

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of September 21, 1999

1. CALL TO ORDER:

The meeting was convened at 4:02 p.m. by Assembly Chairman George Wuerch in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Kendall (4:15 p.m.), Dan Sullivan, Pat Abney, Allan Tesche, Melinda Taylor (4:20 p.m.), George Wuerch, Kevin Meyer, Anna Fairclough, Dick Tremaine, Fay Von Gemmingen, Cheryl Clementson.

Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Clementson.

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

to change the orders of the day to consider item 13, Board of Adjustment/Assembly Appeals.

Appeal 98-177, Campbell Park Acres Subdivision, Clerk's Office.

In response to Chairman Wuerch, Assistant Municipal Attorney Dennis Wheeler addressed the Assembly, and reviewed the procedures for the Board of Adjustment. He pointed out ex parte contact is prohibited. The Assembly is a legislative body, and members are expected to have a significant amount of contact with constituents. However, when the Assembly acts as the Board of Adjustment, it is a quasi-judicial body. In that capacity, members cannot have contact outside of the public hearing forum with the parties or their agents, witnesses, and even the general public. Ex parte contact includes electronic mail, telephone conversations, written correspondence, personal meetings and review of newspaper articles. The prohibition against contact is in effect prior to the decision, and extends until after the time frame when parties may request reconsideration. Mr. Wheeler continued, explaining when the Board deliberates, it may only consider the written briefs of the appealing parties, and the record on appeal. Materials outside these documents are not to be considered. He said with regard to legal issues, the Board may exercise its independent judgment. Legal issues are those which involve interpretation or providing construction to ordinances or other laws. He offered an example of the Board needing to define certain words which are not currently defined in the Municipal Code. The Board could apply the words' common meanings, but could also apply different meanings if appropriate in the context. Another example would be for the Board to decide the intent or goal of certain provisions of the Code or Municipal Charter. The Board may substitute its independent judgment, but must do so within a particular process. First, the decision of the lower body must be examined to determine if there was substantial evidence to reach that decision. If the Board decides there was not substantial evidence in the record, it may reverse the lower body's decision and remand the case back to that body. Another option would be to substitute the Board's judgment. In that case, the Board must decide if there is substantial evidence in the record to support that judgment. He explained *substantial evidence* was evidence "that a reasonable mind might accept as adequate to support a certain conclusion." Mr. Wheeler clarified this did not mean that evidence is the only evidence the record. In fact, there may be substantial evidence to support both sides of the issue. Substituting the Board's judgment required a two-thirds vote of the fully constituted Board. He said when making a decision, the Board may choose to either reverse, modify or uphold the lower body's decision. In that case, the Code charges the Board to make a decision which will attempt to finally resolve the appeal.

In response to Mr. Tesche, Mr. Wheeler explained the Board may not question Municipal staff when deliberating on an appeal.

Mr. Meyer disclosed possible ex parte contact with a party in this appeal. He was in attendance at the Taku/Campbell Community Council meeting when this issue came up. He did excuse himself and left the meeting, but could not help but overhear part of the conversation before he left the meeting. He questioned whether the appeal was valid since it concerned a zoning decision on property that was once owned by the Akeela House, but has since been sold.

Mr. Wheeler said the ownership of the property does not affect the appeal. The appeal was based on granting or denial by the lower body of the conditional use permit.

Mr. Meyer argued the record showed the reputation and operation of the Akeela House was considered by the Planning and Zoning Commission (P&Z) in their decision to grant a conditional use permit. He quoted several parts of the record where P&Z members spoke about Akeela House's reputation. Mr. Meyer felt P&Z's decision was partially based on Akeela House's operation of the conditional use permit. He felt since P&Z did not know about the new owner, they should hear the case again with the new facts.

Mr. Meyer moved,
seconded by Mr. Tremaine,

to remand appeal 98-177 to the P&Z Commission for a determination of whether the new owner was willing to meet the conditions of the permit and operate as the Akeela House would have.

Mr. Tesche pointed out the question was one of land use. He felt the ownership of the property was not germane to the appeal. He suggested giving very little weight to portions of the record that are based on the identity of the former applicant or their business practices. He felt the remaining portions of the record should be examined to determine if substantial evidence supports the decision by P&Z. He felt there was sufficient evidence on land use issues to support P&Z's decision.

Ms. Clementson concurred with Mr. Tesche. She expressed concern about "mixing apples and oranges" and pointed out an appeal must be based on the record. She questioned the appellant's standing, since the appellant did not testify during any of the three public hearings before P&Z and did not submit any correspondence or information for P&Z's consideration. She reminded her colleagues that during an appeal, the Board of Adjustment decides whether the lower body acted properly, broke any rules, or disregarded information. The appeal process is not the appropriate forum to retry an issue. She felt there was nothing in the record, excepting the appellant's appeal, that speaks of ownership. She pointed out the appeal was against P&Z, not Akeela House. Ownership is not a proper issue to consider, because P&Z did not consider it. She referenced pages 130 and 131 of the packet, where P&Z Commissioner Adams speaks: "...the new Comprehensive Plan with the goals and objectives recognizes that we must provide for these sorts of facilities... there's no indication of an increase in crime relative to CCRC's... there's no indication of a drop in property value in the community in regards to this sort of thing... what's happening here is this is mostly a response to fear which certainly has some basis, but they haven't been able to put any factual evidence on it." Ms. Clementson pointed out the appellant is trying to assert that the new facility may be a prison or some other objectionable use, and the new owners may be bad people. However, none of that is relevant or germane. The appellant did not participate in the proceedings. She felt the debate of P&Z, reflected on pages 130 to 135, showed they did not debate Akeela House, although the owner was mentioned from time to time. They looked at the global picture of what happens with CCRC's. They got information from the Police Department and the American Planning Association. They looked at the CCRC's downtown, at the Ernie Turner Center and the Parkview facility. The review was not based on the operator, but on what the program was and what the restrictions were on the land use and how it was going to operate.

Ms. Clementson moved,
seconded by Mr. Tesche,

to substitute a motion to affirm the decision of the lower body.

Mr. Meyer opposed the motion. He felt the fact that the appellant did not testify at any of the proceedings did not have any bearing on the appeal. He pointed out throughout the packet, Akeela House and its reputation is mentioned. He felt the ownership of the property must have had an impact on the decision of P&Z. He referenced page 176 of the packet, which indicated there is a retail gun shop adjacent to the CCRC; to the south there are mixed residential and commercial/industrial uses; and to the west is mixed commercial/industrial use. Mr. Meyer said some of the testimony before P&Z indicated an adult entertainment establishment was located nearby. A petition with about 75 signatures was submitted in opposition to this particular site. He reiterated his arguments for remanding the issue to P&Z. He questioned whether this location was proper for a halfway house, in light of the proximity of the retail, commercial and residential uses.

Ms. Von Gemmingen pointed out when the law was changed regarding the location of CCRC's, I-1 properties were specifically added to distance the CCRC from business and residential areas. She supported Ms. Clementson's motion.

Question was called on Ms. Clementson's motion to substitute and it passed:

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

Question was called on the motion to affirm the decision of the Planning and Zoning Commission and it passed:

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

The meeting recessed at 4:35 p.m. and reconvened at 5:00 p.m.

4. MINUTES OF PREVIOUS MEETING:

A. Regular Meeting - April 6, 1999

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

to approve the minutes of the regular meeting of April 6, 1999.

5. MAYOR'S REPORT:

Mayor Mystrom noted earlier today there was a meeting with members of the Comprehensive Plan committee, along with some additional members of the Assembly. He felt it was very important for Assembly members other than those on the committee to attend these meetings. He said next week, the open house public meetings would begin, and would be held at various community locations.

In response to Mr. Tremaine, Mayor Mystrom said he has been working with the Anchorage School District on the issue of People Mover bus service to the hillside. He pointed out the highest use of the People Mover from Service High was at 2:45 p.m. and the bus went to the Dimond Center. He speculated the students may have been going to Dimond Center for their jobs or to connect with other bus routes. He said after active discussions with the District administration, the District agreed

to allow the District bus that leaves Service at 2:45 to stop and discharge students at the People Mover stop at the intersection of 88th and Lake Otis. He felt that would help, and allow students to leave Service and get to the Dimond Center.

6. ADDENDUM TO AGENDA:

Chairman Wuerch read the addendum items.

Ms. Abney moved, to amend the agenda to include the addendum items.
seconded by Ms. Taylor,
and it passed without
objection,

7. CONSENT AGENDA:

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

A. BID AWARDS:

1. Assembly Memorandum No. AM 881-99, recommendation of award to Alaska Sales & Service, Cal Worthington Ford and Tony Chevrolet of Anchorage for furnishing **miscellaneous light duty vehicles** to the Municipality of Anchorage, Department of Property and Facility Management (ITB 99-B090), Purchasing.
2. Assembly Memorandum No. AM 882-99, recommendation of award to Johnson Controls, Inc. for the **Anchorage Museum Heating, Ventilating, and Air Conditioning (HVAC) control and humidification upgrades** for the Municipality of Anchorage, Department of Property and Facility Management (ITB 99-C058), Purchasing.
3. Assembly Memorandum No. AM 883-99, recommendation of award to Trademark Construction, Inc. for the **Anchorage Water and Wastewater (AWWU) painting contract** for the Municipality of Anchorage, Water and Wastewater Utility (ITB 9-C059), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 99-127, an ordinance **creating King Lateral Sanitary Sewer Special Assessment District 190** and determining to proceed with the proposed improvements therein, Water and Wastewater Utility. public hearing 10-19-99.
 - a. Assembly Memorandum No. AM 861-99.
2. Ordinance No. AO 99-128, an ordinance of the Municipality of Anchorage, Alaska, **authorizing and providing for the borrowing of not to exceed \$10,576,000 from the State of Alaska Clean Water Fund** for the purpose of financing a portion of the costs of wastewater capital improvement projects in the Municipality, and providing for related matters, Water and Wastewater Utility. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 878-99.
3. Ordinance No. AO 99-130, an ordinance **authorizing the lease of municipal land described as Woodland Park School Subdivision** with subsequent management agreement with the Boys and Girls Club, Property and Facility Management. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 880-99.

Mr. Sullivan requested this item be considered on the Regular Agenda. See item 8.C.

4. Resolution No. AR 99-253, a resolution authorizing the Municipality of Anchorage to **purchase Lots 54 through 61, Block 2, Shady Birch Terrace Subdivision, Addition No. 1, Anchorage, Alaska**, to enlarge the Gladys Wood Park, Cultural and Recreational Services. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 862-99.
5. Resolution No. AR 99-254, a resolution **authorizing eminent domain proceedings and acceptance of the Decisional Document for the construction of the 15th Avenue Safety Improvements, 'L' Street to Juneau Street**, Public Works Department. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 863-99.
6. Resolution No. AR 99-255, a resolution **authorizing eminent domain proceedings and acceptance of the Decisional Document for the construction of the 15th Avenue Safety Improvements, Ingra Street to Sitka Street**, Public Works Department. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 864-99.

Mr. Tesche requested this item be considered on the Regular Agenda. See item 8.C.

7. Resolution No. AR 99-264, a resolution of the Municipality of Anchorage **renaming Lore Park to Whisper Faith Kovach Park**, in honor of Whisper Faith Kovach, Cultural and Recreational Services. public hearing 10-26-99.
 - a. Assembly Memorandum No. AM 884-99.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-256, a resolution authorizing the Municipality to **grant an electrical easement on a portion of NE1/4 of Section 13, T13N, R3W, Seward Meridian, Alaska**, Tax Code #006-052-19, Public Works Department.

- a. Assembly Memorandum No. AM 865-99.
- 2. Resolution No. AR 99-257, a resolution authorizing the Municipality to **grant an electrical easement on a portion of Tract A, Greater Anchorage Area Borough, Creekside Elementary School Site Subdivision**, Tax Code #006-104-01, Public Works Department.
 - a. Assembly Memorandum No. AM 866-99.
- 3. Resolution No. AR 99-258, a resolution authorizing the Municipality to **grant an electrical easement across a portion of Tract A, Brentwood Village Subdivision**, Tax Code #011-142-12, Public Works Department.
 - a. Assembly Memorandum No. AM 867-99.

Ms. Von Gemmingen requested this item be considered on the Regular Agenda. See item 8.D.

- 4. Resolution No. AR 99-259, a resolution authorizing the Municipality to **grant an electrical easement across a portion of Southeast Elementary School Site located at Abbott Road in W1/2 SW1/4 SE1/4 of Section 10, T12N, R3W, Seward Meridian**, Tax Code #015-021-01, Public Works Department.
 - a. Assembly Memorandum No. AM 868-99.
- 5. Resolution No. AR 99-260, a resolution authorizing the Municipality to **grant an electrical easement across a portion of Tract A, Greater Anchorage Borough Scenic Park Elementary School Site Subdivision**, Tax Code #007-105-06, Public Works Department.
 - a. Assembly Memorandum No. AM 869-99.
- 6. Resolution No. AR 99-265, a resolution of the Municipality of Anchorage appropriating the sum of \$50,536 to the Areawide General Fund from State Revenues to Municipalities for Health Facilities and Hospitals for the **1999 distribution to Providence Hospital**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 885-99.
- 7. Resolution No. AR 99-266, a resolution authorizing the **granting of a tax refund to Charles W. and Evalyn Ellis as a result of manifest clerical error** on Real Property Account 003-213-12, Finance. **(addendum)**
 - a. Assembly Memorandum No. AM 891-99.
- 8. Resolution No. AR 99-267, a resolution of the Anchorage Assembly authorizing the Municipal Clerk to enter into an agreement with Global Election Systems to **enhance ballot tabulation software**, Assembly Chairman Wuerch. **(addendum)**
 - a. Assembly Memorandum No. AM 893-99.

D. NEW BUSINESS:

- 1. Assembly Memorandum No. AM 886-99, **appointment to the Executive Staff** (David Rudisill - Director, Management Information Systems Department), Mayor's Office.
- 2. Assembly Memorandum No. AM 870-99, change order No. 2 to the contract with Ebco General Contractors for the **Emergency Operation Center**, Property and Facility Management.
- 3. Assembly Memorandum No. AM 871-99, change order No. 2 to the contract with Mechanical Construction & Consulting for **Fire Station No. 4 boiler & hot water heater**, Property and Facility Management.
- 4. Assembly Memorandum No. AM 872-99, amendments No. 1 and 2 to various contracts for **professional architectural and engineering services** on an as required basis, Property and Facility Management.
- 5. Assembly Memorandum No. AM 873-99, amendment No. 1 to professional services contract with USKH, Inc. for **Business Boulevard Pedestrian Safety Improvements**, DPW #96-17, Federal/State Project No. TEA-0001(130)/52519, Public Works.
- 6. Assembly Memorandum No. AM 874-99, amendment No. 1 to professional services agreement with McCool Carlson Green, Inc., for 1998 AWWU term contract for **professional architectural services**, Water and Wastewater Utility.
- 7. Assembly Memorandum No. AM 875-99, proprietary purchase of a **turbine exhaust system** from Braden Manufacturing for the Municipality of Anchorage, Municipal Light and Power/ Purchasing.
- 8. Assembly Memorandum No. AM 876-99, change order No. 2 to purchase order 73876 to exercise the option period with Pre Cast Concrete Company, Inc. for furnishing **transformer bases and vaults** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
- 9. Assembly Memorandum No. AM 877-99, change order No. 4 to various purchase orders with various firms for providing **professional engineering services for the 1998 Watershed Management Program** for the Municipality of Anchorage, Public Works Department/Purchasing.
- 10. Assembly Memorandum No. AM 879-99, recommendation of award to KPMG LLP to **perform an Independent Financial Statement Audit, Federal Single Audit, and State Single Audit** for the Municipality of Anchorage, Assembly Office (RFP 99-P025), Purchasing.
- 11. Assembly Memorandum No. AM 887-99, change order No. 2 to purchase order 83101 to exercise the first option period with the Anchorage School District, McLaughlin High School, for the **cleaning of bus shelters** for the Municipality of Anchorage, Public Transportation Department/Purchasing.
- 12. Assembly Memorandum No. AM 888-99, change order No. 8 to purchase order 33655 with The Boniface Mall Group for **leased space for the Women, Infant and Children's Satellite Clinic.**, Property and Facility Management.
- 13. Assembly Memorandum No. AM 889-99, contract amendment No. 1 to **1999 miscellaneous construction services contract** with Tam Construction, Inc., Contract C-99PWK0456, DPW File No. 99-01, Public Works.

14. Assembly Memorandum No. AM 890-99, sole source award to Energy Services, Inc. for providing **refurbishment of the Substation #6 transformer** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
15. Assembly Memorandum No. AM 892-99, **Anchorage Jail interim funding**, Finance. (**addendum**)
16. Assembly Memorandum No. AM 894-99, sole source purchase from Delta Star Inc. for furnishing a **substation transformer** to the Municipality of Anchorage, Municipal Light and Power/Purchasing. (**addendum**)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 77-99, **transmittal of Federal and State Financial Assistance reports** and required federal information for Fiscal Year 1998, Finance.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 8.F.

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

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

Mayor Mystrom noted with this vote, Dave Rudisill was confirmed as Director of the Management Information Systems Department. He felt Mr. Rudisill would do a great job. He introduced and congratulated him.

8. **REGULAR AGENDA:**

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

1. Ordinance No. AO 99-130, an ordinance **authorizing the lease of municipal land described as Woodland Park School Subdivision** with subsequent management agreement with the Boys and Girls Club, Property and Facility Management. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 880-99.

Messrs. Sullivan, Kendall and Meyer joined in introducing this ordinance. The public hearing was scheduled for October 12, 1999.

Mr. Sullivan felt this agreement was an example of success and cooperation in the community. The facility would not be used for a school anymore, and now will be used for an excellent private program.

2. Resolution No. AR 99-255, a resolution **authorizing eminent domain proceedings and acceptance of the Decisional Document for the construction of the 15th Avenue Safety Improvements, Ingra Street to Sitka Street**, Public Works Department. public hearing 10-12-99.
 - a. Assembly Memorandum No. AM 864-99.

Mr. Tesche, Ms. Clementson and Ms. Taylor joined in introducing this resolution. The public hearing was scheduled for October 12, 1999.

Mr. Tesche thanked the Public Works Department staff for their continuing help on the project. He noted the project was very large and would impact Fairview greatly. Already, some important questions have been resolved through the excellent work and cooperation between Public Works staff and the contractors working on the project.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-258, a resolution authorizing the Municipality to **grant an electrical easement across a portion of Tract A, Brentwood Village Subdivision**, Tax Code #011-142-12, Public Works Department.
 - a. Assembly Memorandum No. AM 867-99.

Ms. Von Gemmingen moved, to approve AR 99-258.
 seconded by Ms. Fairclough,

Ms. Von Gemmingen moved, to amend AR 99-258 in the first and second Whereas
 seconded by Ms. Fairclough, clauses, to reflect the correct name of "Brentwood Village
 and it passed without Subdivision."
 objection,

Question was called on the motion to approve AR 99-258 as amended and it passed without objection.

- E. NEW BUSINESS: None.
- F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 77-99, **transmittal of Federal and State Financial Assistance reports** and required federal information for Fiscal Year 1998, Finance.

Ms. Clementson moved, to accept AIM 77-99.
seconded by Ms. Taylor,

Ms. Clementson noted an item in the memorandum questioned the high costs associated with lump sum payments.

In response, Executive Manager Elaine Christian explained there was an error in the way the lump sum payments were conducted. Lump sum payments will not be done again. The Administration realizes the practice is against U.S. Housing and Urban Development regulations. Everything to do with grants from now on will be on a cost reimbursable basis, so there are checks and balances for the system.

Question was called on the motion to accept AIM 77-99 and it passed without objection.

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

- A. Resolution No. AR 99-252, a resolution of the Municipality of Anchorage **authorizing the application for matching capital grant funds through the Municipal Capital Project Matching Grant Program - AS 37.06** - for State Fiscal Year 2001, Office of Management and Budget.
 1. Assembly Memorandum No. AM 850-99.
(POSTPONED FROM 9-14-99)

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

Ms. Clementson moved, to substitute Form A (with \$1m grant request for Elmore Road) distributed by staff, for the Form A attached to AR 99-252. The substitute Form adds a project for Elmore Road upgrade, Huffman Road to DeArmoun Road.
seconded by Mr. Meyer,

(Clerk's Note: This form is attached as Exhibit A.)

Ms. Clementson noted the joint School Site Selection Committee had reaffirmed its support for the existing site for a south Anchorage high school, that was chosen in 1985. The Committee also passed a resolution requesting the Municipality include the Elmore Road upgrade project on the Capital Grant match request list. This project reflects two of the three phases of the project, and would request \$1 million from the State, to be matched with \$600,000 in Municipal bond funds. She felt the project was very important, and if approved would be the only Anchorage Roads and Drainage Service Area (ARDSA) project on the list.

Ms. Fairclough moved, to postpone action on AR 99-252 until after action on item 9.C, AR 99-262.
seconded by Mr. Meyer,
and it passed without objection,

Mr. Tremaine moved, to change the orders of the day to consider item 9.C, AR 99-262.
seconded by Ms. Fairclough,
and it passed without objection,

- B. Ordinance No. AO 99-117, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$35,000,000 in aggregate principal amount of General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance.
 1. Assembly Memorandum No. AM 755-99.
(POSTPONED FROM 9-14-99)

This item was considered later in the meeting. See before item 10.

- C. Resolution No. AR 99-262, a resolution of the Anchorage Municipal Assembly **rescinding the selection of a site for the proposed South Anchorage High School and remanding the selection to the Planning and Zoning Commission for further investigation, review and recommendation**, Assemblymember Tremaine.
(POSTPONED FROM 9-14-99)

Mr. Tremaine explained he brought this item forward because he felt there were significant savings that could be realized by choosing an alternate school site. He clarified the postponement of action on the original site was only to pursue the possibility of savings, not to delay construction of the school. He felt there should be a policy for the Municipality and the School District to review long-term investments, specifically land and buildings, to reevaluate their appropriateness. The School Site Selection Committee unanimously supported the existing south Anchorage high school site. Given that decision, and the fact that no School Board members dissented, he supported indefinite postponement of the proposed resolution.

Mr. Tremaine moved, to postpone action on AR 99-262 indefinitely.
seconded by Ms. Abney,

Ms. Fairclough felt it was financially responsible to pursue building a school at the original site. She said she received many telephone and e-mail comments from citizens, most of whom supported keeping the Elmore site. Many people also supported some type of policy to review projects and sites before the bonding process.

Mr. Tesche commended Mr. Tremaine for pursuing the issue of possible savings, and the issue of reconsidering a site that was planned so far in the past. He also thanked the School District and Board members for their thoughtful reconsideration of these issues. He felt the School Site Selection Committee should review and address some deficiencies in the Municipal Code regarding school the site selection process. These include the question of whether the Assembly may reconsider a school site selection decision; should there be a process in the Code for periodic review of selection decisions; and the issue of road connections to schools and other public facilities. He supported the motion.

Ms. Abney said she also had a great many comments from constituents on this issue. She said she would have supported changing the site if it did not mean any further delays in the school construction. The information she received indicated the construction would have been delayed by choosing a new site.

Ms. Clementson appreciated the opportunity to have debate on this issue. She pointed out this site was the first attempt by the School District at long-range planning. The Municipality is also running out of land, and trying to do long-range planning. She felt the issue should be discussed at the next School Board/Assembly joint meeting, to help members have a better understanding of the process. She did not want people to think that once sites are selected, the District never reviews it again and the project goes forward without comment, because there have been instances when the District procured property for a school, and later decided not to use the site for a school.

Question was called on the motion to postpone action on AR 99-262 indefinitely and it passed:

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

The Assembly then returned to item 9.A, AR 99-252.

Resolution No. AR 99-252, a resolution of the Municipality of Anchorage **authorizing the application for matching capital grant funds through the Municipal Capital Project Matching Grant Program - AS 37.06** - for State Fiscal Year 2001, Office of Management and Budget.
1. Assembly Memorandum No. AM 850-99.
(POSTPONED FROM 9-14-99)

Ms. Clementson explained her earlier motion to substitute a different request list, including a project for Elmore Road. She said an upgrade for Elmore Road was necessary for access to the new south Anchorage high school. She felt this was an appropriate use of matching funds; the project would have a large impact and benefit a broad range of citizens.

Mr. Kendall opposed the motion to substitute. He pointed out the road was not needed just yet, as the school would not be built for a few years. He said the funding line on the original list submitted by the Administration was approximately project #8, Americans with Disabilities Act (ADA) improvements to Parks & Recreation facilities. He felt it was important to continue with the ADA improvements, and not let that project slip below the funding line. He proposed the Elmore Road project be inserted after item #8. He pointed out the other projects have been on the list for a long time, and should proceed.

In response to Chairman Wuerch, Public Works Director Jim Fero discussed the time frame for the Elmore Road project. He said for the road, there was about \$500,000 needed in the year 2000 to begin design. Right-of-way acquisitions and utility relocations were originally scheduled for 2001, but at least the right-of-way acquisition can start a little earlier than that date. Then, either bond funds or matching grant funds in 2002 would be used for construction. Construction would probably be completed sometime in late 2003. That schedule was developed because it was his understanding that the school would be completed in 2004. He wanted to be completely finished with the road project before the school opened, to avoid a situation like 68th Avenue, where landscaping and sidewalks were still being completed after the elementary school opened.

In response to Chairman Wuerch, Municipal Manager George Vakalis said if the ADA projects fell below the funding line, the bond package for the April 2000 election would be increased to compensate.

In response to Mr. Kendall, Mr. Fero explained Elmore Road was needed, and was in the CIP. It could be funded either by bonds or matching grant funds. He said the decision of what funding to use was up to the Assembly.

Ms. Abney supported the substitute, but was concerned about the process by which projects are placed on the matching grant request list. She added upgrade of DeArmoun Road was a very important project, and should be considered with the Elmore project, because intersections will have to be planned.

In response to Mr. Meyer, Mr. Vakalis said ADA upgrades are continually being done. As long as improvements are ongoing, Federal requirements are met. If item #8 is placed on the bond package, and the bond failed, those improvements would not be able to be completed as scheduled.

Ms. Fairclough noted even though there are several Eagle River projects on the matching grant list, those projects represent a substantially lower amount of funds than the other projects. She pointed out historically, Eagle River has received about 10 percent of the total funds received in matching grants.

Question was called on Ms. Clementson's motion to substitute Form A with Elmore Road and it passed:

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

NAYS: Kendall, Sullivan, Fairclough.

Ms. Von Gemmingen moved,
seconded by Ms. Clementson,

to amend AR 99-252 in Form A to rank the Elmore Road project at #2, and move the existing #2, Eagle River/ Chugiak Road and Drainage Rehab between #6 and #7, and move #4, Eagle River/ Chugiak Parks-Playground Equipment Upgrade between #8 and #9, and renumber the entire list accordingly.

Ms. Von Gemmingen felt Elmore Road should be increased in priority, to signal State Legislators that it is a high priority for Anchorage. The reason she suggested moving the Eagle River Road and Drainage Rehab down, was because people in the Anchorage Roads and Drainage Service Area (ARDSA) pay 3.28 mills for their service, whereas people in the Eagle River Road District pay only 2.10 mills. The reason she suggested moving the Eagle River Parks-Playground Equipment down was the same; citizens in the Anchorage Parks and Recreation Service Area pay .82 mill and those in Eagle River/ Chugiak pay only .53 mills. She felt equity in paying for roads and parks services was important.

Mr. Kendall pointed out if this amendment were approved, Eagle River and Chugiak would essentially be removed from the matching grant list. Eagle River/ Chugiak is a major part of the Municipality; he felt it would be grossly unfair to remove the area entirely from the list.

Ms. Fairclough also opposed the motion. She reiterated the two Eagle River projects represent much less funding than other areas, specifically south Anchorage. She added although Eagle River/ Chugiak mill rates are lower, assessments are higher than in the Anchorage bowl.

Ms. Clementson argued Elmore Road would be paid for completely by members of ARDSA if the project is not placed on the matching grant list. She pointed out there are no other ARDSA projects on the list. She added mill rates in Eagle River are lower because all Municipal services are not available to residents, and assessments are not comparable. She compared some properties in the Water Transmission Line assessment district in Eagle River/ Chugiak to her own property. The assessments were the same, but the lots from the north Anchorage properties were five times the size of her lot, and their houses were twice the size of her house. She wanted to distribute the money to the projects that would serve the maximum number of people. The other projects could still be done, but with other sources of funding.

Ms. Von Gemmingen added the local share of the Elmore project, \$600,000, would be paid by members of ARDSA, and not by residents of Eagle River or most of the hillside. She felt it was time for equality in the bowl area; her constituents are willing to pay their fair share, but do not want to pay others' shares.

Mr. Kendall felt the discussion was inappropriate. The Chugiak/Eagle River area pays for the level of service they receive. So far, they have chosen not to raise the level of service to the level 3.2 mills would support. When Eagle River residents drive to the bowl area, they mostly use State roads. He felt the motion was divisive and would not enhance community relations or unity for the Municipality. He would urge the Mayor to veto the resolution if this amendment passed.

Question was called on Ms. Von Gemmingen's motion to amend and it passed:

AYES: Tesche, Taylor, Wuerch, Meyer, Von Gemmingen, Clementson.

NAYS: Kendall, Sullivan, Abney, Fairclough, Tremaine.

Ms. Clementson moved,
seconded by Ms. Von Gemmingen,

to amend AR 99-252 in Form A, to delete the new #14, Eagle Glenn Subdivision Street Reconstruction Design.

Ms. Clementson said this subdivision was residential, and the matching grant program was not appropriate for this type of project. To place residential streets which benefit very few people in relation to the other projects, on the matching grant list, when there was a limited amount of funds, would set a bad precedent.

Mr. Kendall pointed out the Chugiak/Eagle River Rural Road Service Area Board of Supervisors chooses the level of service, by policies and procedures that are different from those of ARDSA. He felt Ms. Clementson was "mixing apples and oranges" since the two service areas have different policies.

Question was called on Ms. Clementson's motion to amend and it passed:

AYES: Sullivan, Tesche, Taylor, Meyer, Von Gemmingen, Clementson.

NAYS: Kendall, Abney, Wuerch, Fairclough, Tremaine.

Mr. Tremaine moved,
seconded by Ms. Fairclough,

to amend AR 99-252 in Form A to pro-rate the list and include funding for all projects, for an amount of \$4.29 million.

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

to postpone action on AR 99-252 until later in the meeting.

(Clerk's Note: See further action under item 16, Unfinished Agenda.)

The Assembly then returned to item 9.B, AO 99-117.

Ordinance No. AO 99-117, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$35,000,000 in aggregate principal amount of General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance.

1. Assembly Memorandum No. AM 755-99.
(POSTPONED FROM 9-14-99)

Chairman Wuerch gave the history of the ordinance and noted no motions were pending.

Mr. Sullivan moved, to adopt AO 99-117.
seconded by Ms. Fairclough,

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

10. APPEARANCE REQUESTS:

A. **Andree McLeod** regarding municipal lobbying activities.

Ms. McLeod stressed she did not intend to single out any particular person, but the activities of a particular lobbyist, Bill Bobrick, best exemplified the problems resulting from the lack of regulation on lobbyists. She pointed out a study by the Council for Excellent Government indicated most people felt disenfranchised and disconnected from their government. She pointed out the Assembly calendar on August 14 listed an invitation to a party held by Mr. Bobrick. The invitation to the party indicated it was not a political event, but the members were invited because of their positions. Ms. McLeod noted the gathering had to be noticed, because when three or more Assembly members gather, it becomes a political event. She commended Mr. Bobrick for voluntarily disclosing his clients on April 27, 1998. However, there are other lobbyists who do not share this information, and citizens do not know who is influencing the Assembly. She felt there should be a law regulating disclosure of lobbyist activities.

Chairman Wuerch explained Assembly members try very hard to comply with the Open Meetings Act. When three or more members attend any event, the event is noticed to the public.

Mr. Tesche concurred with Chairman Wuerch. He felt any question about Mr. Bobrick's integrity was unfounded.

Ms. Clementson felt Ms. McLeod made some valid points. She pointed out Assembly staff has been researching legislation in other cities regarding lobbyist disclosure, and she would support considering similar laws for Anchorage. She added she is invited to political gatherings, her husband's company Christmas party, PTA functions and the like, all because of who she is and her various roles in life. The purpose of noticing social events that Assembly members attend was to comply with the law, not to be offensive or gloat about their positions. She clarified Assembly members are prohibited from discussing legislative issues in such gatherings, as they may only discuss them in settings where the public is involved.

Ms. Fairclough pointed out any gatherings of Assembly members, even social gatherings, that are noticed are open to the public.

11. CONTINUED PUBLIC HEARINGS:

A. Ordinance No. AO 99-109, an ordinance amending the Anchorage Municipal Code by enacting a new Chapter 12.50 to provide **procedures for declaration of a deteriorated area or property**, including definitions of deteriorated area or property and rehabilitation, and requiring a Confirmation Impact Study (CIS), and requiring the Assembly to hold a public hearing prior to declaring a deteriorated area or property, application procedures for obtaining taxation exemption or deferral, Assemblymember Clementson.
(CONTINUED FROM 8-17-99)

Chairman Wuerch announced the public hearing for this item would be continued until October 12, 1999. He pointed out anyone speaking tonight could not speak then, as persons may testify only once. He opened the public hearing and asked if anyone wished to speak. There was no one.

There was no objection to continuing the public hearing for AO 99-109 until October 12, 1999.

12. NEW PUBLIC HEARINGS:

A. Resolution No. AR 99-229, a resolution of the Municipality of Anchorage **naming the Plaza at Z.J. Loussac Library the "Soroptimist Plaza"**, Cultural and Recreational Services.
1. Assembly Memorandum No. AM 783-99.

Ms. Von Gemmingen requested this item be postponed until later in the meeting. There was no objection.

(See item 16, Unfinished Agenda.)

B. Resolution No. AR 99-239, a resolution of the Anchorage Municipal Assembly **appropriating the sum of \$145,000 from seized and forfeited monies awarded from criminal narcotics cases** by the U.S. Drug

Enforcement Agency, to the Police Investigation Fund (0257) for use by the Anchorage Police Department, Anchorage Police Department.

1. Assembly Memorandum No. AM 819-99.

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

Ms. Clementson moved, to approve AR 99-239.
seconded by Ms. Taylor,

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

- C. Resolution No. AR 99-240, a resolution of the Municipality of Anchorage appropriating \$147,854 of proceeds received from the Golf Course Surcharge Revenue to the Areawide Capital Improvement Fund (401) for **payment of golf course loan**, Property and Facility Management.
 1. Assembly Memorandum No. AM 820-99.

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

Ms. Clementson moved, to approve AR 99-240.
seconded by Mr. Tremaine,

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

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:

- A. Appeal 98-177, Campbell Park Acres Subdivision, Clerk's Office.

This item was considered earlier in the meeting. See after item 3, Pledge of Allegiance.

14. SPECIAL ORDERS: None.

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

16. UNFINISHED AGENDA:

- A. Resolution No. AR 99-252, a resolution of the Municipality of Anchorage **authorizing the application for matching capital grant funds through the Municipal Capital Project Matching Grant Program - AS 37.06** - for State Fiscal Year 2001, Office of Management and Budget.
 1. Assembly Memorandum No. AM 850-99.
(POSTPONED FROM 9-14-99)

Chairman Wuerch noted a motion to amend by pro rating the available funding among all projects on the list was on the floor.

Mr. Meyer opposed the motion. He felt it would be more appropriate to prioritize the list and have adequate funding for some projects.

Ms. Fairclough suggested the Assembly develop some criteria to weight the projects at this stage. She felt the current system was unfair and very divisive. She agreed Elmore Road should be included on the list, but doing it at the expense of all the other projects was inappropriate. She felt the only way Eagle River projects would get any funding, was under Mr. Tremaine's proposal, which she also felt was inappropriate.

Ms. Clementson pointed out the projects which were added and rearranged were not from hers or Ms. Von Gemmingen's districts. There is a small pool of available funds, and these are areawide projects, which serve the majority of taxpayers. She agreed a ranking process would be good for this program, so it is known which projects are needed in the future. Currently there is no ranking process. She pointed out there are other ways to get State funds for certain smaller projects.

Chairman Wuerch added the matching grant list is not a complete picture of needs. There is the CIP list, and the AMATS list, in which many projects from various areas of town are addressed. He agreed the process for the matching grants was unpleasant.

Ms. Fairclough offered to chair a committee to develop a ranking process for the matching grant request program.

Mr. Kendall pointed out all of the local funds for the Eagle River/ Chugiak projects are direct tax dollars, not bond funds. He pointed out the ARDSA projects are bond funds, so the north Anchorage projects would cost less in general. He agreed this process was political and lacked ranking criteria. He felt it would be a tactical, political error to forward the list to the State Legislature without any fundable projects for the Chugiak/Eagle River area.

Ms. Taylor felt Ms. Fairclough's suggestion to form a committee to develop a ranking process was excellent. She felt the Assembly should be unified in this process, which will increase effectiveness in lobbying the Legislature.

In response to Mr. Tesche, Municipal Manager George Vakalis described how the matching grant list was developed. These projects came from the total list of projects, developed with input from many people, including community council members and department heads. The projects were scored by the departments according to the type of project. The items on the short list were not scored, but a criteria was used to get consistency. Those criteria were explained at the work session earlier today, and were based on balance, the needs of all citizens, diversity of projects, and whether a project may not receive funding through any other source. Mr. Vakalis explained the matching grant amount would remain the same regardless of whether the list was pro rated or not.

Question was called on Mr. Tremaine's motion to pro rate all projects and it failed:

AYES: Abney, Tesche, Tremaine.

NAYS: Kendall, Sullivan, Taylor, Wuerch, Meyer, Fairclough, Von Gemmingen, Clementson.

Mr. Tremaine moved,
seconded by Ms. Abney,

to amend AR 99-252 in the attached list to move the project for Girdwood Road Service Area Road and Drainage System Rehab to priority #3.

Ms. Fairclough moved,
and it was accepted as a
friendly amendment,

to amend the amendment to also move the Eagle River/
Chugiak Road and Drainage Rehab project to priority #4.

In response to Ms. Taylor, Mr. Vakalis said if the amendment passed, and the project for Automatic Vehicle Locate (AVL) System fell below the funding line, it would be added to the bond package in the April, 2000 election. It would then be subject to the will of the voters. Currently, there are none of these devices in Anchorage Police Department vehicles.

Question was called on Mr. Tremaine's motion to amend as amended and it failed:

AYES: Kendall, Abney, Tesche, Fairclough, Tremaine.

NAYS: Sullivan, Taylor, Wuerch, Meyer, Von Gemmingen, Clementson.

Ms. Fairclough moved,
seconded by Mr. Sullivan,

to amend AR 99-252 to substitute Form A (with 1st year
Elmore Road funding) distributed by staff for the current Form
A.

(Clerk's Note: This form is attached as Exhibit B.)

Mr. Tremaine moved,
seconded by Ms. Abney,
and it passed without
objection,

to amend the substitute to move project #11, Girdwood Road
Service Area Road and Drainage System Rehab, below the
Automatic Vehicle Locate (AVL) Service project.

Ms. Clementson opposed the substitution. She said the main difference was treatment of Elmore Road. She felt it was appropriate to fund the project now, as it may be a complicated process, especially with eminent domain issues. It was important that enough time is available to complete construction of the road before the south Anchorage high school is completed. Switching to the new Form A will result in the same arguments that have already been made on the current Form A.

Ms. Von Gemmingen pointed out the work already done on the current Form A was effective in producing a good balance. She did not want to start over afresh with a substituted Form A.

Question was called on Ms. Fairclough's motion to substitute as amended and it passed:

AYES: Kendall, Sullivan, Abney, Tesche, Taylor, Fairclough, Tremaine.

NAYS: Wuerch, Meyer, Von Gemmingen, Clementson.

Ms. Clementson pointed out the situation is the same as at the beginning of consideration of the old Form A. Only one project above the funding line, \$350,000 for Elmore Road, benefits the ARDSA taxpayers. One project, for Eagle River/Chugiak Road and Drainage Rehab, is above Elmore Road and is for more money. She felt it was unfair that the citizens who pay the most in taxes do not receive the greatest amount of benefit from the currently-composed list.

Ms. Clementson moved,
seconded by Ms. Von Gemmingen,

to amend Form A to delete item #13, Eagle Glenn Subdivision
Street Reconstruction-Design.

In response to Ms. Taylor, Ms. Clementson explained although this project was below the funding line, it would move up in future years if left on the list. There has never been a residential street project on the list, and she felt it would be unwise to set such a precedent.

Mr. Sullivan felt since the project was below the funding line, there was not much chance it would get funded this year. Removing it creates divisiveness, and leaving it would give the Assembly time to develop a rating process before next year. Also, since the rationale for the Administration adding it to the list is not known, there may have been a good reason.

Ms. Von Gemmingen pointed out this project fails the test for benefiting the greatest number of citizens, which should be the criteria for projects on the list. Leaving the project on the list would be wrong, because occasionally Legislators review the lists and pick and choose whatever items they wish, regardless of the priority set by the Assembly.

Question was called on Ms. Clementson's motion to amend and it failed:

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

Ms. Clementson moved,
 seconded by Ms. Taylor,

to amend Form A to add a new project #14 for East 10th, 11th and 12th Streets between Turpin Road and Ermine Street, for a requested amount of \$91,000, the local share to be determined.

Ms. Clementson said these streets are in a very old subdivision and have never been paved. The houses are in poor condition, and the cost of a road improvement district would outweigh the increase in value to the properties. The project is badly needed because of severe drainage problems.

Mr. Meyer and Ms. Fairclough pointed out Public Works did not have the project on the list, so they must not view it as an immediate necessity.

Ms. Clementson stressed the project was not on the list because it did not qualify for this program. Roads in ARDSA may not be paved by this funding. That is why she moved to delete the Eagle Glenn street reconstruction project earlier.

Question was called on Ms. Clementson's motion to amend and it failed:

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

Mr. Kendall moved,
 seconded by Ms. Abney,
 and it passed without
 objection,

to call the previous question.

Question was called on the motion to approve AR 99-252 as amended and it passed:

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

(Clerk's Note: This item was reconsidered. See minutes of September 28, 1999 for further action.)

- B. Resolution No. AR 99-229, a resolution of the Municipality of Anchorage **naming the Plaza at Z.J. Loussac Library the "Soroptimist Plaza"**, Cultural and Recreational Services.
1. Assembly Memorandum No. AM 783-99.

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

KAY LINTON distributed a packet of information detailing the history of the project. She said as a Bicentennial project, the plaza near the Sydney Laurence Auditorium down town was named Soroptimist Plaza. When the Alaska Center for the Performing Arts was built, that whole area was demolished, and the Administration promised a replacement in the future. Ms. Linton pointed out the Plaza was dedicated on October 10, 1976. She would like to rededicate the plaza in its new location on October 10, 1999. She requested the Assembly approve the resolution. She quoted a motion made by Naming Committee member Perry Green: "...to name the plaza Soroptimist Plaza in honor of the many civic projects undertaken by Soroptimist International of Anchorage over the years." Ms. Linton added Soroptimist International of Anchorage has been the facilitators of the project to raise funds to restore the fountain in the Plaza.

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

Ms. Von Gemmingen moved,
 seconded by Mr. Tremaine,

to approve AR 99-229.

Municipal Attorney Mary Hughes spoke on behalf of the Mayor, and congratulated the organization. She reminded the Assembly the Soroptimists of Anchorage were first chartered in 1945. In 1980, they founded the Soroptimist International of Cook Inlet, which Ms. Von Gemmingen, Executive Manager Elaine Christian and herself are members. She thanked the group, and especially Ms. Linton for all the work and effort over the years, and most recently on the fountain at the Library.

Question was called on the motion to approve AR 99-229 and it passed without objection.

C. Assembly Comments.

Mr. Tremaine pointed out south Anchorage residents pay taxes, along with all Municipal residents, to support public transportation. However, they do not receive service equal to other Municipal residents. He suggested the Administration work with him and Ms. Abney to create an innovative approach to fully serving all citizens with public transportation.

Ms. Fairclough thanked citizens who made comments to members regarding the south Anchorage high school site. She noted on October 2, 1999 there would be a Friends of the Library fundraising event at Loussac Library. Also, the Chugiak/Eagle River Chamber of Commerce's annual dinner and outrageous auction was scheduled for October 2, 1999.

Mr. Tesche reported on a recent meeting between the Anchorage Homebuilders Association and the Anchorage Citizens Coalition. He was pleased to know the groups have many common goals for the future development of Anchorage. He felt

members of both groups had an enormous amount of specific expertise in land use development and planning. He encouraged the Administration to search among the members of these groups for persons to serve on various boards and commissions or work groups to address the Comprehensive Plan revision. Mr. Tesche pointed out the Municipal Clerk received a petition regarding reapportionment of the Assembly. It called for creation of a task force to propose a Charter amendment to change the composition and apportionment of the Assembly.

Chairman Wuerch noted the first step is to determine whether there are sufficient signatures on the petition. He agreed the Assembly has 30 days to decide whether it is malapportioned. That is also an opportunity to consider the possibility of single-member districts, which is allowed by the Charter.

Mr. Kendall said he requested the Municipal Attorney’s staff to review the situation and present some alternatives. He will report to his colleagues when those alternatives are submitted.

Ms. Abney reported on testing of new bear-proof garbage containers today. The containers were taken to the Alaska Zoo, and placed in the bear enclosures. She said the bears, which had not eaten in several days, could not open the container. She felt this container offered some good solutions to the bear problems on the hillside. She will return to the Assembly with suggestions on the topic in the future.

17. AUDIENCE PARTICIPATION:

BILL BOBRICK pointed out he followed the rules, and even went above and beyond those rules to fully disclose certain information. Still, people may attack him, write letters to the editor of the newspaper and appear before political bodies to make insinuations about his reputation. Mr. Bobrick noted there were 90 guests at the party he invited Assembly members to, and also invited reporters from the Anchorage Daily News. He does not have 90 clients; some of the guests were members of the STAR organization and the Boys and Girls Club. In addition to being a lobbyist, he serves on many boards of non-profit organizations. He likes to associate with people who attempt to improve the quality of life in Anchorage.

THOMAS JOHN MILLER, a Girdwood resident, explained Girdwood residents cannot view the Assembly meetings, because there is no cable access. He has received cooperation from GCI Cable, and an offer to provide tapes of the meetings for rebroadcast. However, there is no channel in Girdwood to be the broadcast vehicle. He was going to pursue this project, and asked Assembly members for any support or ideas they could provide. He pointed out broadcast of Assembly meetings in Girdwood would increase public participation.

ANDREE MCLEOD said she was scared for herself and her family. She asked the Assembly to protect people who want to know about lobbyist activities.

Ms. Taylor said she has known Mr. Bobrick for many years. She felt the insinuation that he would harm anyone because of their comments was inconsistent with his character.

TIM STEVENS, a resident near the site of the new south Anchorage high school, said he would prefer the school not be located on Elmore Road. He explained by the Assembly’s action tonight, it appears Elmore Road will not be upgraded before the school opens. It will remain a one-way road, and the associated traffic would be very disruptive to area residents. he was concerned about access to his home. The traffic impact study done by the School District was performed in June, after school ended. The timing did not allow for an accurate reading of the amount of traffic during the school year.

KAY LINTON thanked the Assembly for its support. She also thanked the Soroptimists, and members of the Administration for their help on this project.

KATRINA TOBUK, a Service High School student, said she was present to observe the meeting as an assignment in her government class. She said the meeting was informative and interesting. She thanked the Assembly.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

Ms. Von Gemmingen moved, to adjourn.
seconded by Ms. Clementson,
and it passed without
objection,

The meeting adjourned at 7:50 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: December 7, 1999

LF/db

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