM 639-99, change order No. 1 to purchase order 82565 with Alaska Pacific Elevator, Inc. to provide **elevator maintenance at various municipal facilities**, Property and Facility Management.
27. Assembly Memorandum No. AM 640-99, change order No. 1 to the contract with Construction Unlimited for the **Anchorage Police Department parking lot expansion**, Property and Facility Management.
28. Assembly Memorandum No. AM 641-99, amendment No. 1 to **East 68th Avenue Utility Relocation Agreement** with General Communications, Inc.; DPW File 93-14, Public Works.
29. Assembly Memorandum No. AM 642-99, ADOT/PF Utility Relocation Agreement No. 1-51243-99-19 for **water improvements with Project STP-0529(1)/51243, Ocean Dock Road, Whitney Road to Port of Anchorage**, Water and Wastewater Utility.

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

30. Assembly Memorandum No. AM 650-99, change order No. 3 to the contract with E. Brown, Inc. dba International Steel for **Egan Center Skybridge**, Property and Facility Management.
31. Assembly Memorandum No. AM 651-99, cooperative purchase with the State of Alaska for **catering services** from Mayflower Catering for the Municipality of Anchorage, Fire Department/Purchasing.
32. Assembly Memorandum No. AM 653-99, change order No. 1 to Phillips Scale for **inspections, testing, and repair of motor truck scales**, Solid Waste Services.
33. Assembly Memorandum No. AM 654-99, contract amendment No. 5 to Wilder Construction Co., Inc. for **construction of Lake Otis Parkway and Tudor Road capacity improvements**, Contract No. C-80359, DPW Project No. 98-01, Public Works.
34. Assembly Memorandum No. AM 662-99, cooperative purchase of **motor graders** from Construction Machinery Inc. for the Municipality of Anchorage, Property and Facility Management/Purchasing. **(addendum)**
35. Assembly Memorandum No. AM 668-99, proprietary purchase of a **turf tractor** from Totem Equipment & Supply, Inc. for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing. **(addendum)**
36. Assembly Memorandum No. AM 669-99, change order No. 1 to the construction contract with Summit Paving & Construction Co., Inc. for the **Anchorage Football Stadium Sitework Project**, Cultural and Recreational Services. **(addendum)**

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 55-99, Platting Board Resolution 99-10; **Platting Board recommendation concerning the upgrade of East 48th and East 50th Avenues**, Community Planning and Development.

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

2. Information Memorandum No. AIM 56-99, **indexing Board of Adjustment appeal packets**, Community Planning and Development.
3. Information Memorandum No. AIM 57-99, waiver of formal procedures for **brush clearing and chipping services** for the Municipality of Anchorage, Anchorage Fire Department (ITB 99-B064), Purchasing.

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

4. Information Memorandum No. AIM 58-99, waiver of formal procedures for **construction repairs for the Sand Lake sanitary sewer pipe failure** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 99-C045), Purchasing.
5. Information Memorandum No. AIM 59-99, **Executive Appointment Report** for the period of April 1999 to June 1999 (Carol L. Taylor, Special Admin. Assistant II-CPD; John H. Rodda, Parks & Recreation Program Mgr.-CRS; Gerald A. Helvey, Parks & Recreation Program Mgr.-CRS; Nancy E. Merriman, General Services Manager-DHHS; Douglas E. Mills, Manager Office of Equal Opportunity-ER; Karen V. Weimer, Municipal Attorney I-Law), Purchasing.

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

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

8. REGULAR AGENDA:

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

1. Resolution No. AR 99-170, a resolution of the Municipality of Anchorage appropriating the sum of \$132,600 from the U.S. Environmental Protection Agency and \$323,000 as a cash match from the 1999 Department of Health and Human Services Operating Budget to the Federal Categorical Grants Fund (241) for the **operation of the Anchorage Air Pollution Control Agency**, Health and Human Services.

Municipal Manager George Vakalis noted this was a duplicate of AR 99-176 and he asked the Assembly postpone AR 99-170 indefinitely.

Mr. Kendall moved, to postpone AR 99-170 indefinitely.
seconded by Ms. Taylor,
and it passed without
objection

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-175, a resolution of the Anchorage Municipal Assembly **honoring Anchorage Public Transportation on the 25th Anniversary of service** to the citizens of Anchorage, Assemblymembers Abney, Taylor, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.

Ms. Abney moved, to approve AR 99-175.
seconded by Ms. Taylor,
and it passed without
objection,

Ms. Von Gemmingen read the resolution while Ms. Abney presented it to Bob Kniefel.

2. Resolution No. AR 99-177, a resolution of the Anchorage Municipal Assembly **supporting "U.S. Census 2000"**, Assemblymembers Tesche, Fairclough, and Von Gemmingen.

Mr. Tesche moved, to approve AR 99-177.
seconded by Mr. Taylor,
and it passed without
objection,

At the invitation of Mr. Tesche, Mr. McGee, Manager of the Anchorage Census Bureau, addressed the members concerning Census 2000. The Municipal Planning Department identified 8,000 address discrepancies which the Bureau will be reviewing. A complete count committee has been formed in Mt. View to assist the Bureau with the count.

3. Resolution No. AR 99-184, a resolution of the Anchorage Municipal Assembly **honoring and remembering Joe Redington Sr., Father of the Iditarod**, Assemblymembers Von Gemmingen, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, and Wuerch.

Ms. Von Gemmingen moved, to postpone AR 99-184 until July 20, 1999.
seconded by Mr. Kendall,
and it passed without
objection

4. Resolution No. AR 99-174, a resolution of the Municipality of Anchorage appropriating \$32,000 from the Areawide General (0101) Fund Balance to the Department of Law to obtain the professional auditing services of KPMG Peat Marwick LLP to **conduct an audit for purposes of Anchorage Telephone Utility**, Legal Department.
 - a. Assembly Memorandum No. AM 609-99.

In reply to Mr. Tremaine, Municipal Attorney Mary Hughes stated funds for the contract were not budgeted because it was paid by ATU in prior years. KPMG has reviewed ATU's books as if the Municipality continued to be the owner and assisted the Municipality in determining the purchase price adjustment. The work has been done and was paid by ACS at closing. The Municipality needs to reimburse ACS for that payment.

Mr. Tremaine moved, to approve AR 99-174.
seconded by Ms. Taylor
and it passed without
objection,

5. Resolution No. AR 99-178, a resolution of the Municipality of Anchorage appropriating \$50,000 from the Areawide General Fund (101) Fund Balance for **fiscal impact analysis of the Anchorage Bowl Comprehensive Plan**, Community Planning and Development.
 - a. Assembly Memorandum No. AM 617-99.

Mr. Meyer moved, to approve AR 99-178.
seconded by Mr. Sullivan,

In response to Mr. Meyer, Director of Community Planning and Development Caren Mathis stated the consultant would assess the fiscal impacts of land use alternatives being considered during the comprehensive planning process.

Question was called on the motion to approve AR 99-178 and it passed without objection.

6. Resolution No. AR 99-180, a resolution of the Municipality of Anchorage appropriating \$40,000 from the State of Alaska Department of Natural Resources to the Areawide General CIP Fund (401) for **rehabilitation of Fire Lake Dam**, Public Works.
 - a. Assembly Memorandum No. AM 619-99.

Ms. Fairclough moved, to approve AR 99-180
seconded by Ms. Taylor,

Ms. Fairclough conveyed the wishes of residents that the grant be spent to put in a culvert rather spent on a study to determine how to repair the dam.

Public Works Director Jim Fero stated putting in a culvert would not meet the state's criteria for dam safety because children can be sucked into culverts and drown. The state prefers a weir type structure.

Ms. Fairclough reported the dam was deeded to the city by the state just three days before the state issued the safety report. She did not want home owners assessed to improve the dam now that the city owns it.

Mr. Kendall moved, to postpone action on AR 99-180 until July 20, 1999
seconded by Ms. Fairclough, and meet with Mr. Fero in the interim.
and it passed without
objection,

Ms. Clementson noted line 11 of the resolution indicates the Assembly has reviewed the grant when they have not seen it. A copy of the grant should be furnished or the language struck.

Ms. Von Gemmingen recommended also deleting language indicating a public hearing was held.

7. Resolution No. AR 99-185, a resolution of the Anchorage Municipal Assembly **setting forth a process and timetable for completion of the Anchorage Bowl Comprehensive Plan**, Assemblymembers Taylor, Fairclough, Tesche, and Tremaine. (**addendum**)
 - a. Assembly Memorandum No. AM 656-99.

Ms. Clementson moved, to approve AR 99-185.
seconded by Ms. Fairclough,

Ms. Clementson commented there has been significant public input during the process and now is not the time to lay out a new process. While the intention is good, the timing is wrong.

In reply to Mr. Tremaine, Ms. Mathis indicated there would be five to ten focus groups of 10 to 15 people each who will review and provide feedback on the growth alternatives.

Ms. Mathis explained to Mr. Tesche the most important step in the process is identifying the preferred alternative. That selection will draw on all the issues addressed by the other alternatives. It will be a compromise.

Mayor Mystrom suggested the growth scenarios be topics for the next meeting with the Assembly's comprehensive plan committee.

Mr. Tesche complained that citizens do not know the status of the comprehensive plan process. Appointing a panel, as directed in the resolution, will relieve the public's suspicion that the plan is not moving forward. The resolution is the result of several meetings of the Assembly's land use committee. Refusal to set the matter for public hearing sends a negative message to the committee.

Mr. Kendall moved, to amend AR 99-185 on page 2, by deleting lines 15 through
seconded by Ms. Fairclough, 26.

Mr. Kendall objected to the integration of the Turnagain Arm, Chugiak, Eagle River and Girdwood with the Anchorage Comprehensive Plan. These should remain unique areas.

There was discussion of the intent and meaning of Section 4 of the resolution.

Question was called on Mr. Kendall's motion to amend AR 99-185 and it failed:

AYES: Kendall, Sullivan, Wuerch, Von Gemmingen.
NAYS: Clementson, Tesche, Taylor, Meyer, Fairclough, Tremaine, Abney.

Ms. Fairclough moved, to amend AR 99-185 on page 2, by deleting the
seconded by Ms. Taylor, word "integration" on line 16.
and it passed without
objection,

Question was called on the motion to approve AR 99-185 as amended and it failed:

AYES: Tesche, Taylor, Fairclough, Tremaine, Abney.
NAYS: Kendall, Sullivan, Clementson, Wuerch, Meyer, Von Gemmingen.

Ms. Von Gemmingen asked for monthly updates on the comprehensive plan process.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 646-99, Los Arcos Restaurant - Transfer of Location and Ownership of a Beverage Dispensary Liquor License and a Restaurant Designation (Campbell Park and Abbott Loop Community Councils), Clerk's Office.

Mr. Meyer moved, to postpone action until after
seconded by Ms. Clementson, item 12. U, AR 99-164.
and it passed without
objection,

2. Assembly Memorandum No. AM 647-99, Anchorage Marriott Hotel - New Beverage Dispensary Tourism Liquor License and Restaurant Designation Permit (Downtown/South Addition Community Councils), Clerk's Office.

Mr. Tesche moved, to approve AM 647-99.
seconded by Ms. Taylor,

Mr. Tesche moved, to postpone action until August 10, 1999
seconded by Ms. Taylor, to receive input from the South Addition
and it passed without and Downtown Community Councils.
objection,

3. Assembly Memorandum No. AM 610-99, amendment No. 2 to professional services contract with CRW Engineering Group for the **1998 term contract for professional engineering services**, Cultural and Recreational Services.

Mr. Tremaine moved, to approve AM 610-99.
seconded by Ms. Clementson,
and it passed without
objection,

In reply to Mr. Tremaine and Chairman Wuerch, Municipal Manager George Vakalis indicated the increases were due to additional work being assigned to the contractor.

4. Assembly Memorandum No. AM 620-99, sole source contract with Tischler & Associates to complete a **fiscal impact analysis** for the Municipality of Anchorage, Department of Community Planning and Development/Purchasing.

Mr. Meyer moved, to approve AM 620-99.
seconded by Ms. Fairclough,
and it passed without
objection,

Mr. Meyer noted the matter had been thoroughly discussed in conjunction with other items concerning the comprehensive plan.

5. Assembly Memorandum No. AM 625-99, sole source **membership with Electric Power Research Institute** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

Ms. Taylor moved, to approve AM 625-99.
seconded by Ms. Fairclough,

Replying to questions from Ms. Taylor, Municipal Manager Vakalis stated the utility received many relevant research documents from the organization. The membership also gives the utility the ability to gather proprietary information from other, like companies. Without the membership, the utility would have to hire a consultant to do research to obtain the same information.

Hank Nickkels, ML&P Production Manager, stated information received from this organization saved significant money on the soils remediation projects at plants one and two.

Question was called on the motion to approve AM 625-99 and it passed:

AYES: Kendall, Sullivan, Tesche, Taylor, Wuerch, Meyer, Tremaine, Von Gemmingen, Abney.
NAYS: Fairclough.

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

6. Assembly Memorandum No. AM 626-99, proprietary purchase of **computer upgrades** from Newbridge, Inc. for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

Mr. Meyer moved, to approve AM 626-99.
seconded by Ms. Von Gemmingen,
and it passed without
objection,

Mr. Meyer requested a work session be scheduled on municipal readiness for Y2K.

7. Assembly Memorandum No. AM 627-99, sole source contract with Resource Data, Inc. for providing **technical assistance for report development** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.

Ms. Fairclough moved, to approve AM 627-99.
seconded by Ms. Taylor,

In response to Ms. Fairclough, Executive Manager Elaine Christian indicated the report formats of PeopleSoft were being customized to meet the needs of each department and utility.

The Assembly paused to entertain scheduled appearance requests.

Jeff Bubna, concerning junk properties located within Werre Subdivision.

Mr. BUBNA presented a petition asking that buildings in the neighborhood be razed. They are dangerous to children.

Mr. Kendall requested a report from Code Enforcement on the status of actions on this property.

John E. Stonerock, regarding enforcement of Title 10 (ice cream trucks).

Mr. STONEROCK said the "Whisper" ordinance was ineffective because it was not being enforced by the police. The police are not aware of Title 10 provisions. He suggested it be brought up by shift commanders so illegal operators will be stopped.

Mr. Tesche invited Mr. Stonerock to attend the public safety committee meeting on July 20 at 10:30 a.m. in room 160 of City Hall.

The Assembly returned to its discussion of AM 627-99.

Ms. Fairclough moved, to amend AM 627-99 on line 28 to read:
seconded by Ms. Clementson, "...not to exceed..."
and it passed without
objection

Question was called on the motion to approve AM 627-99 as amended and it passed without objection.

8. Assembly Memorandum No. AM 631-99, recommendation of award to USKH for providing **traffic engineering services for the preparation of traffic signal record drawings, traffic signals, striping, and signage design** for the Municipality of Anchorage, Public Works Department (RFP 99-P003), Purchasing.

Mr. Meyer moved, to approve AM 631-99.
seconded by Mr. Tremaine,
and it passed without
objection,

In response to Mr. Meyer, Public Works Director Jim Fero stated the contract did not include the signal at 80th and Lake Otis. However, the design for that signal is underway, the loops will be installed this summer and the hardware is ordered. Hopefully, it will be operating in early fall.

9. Assembly Memorandum No. AM 634-99, Assembly Request: **Subdivision agreement time extension for Tudor Centre Subdivision**, Community Planning and Development.

Mr. Meyer moved, to approve AM 634-99.
seconded by Ms. Taylor

Mr. Meyer moved, to amend AM 634-99 by changing
seconded by Ms. Fairclough, 4 years to 2 years.

In reply to Mr. Meyer, Community Planning and Development Deputy Director Don Alspach stated experience shows the improvements will take longer than the developer anticipates. Staff thought it was prudent to ask for a four extension and avoid returning to the Assembly for another extension.

Mr. Meyer was anxious to have the landscaping done at the intersection as soon as possible.

Mr. Meyer moved, to postpone AM 634-99 until July 20, 1999.
seconded by Ms. Clementson,
and it passed without
objection,

10. Assembly Memorandum No. AM 637-99, amendment No. 4 to professional legal services contract with Stoel Rives, LLP regarding the **litigation of Bruns & Saathoff v. MOA and AWWU**, Legal Department.

Mr. Tremaine moved, to approve AM 637-99.
seconded by Ms. Taylor,
and it passed without
objection,

In reply to Mr. Tremaine, Municipal Attorney Mary Hughes related the status of the case. It was necessary to hire a firm with expertise in the Fair Labor Standards Act to handle this matter. The case was decided in the municipality's favor and costs have been awarded.

In reply to Mr. Tesche, Ms. Hughes stated the issues before the state court in this case are different than those sent to Federal Court. Those issues are now pending before Judge Saunders.

11. Assembly Memorandum No. AM 642-99, ADOT/PF Utility Relocation Agreement No. 1-51243-99-19 for **water improvements with Project STP-0529(1)/51243, Ocean Dock Road, Whitney Road to Port of Anchorage**, Water and Wastewater Utility.

Mr. Tremaine moved, to approve AM 642-99.
seconded by Ms. Taylor,
and it passed without
objection,

Responding to Mr. Tremaine, AWWU Manager Mark Premo stated AWWU was installing the entire water line. The state will pay for moving the valve vaults and line to accommodate the weigh-in motion sensors.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 55-99, Platting Board Resolution 99-10; **Platting Board recommendation concerning the upgrade of East and East 50th Avenues**, Community Planning and Development.

Mr. Meyer moved, to accept AIM 55-99.
seconded by Ms. Taylor,
and it passed without
objection,

Municipal Manager George Vakalis, responding the Mr. Meyer, said he did not know whether improvements for 48th and 50th would be included in the bond issue for 2000.

2. Information Memorandum No. AIM 57-99, waiver of formal procedures for **brush clearing and chipping services** for the Municipality of Anchorage, Anchorage Fire Department (ITB 99-B064), Purchasing.

Mr. Meyer moved, to accept AIM 57-99.
seconded by Ms. Clementson,
and it passed without
objection,

Mr. Meyer and Manager Vakalis discussed the two schools of thought on the spruce beetle problem: let nature take its course versus extensive, expensive insecticide spraying. The municipality has been party to discussions at the state level but no solution has been identified.

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

- A. Assembly Memorandum No. AM 573-99, Mt. View Community Recreation Center Advisory Commission appointments (James Allen, Niki Burrow, Richard Benavides, Roberta Brooks, John Beyers, Dee Dee Payne, Tim Sullivan), Mayor's Office.
(POSTPONED FROM 6-15-99)
- B. **NOTICE OF RECONSIDERATION: Resolution No. AR 99-133**, a resolution of the Anchorage Municipal Assembly **adopting recommendations on major amendments to the 1998-2000 Transportation Improvement Program** for federal fiscal years 1999 and 2000, Community Planning and Development.
 1. Assembly Memorandum No. AM 477-99.
(APPROVED 6-15-99; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. TAYLOR 6-16-99)
- C. Resolution No. AR 99-166, a resolution of the Municipal Assembly **resolving that all Anchorage road projects planned for construction, rehabilitation, repaving and safety improvements will include full funding for needed roadside trail, bicycle, sidewalk and landscaping improvements**, Assemblymember Abney.
 1. Assembly Memorandum No. AM 661-99, Public Works. (**addendum**)
 2. Assembly Memorandum No. AM 663-99. (**addendum**)
(POSTPONED FROM 6-15-99)
- D. Assembly Memorandum No. AM 591-99, Jass Alley - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation (Downtown/South Addition/Government Hill Community Councils), Clerk's Office.
(APPROVED 6-15-99; RECONSIDERED AND POSTPONED FROM 6-15-99)
- E. Resolution No. AR 99-86, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Package Store) located on N 1/2 of the S 1/2 of the SE 1/4 of the SE 1/4 of Section 18, T12N, R3W, S.M., AK, generally located on the west side of Seward Highway and north of O'Malley Road (**Williams Express**) (Case 99-080), Community Planning and Development.
 1. Assembly Memorandum No. AM 360-99.
(FAILED 6-8-99; RECONSIDERATION WAS ENTERED ON THE MINUTES 6-8-99;
RECONSIDERED AND POSTPONED FROM 6-15-99)
- F. Assembly Memorandum No. AM 555-99, Williams Express - Transfer of Ownership of Package Store Liquor Licenses #129, #663, #1317, #1991 (NO PREMISES), Clerk's Office.
(POSTPONED FROM 6-15-99)

Old Business items A through F were not considered at this meeting. The motion to reconsider AR 99-133 died because it was not brought up at this meeting. See the minutes of July 20, 1999 for action on other items.

- G. Ordinance No. AO 99-67, an ordinance amending Sections 8.45.010 and 14.20.020 of the Anchorage Municipal Code and adding Section 25.70.070 to **allow the temporary exclusion from municipal property and facilities of persons who violate the laws of the Municipality of Anchorage, the State of Alaska, or the United States**, provide for the charging and prosecution for trespass of those who do not comply with orders of exclusion, and provide for hearings on orders of exclusion before the Administration Hearings Officer, Assemblymember Wohlforth.
 1. Ordinance No. AO 99-67(S), an ordinance amending Sections 8.45.010 and 14.20.020 of the Anchorage Municipal Code and adding Section 25.70.070 to allow the temporary exclusion from municipal property and facilities of persons who violate the laws of the Municipality of Anchorage, the State of Alaska, or the United States, provide for the charging and prosecution for trespass of those who do not comply with orders of exclusion, and provide for hearings on orders of exclusion before the Administration Hearings Officer, Assemblymembers Tesche, Abney, Fairclough, Meyer, Sullivan, Taylor, and Von Gemmingen. (**addendum**)
 2. Assembly Memorandum No. AM 658-99.

This item was considered later in the meeting following item 12. A of new public hearings.

10. APPEARANCE REQUESTS:

- A. **Jeff Bubna**, concerning junk properties located within Werre Subdivision.
- B. **John E. Stonerock**, regarding enforcement of Title 10 (ice cream trucks).

Appearance requests were heard earlier in the meeting.

11. CONTINUED PUBLIC HEARINGS: None.

The meeting recessed at 7:30 p.m. and reconvened at 8:00 p.m.

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 99-101, an ordinance of the Anchorage Municipal Assembly **amending Anchorage Municipal Code Section 3.30.141, Recognized Holidays with Pay, to delete Seward's Day**, Assemblymembers Clementson, Kendall, Sullivan, Von Gemmingen, and Wuerch.

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

RUBY KETOLA, Municipal Information Systems' employee, pointed out the ordinance only effected non-represented employees. At unification, employees whose union status changed, were assured they would be treated on a par with represented employees. She felt the change should be delayed until union contracts were changed accordingly. The municipality should not penalize employees it recognizes as most vital to its operation.

Chairman Wuerch noted only non-represented employees were effected when the Martin Luther King holiday was recognized.

Mayor Mystrom indicated the administration will seek the same changes in all union agreements.

JED WHITAKER complained about the Assembly taking items on the agenda out of the printed order. He felt recognition of holidays should be negotiated.

JOE GAUNA, a municipal employee, recommended passage of the ordinance be delayed until the matter had been worked out with the unions. It seems the non-represented employees are being used as a bargaining tool with the unions. Holidays are a recognition of important people and events. Perhaps both holidays should be retained.

THERESA OBERMEYER felt the municipality displayed a pattern of lack of concern for the little guy.

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

Ms. Von Gemmingen moved, to adopt AO 99-101.
seconded by Ms. Clementson,

In response to Mr. Tesche, Employee Relations Director Tom Tierney advised the ordinance would not effect current union agreements. All agreements currently recognize Seward's Day. They do not recognize Martin Luther King Day. The administration intends to reopen negotiations on this issue.

Ms. Clementson pointed out 2000 budget constraints was a major factor driving the timing of this change. When the Assembly recognized Martin Luther King Day she announced she would bring forward an ordinance to delete an existing holiday.

There was further discussion of the number of holidays recognized by the municipality, how holidays became bargaining issues and the intent of the Assembly when it recognized Martin Luther King Day.

Question was called on the motion to adopt AO 99-101 and it passed:

AYES: Kendall, Sullivan, Clementson, Wuerch, Meyer, Von Gemmingen.
NAYS: Tesche, Taylor, Fairclough, Tremaine, Abney.

With Ms. Clementson objecting, the orders of the day were changed to consider old business item 9.G., AO 99-67.

Ordinance No. AO 99-67, an ordinance amending Sections 8.45.010 and 14.20.020 of the Anchorage Municipal Code and adding Section 25.70.070 to **allow the temporary exclusion from municipal property and facilities of persons who violate the laws of the Municipality of Anchorage, the State of Alaska, or the United States**, provide for the charging and prosecution for trespass of those who do not comply with orders of exclusion, and provide for hearings on orders of exclusion before the Administration Hearings Officer, Assemblymember Wohlforth.

1. Ordinance No. AO 99-67(S), an ordinance amending Sections 8.45.010 and 14.20.020 of the Anchorage Municipal Code and adding Section 25.70.070 to allow the temporary exclusion from municipal property and facilities of persons who violate the laws of the Municipality of Anchorage, the State of Alaska, or the United States, provide for the charging and prosecution for trespass of those who do not comply with orders of exclusion, and provide for hearings on orders of exclusion before the Administration Hearings Officer, Assemblymembers Tesche, Abney, Fairclough, Meyer, Sullivan, Taylor, and Von Gemmingen. **(addendum)**
2. Assembly Memorandum No. AM 658-99.

Mr. Tesche moved, to postpone AO 99-67 indefinitely.
seconded by Ms. Taylor,
and it passed without
objection,

Mr. Tesche advised he would return in October with new alternatives.

- B. Resolution No. AR 99-162, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Beverage Dispensary License) located on Westfork Subdivision, Tract 2, generally located on the east side of Old Seward Highway and south of Dowling Road (Westfork, Inc. d.b.a. **Klondike Kate's Baretrap Saloon**) (Case 99-128), Community Planning and Development.
1. Assembly Memorandum No. AM 589-99.

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

TERRY AGLIETTI representing Westfork Inc., advised the application maybe substantially changed which would change the comments of people speaking tonight. The applicant does not object to the amendment circulating among Assembly members, specifying provisions of 21.45.240 would be imposed as conditions. In reply to Ms. Clementson, he said the facility had been closed for some time. He understood the drug paraphernalia was found in the parking lot prior to the bar reopening. Westfork does accept responsibility for monitoring activities in the parking lot. In response to Mr. Kendall, he indicated litigation was ongoing regarding the constitutionality of portions of Title 21.

Deputy Municipal Attorney Bill Greene advised the amendment under discussion clarified the intent of section 1, number five and put it in legal terms.

In further response to Mr. Meyer, Mr. Aglietti stated the requirements in the resolution before the Assembly were much clearer than those in the previous conditional use permit. It addresses the question of what type of food service is expected and allows use of only one floor of the facility.

In reply to Ms. Clementson, he said the primary use of the facility will be a bar.

MICHAEL CAREY, Aurora Subdivision resident, opposed this license. He felt there was enough alcohol outlets in the neighborhood. This business was not a good neighbor in the past. He did not find hypodermic needles in the area until Klondike Kate's opened last year. Residents want to have a safe place for children.

JACK MOREL, a 50 year acquaintance of Norm Dahl, was appalled by restrictions municipal ordinances imposed on adult entertainment and bars. It creates a situation where location of a church within a certain perimeter could keep a bar from reopening. Some equity needs to be found. He hoped Mr. Dahl prevailed in the court case.

KIETH CURTIS, a member of a nearby church, stated he was approached violently when picketing the establishment. He did not believe Mr. Dahl's representations that nude entertainment would not be offered. The municipality needs to enforce laws on the books until they are changed.

HECTOR ORTIZ, a Latino entertainer, stated there were not many affordable places large enough for the Latino community to hold dances. Several successful events have been held by the Latino community in the basement of Klondike Kate's. He found security to be very good at the facility. He supported its reopening.

JERRY EASTON, a resident of the neighborhood across the street, felt Klondike Kate's was an arm of The Hub bar. The operation has been nothing but trouble to the neighbors. He found owners and managers unwilling to address dope dealing that occurred on the property. Residents have actively cleaned the neighborhood and as a result new businesses have moved in. This owner has blatantly thumbed his nose at the Assembly and citizens of Anchorage and is now trying to talk his way back into operation. He urged the Assembly to deny the conditional use.

STEVE TYSON, aka Steve London, Vice President of Westfork Inc., noted the corporation paid about \$40,000 in municipal property taxes for this location. The corporation would like a chance to make the money to pay the taxes. When Klondike Kate's opened, he reviewed the "1,000 foot" rule. It appeared to be selectively enforced. The Showboat is adjacent to the Campbell Creek greenbelt and 650 feet from the boundary of the Save High School property. Zoning Enforcement staff acknowledged the error but allowed the business to continue. Theaters, none of which have permits required under Title 8, routinely show movies which violate provisions of Title 8. Identification is checked only for compliance with the motion picture code not local law. These inconsistencies led to them to challenge the local law. In the meantime, the owners want to operate a bar and are willing to omit nude entertainment.

In discussion with Ms. Clementson, Mr. Tyson indicated he would not agree to simply add a reference to AMC 21.45.240 to the existing proposal because that would prohibit nude entertainment regardless of the outcome of the court case.

BRENDA EASTON, a resident of a nearby neighborhood, stated churches were established after the Sawmill Club closed. She urged the Assembly to deny the conditional use permit.

TOM McGRATH stated a conditional use is a privilege not a right. Actions speak a lot louder than words and this petitioner has thumbed his nose at the Assembly. He did not think the operator would change his business practices in the future. Under those circumstances, he questioned why the Assembly would approve this application.

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

- | | |
|--|---|
| Ms. Clementson moved,
seconded by Mr. Meyer, | to approve AR 99-162. |
| Ms. Clementson moved,
seconded by Mr. Meyer,
and it passed without
objection, | to amend AR 99-162, Section 1, by changing paragraph 5 to read: "The limitations, restrictions, requirements and conditions of current Anchorage Municipal Code section 21.45.240 are hereby imposed, shall apply as conditions of this conditional use permit, and to comply with this condition |

the operator shall not allow any employee or contractor or any other persons to engage in a representation, performance or exhibition, in whatever form, of nudity, sexual conduct or sexual excitement on the premises."

Deputy Municipal Attorney Bill Greene advised the amendment meant the Assembly was adopting the requirements of AMC 21.45.240 independent of the section's constitutionality.

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

to amend AR 99-162, line 28 to read: "....building permits.
The primary use shall be a bar with restaurant meals available
and patrons dancing to music. The operator shall not allow
any employee or contractor or any other person to engage in a
representation, performance or exhibition, in whatever form,
of nudity, sexual conduct, or sexual excitement on the
premises."

Ms. Clementson stated the amendment would clarify what the primary use of the facility will be.

Mr. Meyer, Mr. Tesche and Ms. Clementson voiced opposition to approval of the resolution because of the history of the business practices of this operator, testimony of area residents, and proximity of churches.

Question was called on the motion to approve AR 99-162 as amended and it failed:

AYES: None.
NAYS: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.

- C. Ordinance No. AO 99-90, an ordinance **continuing or reestablishing the Public Safety Advisory Commission**, Municipal Clerk.
1. Assembly Memorandum No. AM 545-99.

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

Ms. Abney moved,
seconded by Ms. Taylor,

to adopt AO 99-90.

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

to postpone AO 99-90 until July 20, 1999
to receive a report from the commission.

- D. Resolution No. AR 99-156, a resolution of the Municipality of Anchorage accepting and appropriating a State of Alaska grant per Senate Bill 32 in the amount of \$1,150,000 to the Port of Anchorage Capital Fund (571) for the **Knik Arm shoal dredging project**, Port of Anchorage.
1. Assembly Memorandum No. AM 566-99.

Chairman Wuerch 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,
seconded by Mr. Sullivan,

to approve AR 99-156.

AYES: Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Abney.
NAYS: None.

(Clerk’s Note: Mr. Kendall, Ms. Clementson and Mr. Tremaine, were out of the room at the time of the vote.)

- E. Resolution No. AR 99-157, a resolution of the Anchorage Municipal Assembly accepting and appropriating the sum of \$2,400,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (451) for costs related to **implementation of a mobile data technology in-car computer system**, Anchorage Police Department.
1. Assembly Memorandum No. AM 567-99.

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

Ms. Taylor moved,
seconded by Ms. Abney,

to approve AR 99-157.

AYES: Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Abney.
NAYS: None.

(Clerk’s Note: Mr. Kendall, Ms. Clementson and Mr. Tremaine, were out of the room at the time of the vote.)

- F. Resolution No. AR 99-158, a resolution of the Municipality of Anchorage appropriating \$1,000,000 from the Anchorage Metropolitan Police Service Area Operating Fund (151) to the Anchorage Metropolitan Police Service Area Capital Improvement Program (451) for **costs associated with implementation of mobile data technology in the Anchorage Police Department**, Anchorage Police Department.
1. Assembly Memorandum No. AM 568-99.

Chairman Wuerch 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 99-158.
seconded by Ms. Taylor,

AYES: Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Abney.

NAYS: None.

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

- G. Resolution No. AR 99-159, a resolution authorizing the Municipality of Anchorage, Community Planning and Development Department to enter into a memorandum of agreement in the amount of \$181,940 with the State of Alaska, Department of Transportation and Public Facilities, and accepting and appropriating \$10,000 from the Alaska Railroad Corporation as a match for **financing the Ship Creek Multi-Categorical Grants Fund (231)**, Community Planning and Development.
1. Assembly Memorandum No. AM 569-99.

Chairman Wuerch 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 99-159.
seconded by Ms. Taylor,

AYES: Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Abney.

NAYS: None.

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

- H. Resolution No. AR 99-165, a resolution **appropriating the Annual FFY99 Entitlement Grants** from the U.S. Department of Housing and Urban Development in the amount of \$2,268,000 for the Community Development Block Grant (CDBG) \$965,000 for Home Investment Partnership (HOME) Program, and \$80,000 for Emergency Shelter Grants (ESG), to the Federal Categorical Grants Fund (241), Community Planning and Development.
1. Assembly Memorandum No. AM 594-99.

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

Ms. Taylor moved, to approve AR 99-165.
seconded by Ms. Von Gemmingen,

AYES: Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.

NAYS: None.

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

Ms. Taylor moved, to change the orders of the day
seconded by Mr. Meyer, and take up AO 99-89 next.
and it passed without
objection,

Ordinance No. AO 99-89, an ordinance authorizing the **sale of properties foreclosed by the Municipality for delinquent taxes and/or special assessments** (Fairview Extension, Block 20, Lots 1 & 2; T13NR3W, Section 33, Lot 14; Olympus, Block 2, Lot 11; Patricia, Block 6, Lot 9; Laurel Acres, Block 10, Lots 48, 49, 51 & 52; Chugach Meadows, Block 3, Lot 6; Mt. Valley Estates, Block 1, Lot 19; Mt. Valley Estates, Block 3, Lot 6; Mt. Valley Estates #1, Block 3, Lots 16 & 17; Mt. Valley Estates #1, Block 4, Lots 6 & 9; Mt. Valley Estates #1, Block 5, Lots 9, 10 & 11; River View Estates, Block 5, Lots 18 & 19; River View Estates, Block 8, Lot 11; Earl Ray, Block 2, Lots 9 & 10; Sleepy Hollow #1, Block 1, Lots 1 & 2; Sleepy Hollow #2, Block 1, Lot 14; Sleepy Hollow #2, Block 2, Lot 16), Heritage Land Bank/Real Estate Services.

1. Assembly Memorandum No. AM 501-99.

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

Ms. Taylor moved, to adopt AO 99-89.
seconded by Mr. Tremaine,

AYES: Sullivan, Tesche, Taylor, Wuerch, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

(Clerk’s Note: Mr. Kendall, Mr. Meyer and Ms. Clementson and were out of the room at the time of the vote.)

- I. Ordinance No. AO 99-95, an ordinance amending Anchorage Municipal Code of Regulations Chapter 25.60 to **establish a minimum marker fee at time of burial, authorizing installation of double markers, and exempting infant caskets from vault requirements**, Public Works.
1. Assembly Memorandum No. AM 565-99.

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

Mr. Taylor moved, to adopt AO 99-95.
seconded by Mr. Sullivan,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

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

- J. Ordinance No. AO 99-85, an ordinance of the Municipality of Anchorage repealing and re-enacting Section 3.85.050 of the Anchorage Municipal Code to **provide for recovery by the Police and Fire Retirement System of benefits paid to members where a third party is liable**, Police and Fire Retirement Board.
1. Assembly Memorandum No. AM 497-99.

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

Mr. Tesche moved, to adopt AO 99-85.
seconded by Ms. Taylor,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

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

- K. Ordinance No. AO 99-86, an ordinance amending Anchorage Municipal Code Chapter 3.85 to **eliminate the benefit reduction upon remarriage of a surviving spouse of a deceased member**, Police and Fire Retirement Board.
1. Assembly Memorandum No. AM 498-99.

Chairman Wuerch 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 99-86.
seconded by Ms. Abney,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

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

- L. Ordinance No. AO 99-87, an ordinance of the Anchorage Assembly amending AMC 3.85.280 (Police and Fire Retirement System) relating to **Plan III Cost of Living Adjustment (COLA) administration**, Police and Fire Retirement Board.
1. Assembly Memorandum No. AM 499-99.

Chairman Wuerch 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 99-87.
seconded by Ms. Taylor,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

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

- M. Ordinance No. AO 99-97, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 15.70.060 B.3.b. regarding the **permitted sound levels for construction tools and equipment used at or within residential real property boundary or within a noise-sensitive zones**, Assembly Vice Chair Taylor.
1. Assembly Memorandum No. AM 595-99.

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

to postpone AO 99-97 indefinitely.

(Clerk's Note: AO 99-97 was not submitted.)

- N. Resolution No. AR 99-150, a resolution **confirming and levying assessments for water improvements for Schroeder East Water Special Assessment District (WID) 329**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 543-99.

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

PAMELA HESSELRODE said she could not sell her home because of the pending assessment. When they purchased the home three years ago the seller left his profit of \$8,000 in escrow to meet this expense. At the time the expense was estimated between \$8,000 and \$10,000. The current assessment is \$18,600 to hook up to a waterline that is already in the street. She felt the assessment was unfair and excessive.

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

Ms. Clementson moved,
seconded by Mr. Kendall,

to approve AR 99-150.

AWWU Manager Mark Premo stated the ordinance creating the improvement district estimated the assessment for Ms. Hesselrode's lot at \$17,380. The owner at the time voted to support the district.

In response to Ms. Clementson, Don Keefer of AWWU stated the creation ordinance was recorded on March 17, 1996.

There was lengthy discussion of the requirement to hook up to available utilities and possible recourse available to this homeowner to recover some of the expense.

Question was called on the motion to approve AR 99-150 and it passed:

AYES: Kendall, Sullivan, Clementson, Tesche, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: Taylor.

- O. Ordinance No. AO 99-92, an ordinance of the Municipality of Anchorage **creating Alley Paving Special Assessment District 2P99 - Spenard Road Alley from West Twenty-Fifth Avenue to Fireweed Lane** and determining to proceed with proposed improvements therein, Public Works.
1. Assembly Memorandum No. AM 562-99.

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

Ms. Abney moved,
seconded by Mr. Tremaine,

to adopt AO 99-92.

AYES: Kendall, Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Abney.
NAYS: None.

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

- P. Ordinance No. AO 99-93, an ordinance of the Municipality of Anchorage **creating Alley Paving Special Assessment District 3P99 - 'I' Street/'K' Street Alley from West Fifteenth Avenue to West Sixteenth Avenue** and determining to proceed with proposed improvements therein, Public Works.
1. Assembly Memorandum No. AM 563-99.

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

TERRI REGAN urged the Assembly to support the ordinance. Full time residents are looking forward to the dust reduction and improved drainage system.

JASE VALE supported the project because it was the only access to his home. Owners of lot 10B opposed the district because they park illegally on 16th Avenue. The assessment is reasonable.

Ms. Abney moved,
seconded by Ms. Taylor,

to suspend the rules and extend
the public hearings for 15 minutes.

ROBERT CHURCH stated paving the alley would be a big improvement to his home's only access. The project will spruce up the neighborhood and increase property values.

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

Ms. Abney moved, to adopt AO 99-93.
seconded by Ms. Taylor,

Question was called on the motion to adopt AO 99-93 and it passed:

AYES: Kendall, Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Abney.
NAYS: None.

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

Q. Ordinance No. AO 99-84, an ordinance **designating certain real property as deteriorated property known as the Knik Arm Power Plant at Ship Creek**, Assemblymember Tesche.

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

MARC MARLOW stated he was planning to redevelop the power plant in harmony with municipal and railroad plans for development of the Ship Creek basin.

Ms. Clementson noted the legal description exceeded the area of the power plant, the petitioner had not provided a map or proposal for the area he wanted included and there was no procedure established for declaring properties deteriorated.

PEGGY RAWITZ, representing Mr. Marlow, pointed out that state statutes clearly set out standards for determining whether property is deteriorated.

Mr. Kendall moved, to suspend the rules and continue
seconded by Mr. Meyer, the public hearings until 11:00 p.m.

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

PETE KENEEN, Commercial Recycling Center, questioned Mr. Marlow's authority to make this application because the ownership of the property is in litigation. He recommended the Assembly delay the decision until the ownership is decided by the court. He did not think the property was deteriorated. The applicant has not documented the property will not be developed unless he gets a tax break. His company has plans to develop the property in a way that will add to the tax base.

In response to Mr. Kendall, Mr. Greene indicated the ordinances did not say who can apply but presumes application would be made by someone who can rehabilitate the deteriorated area.

ROBERT REIMAN, representing Hobbs Industries, et. al., stated the actual owner of the property in question is the federal government. The Alaska Railroad Corporation has a license to lease the property. In this case Cap, LLC holds the lease with the railroad and disputes Mr. Keneen's claim. In his opinion, his clients had the authority to transfer the lease to Mr. Marlow.

WAYNE CARPENTER, Foster Grandparents/Senior Companion Programs of Alaska which sponsor the Ship Creek king and silver salmon derbies, supported Mr. Marlow's proposal. The area needs redevelopment. Mr. Marlow is willing to make it happen and he should be supported.

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

Ms. Fairclough moved, to postpone action on AO 99-84 until
seconded by Ms. Clementson, July 20, 1999.

Ms. Von Gemmingen requested a work session complete with maps and a written description of what the developer plans to do.

A work session was set for 1:00 p.m., July 20, 1999, in the Mayor's Conference Room.

Ms. Clementson pointed out the ordinance also needed a summary of economic effects.

Ms. Von Gemmingen moved, to suspend the rules and continue
seconded by Ms. Clementson, the meeting to complete AO 99-88.

Ms. Taylor moved, a substitute motion to suspend the rules
seconded by Ms. Fairclough, and continue the meeting until 11:30 p.m.
and it passed without objection,

Question was called on the motion to postpone AO 99-84 and it passed without objection.

R. Ordinance No. AO 99-88, an ordinance providing for the **sale of Lot 3, Block 1, Bruce Subdivision** (Parcel No. 012-342-04), located at 1800 Della Street in Anchorage, Heritage Land Bank/Real Estate Services.
1. Assembly Memorandum No. AM 500-99.

Chairman Wuerch 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 99-88.
seconded by Mr. Tremaine,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

- S. Ordinance No. AO 99-89, an ordinance authorizing the **sale of properties foreclosed by the Municipality for delinquent taxes and/or special assessments** (Fairview Extension, Block 20, Lots 1 & 2; T13NR3W, Section 33, Lot 14; Olympus, Block 2, Lot 11; Patricia, Block 6, Lot 9; Laurel Acres, Block 10, Lots 48, 49, 51 & 52; Chugach Meadows, Block 3, Lot 6; Mt. Valley Estates, Block 1, Lot 19; Mt. Valley Estates, Block 3, Lot 6; Mt. Valley Estates #1, Block 3, Lots 16 & 17; Mt. Valley Estates #1, Block 4, Lots 6 & 9; Mt. Valley Estates #1, Block 5, Lots 9, 10 & 11; River View Estates, Block 5, Lots 18 & 19; River View Estates, Block 8, Lot 11; Earl Ray, Block 2, Lots 9 & 10; Sleepy Hollow #1, Block 1, Lots 1 & 2; Sleepy Hollow #2, Block 1, Lot 14; Sleepy Hollow #2, Block 2, Lot 16), Heritage Land Bank/Real Estate Services.
1. Assembly Memorandum No. AM 501-99.

This item was considered earlier in the meeting following 12.H., AR 99-165.

- T. Ordinance No. AO 99-94, an ordinance **authorizing the disposal of 2,595 square feet from Lots 9 and 10, Ridge View Subdivision, in Anchorage**, to the State of Alaska, Department of Transportation and Public Facilities for right of way on the Old Seward Highway, Heritage Land Bank/Real Estate Services.
1. Assembly Memorandum No. AM 564-99.

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

Ms. Taylor moved, to adopt AO 99-94.
seconded by Ms. Von Gemmingen,

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.
NAYS: None.

- U. Resolution No. AR 99-164, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Beverage Dispensary License) located on Dowling Subdivision, Lot 45, generally located on the south side of East Dowling Road and on the east side of Petersburg Street (Maria Gallo Covarrubias d.b.a. **Los Arcos**) (Case 99-143), Community Planning and Development.
1. Assembly Memorandum No. AM 593-99.

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

Mr. Meyer moved, to continue the public hearing on AR 99-164
seconded by Ms. Abney, until July 20, 1999.
and it passed without
objection,

Assembly Memorandum No. AM 646-99, Los Arcos Restaurant - Transfer of Location and Ownership of a Beverage Dispensary Liquor License and a Restaurant Designation (Campbell Park and Abbott Loop Community Councils), Clerk's Office.

Mr. Meyer moved, to postpone action on AM 646- 99
seconded by Mr. Sullivan, until July 20, 1999.
and it passed without
objection,

- V. Ordinance No. AO 99-91, an ordinance repealing Anchorage Municipal Code Chapter 16.60 and Anchorage Municipal Code of Regulations Chapter 16.60, "Food and Food Facilities", and re-enacting Anchorage Municipal Code Chapter 16.60, "**Anchorage Food Code**", regulating food care, food handling and processing procedures, sanitation, facility requirements, equipment, personnel, permit requirements, and compliance procedures. In addition, the Ordinance amends Anchorage Municipal Code Chapter 14.20, "Administrative Hearing Officer", relating to jurisdiction, Anchorage Municipal Code Chapter 14.60, "Fines", and Anchorage Municipal Code of Regulations Chapter 15.05, "Health & Human Services Fee Regulations", Health and Human Services.
1. Assembly Memorandum No. AM 547-99.
 2. Information Memorandum No. AIM 49-99.
 3. Ordinance No. AO 99-91(S), an ordinance repealing Anchorage Municipal Code Chapter 16.60 and Anchorage Municipal Code of Regulations Chapter 16.60, "Food and Food Facilities", and re-enacting Anchorage Municipal Code Chapter 16.60, "Anchorage Food Code", regulating food care, food handling and processing procedures, sanitation, facility requirements, equipment, personnel, permit requirements, and compliance procedures. In addition, the Ordinance amends Anchorage Municipal Code Chapter 14.20, "Administrative Hearing Officer", relating to jurisdiction, Anchorage Municipal Code Chapter 14.60, "Fines", and Anchorage Municipal Code of Regulations Chapter 15.05, "Health & Human Services Fee Regulations", Health and Human Services.
 4. Assembly Memorandum No. AM 643-99.

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

ANDREE McLEOD was pleased the municipality was making its code consistent with state code. Recent observations at local restaurants revealed more work is needed in the area of food handling.

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

Mr. Tesche moved, to adopt AO 99-91(S).
seconded by Ms. Von Gemmingen,

Mr. Kendall suggested the health ratings of establishments be more visibly publicized.

Mr. Tremaine felt the provisions dealing with handling live shell fish were impractical and in some ways inadequate.

Lura Morgan of the Health Department stated the provisions were based on state code. It does require seafood retailers to separate seafood into lots for tracking purposes.

Mr. Tesche moved, to postpone action on AO 99-91(S)
seconded by Ms. Taylor, until July 20, 1999.

AYES: Tesche, Taylor, Wuerch, Tremaine, Abney.
NAYS: Kendall, Sullivan, Clementson, Meyer, Fairclough, Von Gemmingen.

Question was called on the motion to adopt AO 99-91(S) and it passed:

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Abney.
NAYS: Tremaine.

Ms. Von Gemmingen encouraged the department to publicize the new requirements to non-profit organizations who hold bake sales and bazaars.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:

A. Assembly Memorandum No. AM 614-99, Board of Adjustment Appeal S-10404, **Abbott Road Subdivision**, Municipal Clerk.

Ms. Clementson moved, to approve AM 614-99.
seconded by Mr. Tesche,

Ms. Clementson spoke against the motion. She felt eliminating redundancy from the brief would bring it into compliance with the law. The limit is set to encourage people to get to the heart of the matter quickly.

Mr. Tesche indicated he would be more lenient with a pro se appellant but this brief was filed by an attorney who should be aware of the code provision.

Question was called on the motion to approve AM 614-99 and it failed:

AYES: None.
NAYS: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen, Abney.

Ms. Clementson moved, to extend the deadline for the appellant to file a brief
seconded by Mr. Tesche, 15 days and extend the staff deadline in an equal
and it passed without way.
objection,

14. SPECIAL ORDERS:

- A. Ms. Taylor announced the formation of a residential parking ad hoc committee to discuss the long-term storage and non-movement of vehicles on residential streets.
- B. Chairman Wuerch suggested members consider reinstating the meeting of October 5 and cancelling the meeting of October 12 to allow members to attend a celebration recognizing 30 years of sister city-hood between Anchorage and Chitose, Japan.
- C. Ordinance No. AO 99-106, an ordinance of the Anchorage Municipal Assembly amending AMC 21.50.160 Conditional Use Standards-Alcoholic Beverages prohibiting the retail sale of "singles" within 200 feet of gasoline service stations.

Mr. Tesche, Ms. Clementson and Ms Fairclough supported introduction. The ordinance was referred to the Planning and Zoning Commission for comment.

15. ASSEMBLY COMMENTS:

Ms. Clementson announced she planned to introduce an ordinance setting forth a process for declaring deteriorated areas. She asked that the south Anchorage high school site be added to the agenda for the next joint meeting with the School Board.

Ms. Taylor introduced Tim Sullivan, coordinator of Weed and Seed, a crime prevention program.

16. UNFINISHED AGENDA: None.

17. AUDIENCE PARTICIPATION:

MR. MOREL opposed the requirement for taxi drivers to report all flag pick-ups because it would overload dispatch.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 11:30 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: November 9, 1999

LF/lf

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