

# MUNICIPALITY OF ANCHORAGE

## ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of October 26, 1999

### 1. CALL TO ORDER:

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

### 2. ROLL CALL:

Present: Dan Kendall (5:05 p.m.), Dan Sullivan, Dick Tremaine, Allan Tesche, Melinda Taylor (5:05 p.m.), George Wuerch, Kevin Meyer, Anna Fairclough, Pat Abney (5:05 p.m.), Fay Von Gemmingen, Cheryl Clementson.  
Absent: None.

### 3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Fairclough.

### 4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - May 11, 1999  
(POSTPONED FROM 10-19-99)
  - 1. Regular Meeting - May 11, 1999 (AS AMENDED) (**addendum**)

Ms. Von Gemmingen moved, to approve the May 11, 1999 minutes as amended.  
seconded by Ms. Clementson,  
and it passed without  
objection,

- B. Special Meeting - May 20, 1999

Ms. Von Gemmingen moved, to approve the May 20, 1999 minutes.  
seconded by Ms. Abney,  
and it passed without  
objection,

- C. Regular Meeting - June 8, 1999

Ms. Von Gemmingen moved, to approve the June 8, 1999 minutes.  
seconded by Ms. Abney,  
and it passed without  
objection,

### 5. MAYOR'S REPORT:

Executive Manager Elaine Christian submitted the Comprehensive Plan work group results. She announced a town meeting was scheduled for October 27 at 7:00 p.m. in the Wilda Marston Theater. During the meeting the work group results and the preliminary preferred scenarios for growth will be reviewed.

Chairman Wuerch presented a 5 year service pin to Dan Kendall.

### 6. ADDENDUM TO AGENDA:

Mr. Tesche moved, to amend the agenda to include the addendum items.  
seconded by Ms. Taylor,

Chairman Wuerch read the items.

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

### 7. CONSENT AGENDA:

Ms. Taylor moved, to approve all items on the consent agenda as amended.  
seconded by Ms. Fairclough,

- A. BID AWARDS: None.

- B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 99-141, an ordinance of the Municipality of Anchorage **creating Street Reconstruction Special Assessment District 1SR99 - Reconstruction for David Place between West 10th Avenue and Stolt Lane** and determining to proceed with proposed improvements therein, Public Works. public hearing 11-23-99.
  - a. Assembly Memorandum No. AM 991-99.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-322, a resolution **establishing guidelines and criteria to be used in developing the 2000 Legislative Program**, Legal Department.
  - a. Assembly Memorandum No. AM 992-99.

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 995-99, **School Budget Advisory Commission reappointments** (Kate Giard, Andrew Kwon), Mayor's Office.
2. Assembly Memorandum No. AM 996-99, **South Goldenview Limited Road Service Area Board of Supervisors appointment** (Matt Scully), Mayor's Office.
3. Assembly Memorandum No. AM 997-99, **Rabbit Creek Limited Road Service Area Board of Supervisors appointment** (David Arts), Mayor's Office.
4. Assembly Memorandum No. AM 998-99, **Sister City Commission appointment** (Christopher Kennedy), Mayor's Office.
5. Assembly Memorandum No. AM 999-99, **Health and Human Services Commission appointments** (Brenda Norton, Richard Oman), Mayor's Office.
6. Assembly Memorandum No. AM 988-99, **Glacier Brew House - New Brewpub Liquor License** (Downtown Community Council), Clerk's Office.
  - a. Information Memorandum No. AIM 100-99. (**addendum**)

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

7. Assembly Memorandum No. AM 990-99, **Board and/or Commission termination date** (On-Site Wastewater System Technical Review Board), Municipal Clerk.
8. Assembly Memorandum No. AM 993-99, **proprietary lease/ purchase of an Emergency One 95 foot aerial platform apparatus** from United Fire Service, Inc. for the Municipality of Anchorage, Fire Department/Purchasing.
9. Assembly Memorandum No. AM 994-99, **change order #4 to 1997-1999 contract with Trena Heikes, Attorney, to provide legal services in the area of Workers' Compensation**, Finance.

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

10. Assembly Memorandum No. AM 1003-99, **Expenditure of Assembly Funds - Telephone polling contract** with Dittman Research Corporation, Assemblymember Sullivan. (**addendum**)

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

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 94-99, **1999 Regular Election Cost** - \$264,161, Municipal Clerk.
2. Information Memorandum No. AIM 97-99, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of September 1999, Purchasing.

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

3. Information Memorandum No. AIM 98-99, **Sole Source Procurement Report** for the month of September 1999, Purchasing.
4. Information Memorandum No. AIM 101-99, **Memorandum of Understanding Regarding Executive Employees, Employee Relations**. (**addendum**)

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

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

8. REGULAR AGENDA:

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

1. Resolution No. AR 99-322, a resolution **establishing guidelines and criteria to be used in developing the 2000 Legislative Program**, Legal Department.
  - a. Assembly Memorandum No. AM 992-99.

Ms. Fairclough moved, to approve AR 99-322.  
seconded by Mr. Meyer,

Municipal Attorney Mary Hughes noted line 34 and 35 on page one of the resolution should be corrected to read "...have harmed families with young children, low income,..."

Ms. Clementson moved, to amend AR 99-322 on page 1, lines 34 and 35  
seconded by Ms. Von Gemmingen, to read: "...have harmed families with young children,  
and it passed without low income,..."  
objection,

Question was called on the motion to approve AR 99-322 as amended and it passed without objection.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 988-99, Glacier Brew House - New Brewpub Liquor License (Downtown Community Council), Clerk's Office.
  - a. Information Memorandum No. AIM 100-99. (**addendum**)

Mr. Tesche moved, to approve AM 988-99.  
seconded by Ms. Taylor

In response to Mr. Tesche's reference to a letter from Downtown Community Council President Mary Grisco, applicant Chris Anderson stated the license was before the Council three different times. All phases of this license were discussed during presentations to the Council. The members approved a motion to waive the 30 day notice requirement and support the license. He was surprised to receive a copy of Ms. Grisco's letter this morning because the Council discussed and supported the license.

Mr. Tesche stated this establishment was responsibly operated. He urged approval.

Question was called on the motion to approve AM 988-99 and it passed:

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

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

2. Assembly Memorandum No. AM 994-99, change order #4 to 1997-1999 contract with Trena Heikes, Attorney, to provide **legal services in the area of Workers' Compensation**, Finance.

Mr. Tremaine moved, to approve AM 994-99.  
seconded by Mr. Tesche,

In reply to Mr. Tremaine, a member of the Employee Relations staff stated eight cases were open and two were on appeal. A new RFP will be issued soon.

Question was called on the motion to approve AM 994-99 and it passed without objection.

3. Assembly Memorandum No. AM 1003-99, Expenditure of Assembly Funds - **Telephone polling contract** with Dittman Research Corporation, Assemblymember Sullivan. (**addendum**)

Mr. Tesche felt it was not proper for the Assembly to take opinion polls on matters they were elected to decide.

Mr. Sullivan moved, to approve AM 1003-99  
seconded by Ms. Fairclough,

Mr. Sullivan noted the state held a special election, a very expensive process, to get an answer they could have gotten through a less expensive poll. The goal of this poll is to find out what form of taxation is generally acceptable to the public before putting the question on the ballot.

Ms. Clementson and Ms. Taylor did not oppose the poll but objected to the method of vendor selection.

Mr. Tesche pointed out that poll results do not predict what voters will do after they are bombarded with ads from an effected interest group.

Mr. Sullivan stated the budget committee was a committee of the whole. That committee wanted this small dollar value contract to be awarded on a sole source basis so the poll could be conducted expeditiously. He was somewhat surprised by the discussion tonight.

Question was called on the motion to approve AM 1003-99 and it passed:

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

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 97-99, contracts awarded between \$30,000 and \$100,000 through formal competitive processes for the month of September 1999, Purchasing.

Ms. Clementson moved, to accept AIM 97-99.  
 seconded by Mr. Meyer

Ms. Clementson noted one of the contractors listed was the *Alaska Journal of Commerce*. The change in vendors for publication of the Assembly Agenda and Municipal Page has generated several complaints. Perhaps the circulation of the *Journal* should be supplemented by publication in another newspaper.

At the invitation of Chairman Wuerch, Craig Johnson, General Manager of the *Alaska Journal of Commerce* came forward. The *Alaska Journal of Commerce* is distributed every Friday in racks located around Anchorage and sent to a mail processor for mailing to subscribers. He consistently receives the paper at his home in south Anchorage on Saturday. The *Alaska Journal of Commerce* qualifies as a newspaper of general circulation under state law. He believed the *Journal* did abide by the letter of the contract but stated the company was willing to go beyond the contract terms to address complaints. If Assemblymembers will provide the names and addresses of complainants, the *Journal* will be hand delivered to them. The agenda will be made available to those who request it by e-mail on Thursday morning. The *Journal* is establishing a web site so the agenda and municipal page will be available on the internet too. To date, he had received only three complaints. The *Alaska Journal of Commerce* values the business, the public service it provides and is prepared to address any reasonable request the Assembly members receive.

In response to Mr. Kendall, Municipal Attorney Mary Hughes stated the *Alaska Journal of Commerce* satisfied the code requirements. Former municipal attorneys' opinions and court cases were considered at the time the contract was awarded.

In response to Mr. Tesche, Mr. Johnson stated the paper had about 4500 paid subscriptions. That number does not include free distributions to libraries and schools. Consideration would be given to providing free mail subscriptions.

At the invitation of Mr. Kendall, Lee Jordan publisher of the *Alaska Star* came forward. He noted the issue of circulation was researched some years ago and it was determined that both the *Journal of Commerce* and the *Alaska Star* were eligible for the municipal advertising contract. Whether the 36 hour notification requirement is being met is an issue between the Assembly and Purchasing.

In response to Mr. Meyer, Mr. Jordan explained when his paper printed the notices, free mail subscriptions were offered to those who asked as well as complimentary subscriptions to all community councils, fire stations and libraries.

Question was called on the motion to accept AIM 97-99 and it passed without objection.

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

- A. Assembly Memorandum No. AM 941-99, Zoning Board of Examiners and Appeals appointment (Kenneth Burkhart), Mayor's Office.  
 (POSTPONED FROM 10-12-99; CARRIED OVER FROM 10-19-99)

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

Question was called on the motion to approve AM 941-99 and it passed without objection.

- B. Assembly Memorandum No. AM 973-99, Mami's Restaurant - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Government Hill Community Council), Clerk's Office.  
 (POSTPONED FROM 10-19-99)

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

Mr. Tesche reported the Government Hill Community Council did not object to the transfer of ownership.

Question was called on the motion to approve AM 973-99 and it passed without objection.

- C. Assembly Memorandum No. AM 974-99, Spenard Paradise Inn & Lounge - Transfer of Ownership of a Beverage Dispensary Tourism Liquor License (Spenard Community Council), Clerk's Office.  
 1. Information Memorandum No. AIM 95-99, AM 974-99; Spenard Paradise Inn & Lounge - Transfer of Ownership of a Beverage Dispensary Tourism Liquor License, Municipal Clerk. (POSTPONED FROM 10-19-99)

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

In response to Ms. Von Gemmingen Mr. Clyde Jackson stated he paid the outstanding business personal property taxes. He questioned whether the license was appropriately transferred last year.

Question was called on the motion to approve AM 974-99 and it passed:

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

- D. Resolution No. AR 99-319, a resolution approving the Municipality's **acquisition of a ground lease of a portion of the city block in Downtown Anchorage bounded by "A" and Barrow Streets and Fourth and Fifth Avenues** from Alaska Facility Developers, with a option to purchase, for the construction of a Fire Station in Downtown Anchorage, Legal Department.
1. Assembly Memorandum No. AM 981-99.
  2. Information Memorandum No. AIM 96-99, Municipal Clerk.
- (POSTPONED FROM 10-19-99)

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

Mr. Tremaine reported on his discussions with Mr. Pfeffer. Although the price is high, purchase of this parcel may be the only option. However, he felt the contract for the design/build of the fire station was open to discussion.

In response to Mr. Tesche, Municipal Attorney Mary Hughes stated the code allowed the municipality to acquire the property using the proposed method.

Chairman Wuerch noted members had received supporting letters from Michael Burns of Key Bank, Michael Swalling of Swalling Construction Company and Gary Boslow of Boslow Construction.

At the invitation of Mr. Tremaine, Bob Braunstein and Dan McMann of Shannon and Wilson came forward. Mr. Braunstein discussed the background concentrations of arsenic found in soils around Anchorage. The levels of arsenic found on this site would not concern the State Department of Environmental Conservation. The black sand analysis showed the level of contaminants was below clean-up standards. Samples of ground water that were in contact with the black sand had no contaminants above clean-up standards.

In response to Chairman Wuerch, Executive Manager Elaine Christian explained the lease pertained to the land only. Demolition of existing buildings would be part of the development costs.

In response to Mr. Tremaine, Executive Manager Elaine Christian explained Alaska Facility Developers has no desire to retain the land except for construction of the fire station. If the construction contract is not approved, the municipality will be required to reimburse the purchaser for the land acquisition.

Ms. Clementson noted an amendment to bond for this purchase was proposed to the Capital Improvement Budget.

In response to Chairman Wuerch Executive Manager Elaine Christian stated this was a complete deal which included the ground lease, design and construction.

Chairman Wuerch said he could not support the proposal unless the design and construction phases went out to competitive bid.

Ms. Von Gemmingen read excerpts from a letter written by Henry Springer of Associated General Contractors of Alaska in opposition to the sole source construction award.

Executive Manager Elaine Christian was surprised by Mr. Springer's letter because she met with him last week and thought his questions had been answered.

Ms. Fairclough felt this approach was the least disruptive to the community and contained protections for the taxpayers.

Mr. Meyer commented on the difficulty of finding a location for a new fire station downtown. Mr. Pfeffer came up with a very creative solution. Other developers could have put together a package but did not. Alaska Facility Developers should receive adequate profit for the work done.

In response to Chairman Wuerch, Executive Manager Elaine Christian explained an independent estimator would review the design and if costs are within 3% the municipality will go forward. If costs are not within 3%, the municipality will negotiate with Alaska Facility Developers and if agreement cannot be reached, the municipality may go out for competitive bid.

Ms. Clementson noted the municipality did not issue RFP's unless there was a reasonable expectation that someone, other than those who have come forward so far, would reply. If there were other bidders out there, they would have come forward by now. Given the overall context, this is a worthwhile project which meets the criteria established.

In response to Ms. Fairclough, Mr. Pfeffer stated the general contractor would be Nesser Construction a partner in Alaska Facility Developers. All of the work will be local, Davis Bacon wage scale and employ a variety of subcontractors.

Mr. Tremaine moved, to postpone action on AR 99-319 until later,  
 seconded by Ms. Fairclough,  
 and it was withdrawn,

Chairman Wuerch expressed his concerns about the process and the difficulty the members had in getting questions answered.

Question was called on the motion to approve AR 99-319 and it passed:

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

Mr. Meyer moved, to immediately reconsider AR 99-319.  
seconded by Ms. Fairclough,

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

- E. Assembly Memorandum No. AM 983-99, recommendation of award of a **development contract for Fire Station No. 1** to Alaska Facility Developers, Property and Facility Management.  
(POSTPONED FROM 10-19-99)

Chairman Wuerch gave the history of the memorandum and noted a motion to approve was on the floor. He clarified the contract was for design only. The construction contract will come to the Assembly for approval later.

Question was called on the motion to approve AM 983-99 and it passed:

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

Mr. Meyer moved, to immediately reconsider AM 983-99.  
seconded by Mr. Kendall,

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

- F. Assembly Memorandum No. AM 956-99, change order No. 4 to purchase order 72678 with Davis Wright Tremaine LLP for providing **legal services for the Municipal Employees Relations Board**, Employee Relations.  
(POSTPONED FROM 10-12-99; CARRIED OVER FROM 10-19-99)

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

Mr. Tesche expressed his desire that the costs for legal services to Employee Relations decline over time.

Question was called on the motion to approve AM 956-99 and it passed without objection.

- G. Resolution No. AR 99-310, a resolution of the Anchorage Municipal Assembly **recommending a variable flow level of Cheney Lake**, Assemblymembers Taylor, Abney, Fairclough, Tesche, and Tremaine.  
1. Resolution No. AR 99-310(S), a resolution of the Anchorage Municipal Assembly recommending a variable flow level of Cheney Lake, Assemblymembers Taylor and Clementson.  
(POSTPONED FROM 10-12-99; CARRIED OVER FROM 10-19-99)  
H. Resolution No. AR 99-311, a resolution of the Anchorage Municipal Assembly **recommending regulating the level of Cheney Lake to protect public and private infrastructure**, Assemblymember Clementson.  
(POSTPONED FROM 10-12-99; CARRIED OVER FROM 10-19-99)

Chairman Wuerch gave the history of the resolutions and noted a motion to substitute AR 99-311 for AR 99-310 was on the floor. Resolution AR 99-310(S) was submitted in the interim.

Ms. Clementson, with the concurrence of her second, withdrew her motion to substitute AR 99-311 for AR 99-310.

Ms. Taylor moved, to substitute AR 99-310(S) for AR 99-310.  
seconded by Ms. Clementson,  
and it passed without  
objection,

Question was called on the motion to approve AR 99-310(S) and it passed:

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

Ms. Clementson moved, to postpone action on AR 99-311 indefinitely.  
seconded by Ms. Taylor,  
and it passed without  
objection,

At this point the Assembly moved to continued public hearing items.

- I. Ordinance No. AO 99-122, an ordinance adopting the **2000 General Government Capital Improvement Budget** and appropriating \$681,973 from the State Categorical Grants Fund (231); \$395,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (451) for the purchase and equipping of police vehicles; and \$286,973 to the Anchorage Fire Service Area Capital Improvement

Program Fund (431) for communications, technology, or other capital improvements, Office of Management and Budget.

1. Assembly Memorandum No. AM 809-99.
  2. Ordinance No. AO 99-122(S), an ordinance adopting the 2000 General Government Capital Improvement Budget and appropriating \$681,973 from the State Categorical Grants Fund (231); \$395,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (451) for the purchase and equipping of police vehicles; and \$286,973 to the Anchorage Fire Service Area Capital Improvement Program Fund (431) for communications, technology, or other capital improvements, Office of Management and Budget.
  3. Assembly Memorandum No. AM 989-99.  
(POSTPONED FROM 10-19-99)
- J. **Resolution No. AR 99-235**, a resolution of the Municipality of Anchorage **adopting the 2000-2005 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 809-99.
  2. Resolution No. AR 99-235(S), a resolution of the Municipality of Anchorage adopting the 2000-2005 General Government Capital Improvement Program, Office of Management and Budget.
  3. Assembly Memorandum No. AM 989-99.  
(POSTPONED FROM 10-19-99)
- K. **Resolution No. AR 99-246**, a resolution confirming and levying assessments for sanitary sewer improvements for **Hideaway Lateral Sewer Special Improvement District (LID) 106**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 844-99.  
(POSTPONED FROM 10-12-99)
- L. **Resolution No. AR 99-83**, a resolution of the Anchorage Municipal Assembly **requesting that the State Legislature amend state law to allow municipalities to establish a limit on annual increases in assessed valuation of real property** unless improvements are made which increase the property's value by an amount greater than the limit, Assemblymember Kendall.  
(POSTPONED FROM 4-6-99; CARRIED OVER FROM 4-27-99; POSTPONED FROM 5-11-99, 5-25-99, AND 9-14-99; CARRIED OVER FROM 10-19-99)

Items 9.I through 9.L were discussed following the hearing on AO 99-139, agenda item 12.H.

#### 10. APPEARANCE REQUESTS:

- A. **Claris Syren**, to discuss issues relating to the resolution of a long standing zoning violation at Scotty's Garage on the corner of 13th Avenue and Juneau Street.
- B. **Jerald Haggerty**, to discuss issues relating to the resolution of a long standing zoning violation at Scotty's Garage on the corner of 13th Avenue and Juneau Street.

Neither Ms. Syren nor Mr. Haggerty appeared. At their request, their appearance was rescheduled to November 16, 1999.

#### 11. CONTINUED PUBLIC HEARINGS:

- A. **Ordinance No. AO 99-131**, an ordinance amending various sections of Anchorage Municipal Code Title 21 concerning **procedures for obtaining a zoning variance**, variances from the Central Business District bulk regulations, when a zoning variance becomes null and void, procedures for obtaining an administrative variance for minor dimensional errors, projections into required yards, temporary handicap access ramps, and procedures for granting reductions for required parking with building additions and change of land use, Community Planning and Development.
  1. Assembly Memorandum No. AM 906-99.  
(CARRIED OVER FROM 10-19-99)

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

JIM SAWHILL, Zoning Board of Examiners and Appeals, urged support of the ordinance. The Board has worked hard on the ordinance and feel it will smooth out the process for the community.

TIM POTTER, DOWL Engineers, testified the ordinance was one of the most progressive actions proposed to advance the effectiveness of the Planning Department. This ordinance will streamline the process for everyone by eliminating the unnecessary work of presenting cases for minor encroachments. He suggested the percentage of lot coverage be slightly increased for small, single family lots to give more leeway to existing conditions.

HELEN TUCKER urged the Assembly to approve the ordinance. Storage sheds should be allowed on small lots to help residents keep the property neat.

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. Tesche,

to adopt AO 99-131.

Mr. Kendall moved,  
seconded by Mr. Sullivan,

to amend AO 99-131 on page 6, Table A, Lot coverage, by changing the first line from 31% to 32% , the next line from 31% to 32% and the next line from 41% to 42%.

Mr. Kendall explained the amendment would give the staff discretion to grant a variance of 1/10<sup>th</sup> of a foot.

Ms. Clementson commented allowing more lot coverage may erode the law's intent.

Don Alspach of Community Planning and Development clarified that a 1% variance on a 6,000 square foot lot would be 60 square feet. Adding another percentage point doubles the allowed variance to 120 square feet.

In response to Mr. Sullivan, Mr. Sawhill pointed out zoning standards must be met regardless of the provisions to grant variances administratively.

Question was called on the motion to amend AO 99-131 and it passed:

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

Ms. Clementson moved, to amend AO 99-131 on page 6, Table A  
seconded by Mr. Kendall, by adding a title to read: "dimension tolerances for  
administrative variances (all dimensions are in feet)."

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

Question was called on the motion to adopt AO 99-131 as amended and it passed:

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

## 12. NEW PUBLIC HEARINGS:

- A. 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.  
1. Assembly Memorandum No. AM 884-99.

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

GERRILYNN SIMMONIS, Whipser's mom, thanked the Assembly for this wonderful present.

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

Ms. Clementson moved, to approve AR 99-264.  
seconded by Mr. Meyer,

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

Mr. Meyer thanked everyone involved in bringing about new licensing regulations for ice cream trucks and renaming the park.

- B. Ordinance No. AO 99-136, an ordinance amending Anchorage Municipal Code ("AMC") Subsection 9.65.020A. by removing the requirement that **residential parking zones** only be created where the Anchorage Parking Authority "has code enforcement powers" and amending AMC Sections 9.30.240, 9.30.250, 9.30.260, and 9.30.310 to change any reference to "parking enforcement officer" to "police officer", Assemblymember Tesche.  
1. Assembly Memorandum No. AM 945-99.

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

GENE STORM urged the Assembly to adopt the ordinance. The parking program has made a big difference in the South Addition area.

CAROL BRENNER encouraged more enforcement of the parking program.

DONNA AVEE, a resident of South Addition, thanked the Assembly for the opportunity to discuss the problems downtown residents have with visiting "parkers."

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 99-136.  
seconded by Mr. Meyer,

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

Mr. Tesche explained the purpose of the ordinance was to allow formation of neighborhood parking enforcement programs again following voter approval of Proposition 3.

- C. Resolution No. AR 99-301, a resolution of the Municipality of Anchorage appropriating \$531,176 proceeds of capital lease, representing the **ten year lease-purchase of an Emergency-One 95' aerial platform**

**w/pump apparatus truck** for the Anchorage Fire Service Area to the Fund (131) to properly record the lease-purchase of fire apparatus in compliance with generally accepted accounting principles, Anchorage Fire Department.

1. Assembly Memorandum No. AM 959-99.

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

Mr. Kendall moved, to approve AR 99-301.  
seconded by Ms. Taylor,

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

- D. Resolution No. AR 99-302, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$600,412 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant, and \$66,713 from the Anchorage Metropolitan Service Area (151) Fund Balance to the Metropolitan Police Service Area (151) Fund Balance to the Federal Categorical Grants Fund (241) for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department.

1. Assembly Memorandum No. AM 960-99.

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

Ms. Fairclough moved, to approve AR 99-302.  
seconded by Ms. Taylor,

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

- E. Resolution No. AR 99-303, a resolution of the Municipality of Anchorage appropriating \$968,154 from the State of Alaska Department of Education and Early Development to the State Categorical Grants Fund (231) for the **Day Care Assistance Program** in the Department of Health and Human Services.

1. Assembly Memorandum No. AM 961-99.

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 99-303.  
seconded by Ms. Taylor,

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

- F. Resolution No. AR 99-304, a resolution of the Municipality of Anchorage appropriating \$10,204,406 from the State of Alaska Department of Education and Early Development to the State Categorical Grants Fund (231) for the **Day Care Assistance Program** in the Department of Health and Human Services.

1. Assembly Memorandum No. AM 962-99.

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 304-99.  
seconded by Ms. Abney,

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

Ms. Clementson asked for a list of service providers and how much grant money each received.

Ms. Fairclough asked for an explanation of the administrative costs attached to the grant.

- G. Resolution No. AR 99-315, a resolution of the Municipality of Anchorage appropriating \$450,000 to the State Categorical Grants Fund (231) from the Federal Highway Administration through the Alaska Department of Transportation and Public Facilities and a contribution of \$400,000 of the grant to the General Fund to provide **funding for congestion management and air quality mitigation** through free fixed route bus service during the winter months within the Municipality of Anchorage, Public Transportation Department.

1. Assembly Memorandum No. AM 977-99.

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

BOB KNIEFEL, Public Transportation Director, discussed the efforts of the department to reduce air pollution such as free bus service for a limited time and headbolt heater outlets.

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

Ms. Von Gemmingen moved, to approve AR 99-315.  
seconded by Mr. Tremaine,

Mr. Tremaine noted the lack of bus service to the hillside area of Anchorage.

Mr. Tremaine moved, to amend AR 99-315 by inserting a new section 2  
seconded by Mr. Tesche, to read: "That this appropriation is contingent upon  
reinstatement of Routes 91 and 92 as previously expressed in  
AR 99-232." and renumbering remaining sections accordingly.

In response to Ms. Clementson, Mr. Kniefel stated because no new bus service could be provided with these grant funds it could not be used to reinstate Routes 91 and 92.

In reply to Chairman Wuerch, Municipal Attorney Mary Hughes advised if the amendment passed the municipality could not accept the grant.

Ms. Clementson supported reinstating routes but pointed out no money was identified in the budget to do that. She contended the amendment would be counterproductive and could result in the inability of the municipality to use the grant funds.

Mr. Tremaine argued Routes 91 and 92 could be reinstated instead of funding "trailer" buses on existing routes.

Question was called on the motion to amend AR 99-315 and it failed:

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

Question was called on the motion to approve AR 99-315 and it passed:

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

- H. Ordinance No. AO 99-139, an ordinance approving for **submission to the Regulatory Commission of Alaska Municipal Light and Power's proposed tariff amendment** adding new Rate Schedules 760, 770, and 775, under which firm electric generation and transmission services would be provided to military installations capable of providing their own distribution services, Legal Department/ Municipal Light and Power.
1. Assembly Memorandum No. AM 970-99.
  2. Information Memorandum No. AIM 99-99, Municipal Light and Power.

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

Mr. Kendall moved, to adopt AO 99-139.  
seconded by Mr. Tesche,

In response to Mr. Tesche, ML&P Manager Meera Kohler stated the ordinance would allow the utility to furnish bulk power that the recipient would distribute. She did not know if or how much bulk power would be sold to the bases.

In response to Mr. Tesche, Municipal Attorney Mary Hughes advised the ordinance was in compliance with bond covenants.

Question was called on the motion to adopt AO 99-139 and it passed:

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

The Assembly recessed at 7:26 p.m. and reconvened at 8:00 p.m. At this point, the Assembly considered item 9.I, AO 99-122.

Ordinance No. AO 99-122, an ordinance adopting the **2000 General Government Capital Improvement Budget** and appropriating \$681,973 from the State Categorical Grants Fund (231); \$395,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (451) for the purchase and equipping of police vehicles; and \$286,973 to the Anchorage Fire Service Area Capital Improvement Program Fund (431) for communications, technology, or other capital improvements, Office of Management and Budget.

1. Assembly Memorandum No. AM 809-99.
2. Ordinance No. AO 99-122(S), an ordinance adopting the 2000 General Government Capital Improvement Budget and appropriating \$681,973 from the State Categorical Grants Fund (231); \$395,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (451) for the purchase and equipping of police vehicles; and \$286,973 to the Anchorage Fire Service Area Capital Improvement Program Fund (431) for communications, technology, or other capital improvements, Office of Management and Budget.
3. Assembly Memorandum No. AM 989-99.  
(POSTPONED FROM 10-19-99)

Mr. Sullivan moved, to adopt AO 99-122(S).  
seconded by Ms. Fairclough

Mr. Sullivan moved, to amend AO 99-122(S) as indicated on the green sheets,  
seconded by Ms. Taylor, pages 1 through 3.

(Clerk's Note: The "green sheets" included the following projects: Ruth Arcand Park trail improvement, Toilsome Road improvement, downtown fire station site acquisition, McDonald Memorial Center expansion, Fire Lake dam restoration, walkway design for Eagle River Lane, Campbell Creek trail improvements, north Abbott Loop park acquisition, Chester Creek/ Tudor crossing trail connection, UAA/Providence campus walkways, Lore Park, E. 50<sup>th</sup> pavement, design APD garage, Bartlett high school entrance turn lane, and a traffic signal at Peck and Muldoon. See **Exhibit A.**)

There was discussion of the funding mechanism for the construction of E. 50<sup>th</sup> Avenue. Municipal Manager George Vakalis clarified the construction would be pre-funded by bond money and repaid through assessments of an RID.

Chairman Wuerch noted the amendment before the Assembly contained projects that appear both on the CIB and CIP. However, the motion pertains to the CIB only. While the vote will pertain only to projects for 2000, the discussion will include amendments to the CIP in years beyond 2000. A motion amending the CIP accordingly will be necessary.

Ms. Clementson moved, to amend the amendment to delete project #12  
and it died for lack of a second, on the green sheets, E. 50<sup>th</sup> Avenue pavement.

Ms. Clementson noted this approach diverged from past practice and confused a long standing process for getting streets improved.

Question was called on the motion to amend AO 99-122(S) as indicated on the "green sheets" (Exhibit A) and it passed:

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

NAYS: Clementson.

Mr. Sullivan moved, to amend AO 99-122(S) as indicated on the  
seconded by Mr. Kendall, "yellow sheet."

(Clerk's Note: The "yellow sheet" included the following projects: Aero Drive/W. 40<sup>th</sup> Avenue extension, Altoona Drive storm drain, Van Buren Drive improvement, Anchorage senior center addition. See **Exhibit B.**)

Mr. Sullivan moved, to amend the amendment by deleting #3 on  
seconded by Ms. Von Gemmingen, the yellow sheet, Van Buren Drive improvement.  
and it passed without  
objection,

In response to Ms. Taylor, Municipal Manager George Vakalis expressed concern about the funding sources identified for the senior center addition.

At the invitation of the Assembly, George Sullivan and Ruth Moulton came forward. Mr. Sullivan stated if the federal dollars are not forthcoming, the project will be dead. The dollar value of bonds sold can be adjusted in accordance with funding received from other sources.

Ruth Moulton detailed the need for the addition.

Ms. Taylor moved, to amend the amendment by substituting the description  
seconded by Ms. Fairclough, of the Anchorage senior center project as contained on page 6  
and it passed without of **Exhibit C** for the project #4 description on the yellow  
objection, sheet (**Exhibit B**).

Ms. Taylor explained her amendment would delete the administration's comments.

Capital Budget Officer Tim Rogers noted project #2 on the yellow sheet was already reflected in the 2000 RID bond funding.

Ms. Von Gemmingen moved, to amend the amendment on the yellow sheet, #2 (Altoona  
seconded by Ms. Clementson, Drive storm drain), to reflect moneys will come from existing,  
and it was withdrawn, proposed bond funds.

Ms. Clementson moved, to amend the amendment on the yellow sheet, #2 (Altoona  
seconded by Ms. Von Gemmingen, Drive storm drain), by adding to the Administration comments  
and it passed without the following: "If the RID is approved bond funds are already  
objection, included in the RID bond fund."

Ms. Abney asked for a list of pending RID requests.

Ms. Von Gemmingen moved, to amend the amendment on the yellow sheet, #1 (Aero  
seconded by Ms. Fairclough, Drive/ W. 40<sup>th</sup> Avenue extension) by deleting the last  
and it passed without sentence of administration comments.  
objection,

Question was called on the motion to amend AO 99-122(S) as indicated on the yellow sheet (**Exhibit B**) as amended and it passed:

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

Mr. Sullivan then directed the Assembly members' attention to a group of amendments he described as having a yellow cover and containing eight pages. (See **Exhibit C** of these minutes.) He designated the projects that had support of a majority of Assembly members as follows:

page 1, new Southport area fire station, #1;  
page 2, noise barrier design study for Seward Highway, O'Malley to Dimond, #2;  
page 3, Eagle River commons, #3, and Birchwood separated crossing, #4;  
page 5, Raspberry Road, Sand Lake to Kincaid park chalet, #5;  
page 6, Chugach Foothills park, #6 and Tudor/Baxter fire station, #7;  
page 8: Alderwood park, #8, Coastal Trail extension, #9, Chester Creek bike trail, #10,  
Westchester Lagoon street light improvements #11, alley renovation in central business district  
#12, and Al Miller Memorial Lions Park, #13.

He noted the number of projects for which a majority of Assembly members expressed support significantly increased the amount of the Parks and Recreation bond package that would have to go to voters in April.

(Clerk's Note: The Assembly then changed the content of the pages described by Mr. Sullivan before moving to amend AO 99-122(S) as described in those pages.)

Mr. Meyer moved, seconded by Ms. Abney and it passed without objection, to amend project #2 in Exhibit C by changing Dimond to Tudor.

Ms. Abney moved, seconded by Ms. Clementson, and it passed without objection, to amend project #2 in Exhibit C by changing it to year 2001.

Mr. Tesche moved, seconded by Mr. Kendall, and it passed without objection, to amend project #12 in Exhibit C by changing it to year 2001

(Clerk's Note: This project was later moved to 2002.)

Mr. Sullivan moved, seconded by Ms. Von Gemmingen and it passed without objection, to amend project #5 in Exhibit C by changing it to 2001.

Mr. Tesche moved, seconded by Ms. Taylor, to amend project #13 in Exhibit C by changing it to 2000.

(Clerk's Note: This project was later moved to 2001.)

Municipal Manager George Vakalis estimated the Parks and Recreation bond package, taking into consideration the proposed amendments, would be \$7.4 million for 2000. He commented that was a high number for these bonds.

Ms. Von Gemmingen moved, seconded by Ms. Clementson, to amend AO 99-122(S) by adding item #1 in Exhibit C, new fire station in the Southport Area in 2001.

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

Ms. Abney moved, seconded by Mr. Meyer, to amend AO 99-122(S) by adding item #2 in Exhibit C, noise barrier design study for Seward Highway, O'Malley to Tudor in 2001.

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

Mr. Sullivan moved, seconded by Mr. Kendall, to amend AO 99-122(S) by adding item #3 in Exhibit C, Eagle River commons.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #4 in Exhibit C,  
seconded by Ms. Fairclough, Birchwood separated crossing.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #5 in Exhibit C,  
seconded by Ms. Von Gemmingen, Raspberry Road, Sand Lake to Kincaid park chalet in 2001.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #6 in Exhibit C,  
seconded by Ms. Taylor Chugach Foothills park.

Ms. Taylor moved, to amend the amendment in the "amount" column  
seconded by Ms. Clementson, by adding B= \$250,000.  
and it passed without objection,

Question was called on the motion to amend AO 99-122(S) by adding item #6 for \$250,000 and it passed:

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #7 in Exhibit C,  
seconded by Ms. Taylor Tudor/Baxter fire station land acquisition in 2001,  
and it was replaced by a motion design in 2002, construction in 2003 with corresponding  
later in the meeting, funding shown on page 3-20 of the CIP.

There was discussion of funding amounts and sources.

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #8 in Exhibit C,  
seconded by Mr. Kendall, Alderwood park and changing the budget year from 2000 to  
2001.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #9 in Exhibit C,  
seconded by Mr. Tesche, Coastal Trail extension and changing the budget year from  
2005 to 2000.

Mr. Meyer moved, to amend the amendment by changing the budget year  
seconded by Mr. Sullivan, to 2001.  
and it passed without objection,

Question was called on the motion to amend AO 99-122(S) by adding item #9 in year 2001 and it passed:

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #10 in Exhibit C,  
seconded by Mr. Tesche, Chester Creek bike trail.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #11 in Exhibit C,  
seconded by Mr. Tesche, Westchester Lagoon street light improvements.

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

Mr. Sullivan moved, to amend AO 99-122(S) by adding item #12 in Exhibit C,  
seconded by Mr. Tesche, alley renovation in central business district in budget year  
2001.

Ms. Clementson voiced her opposition to this project. She questioned its benefit to the taxpayers at large and felt the source of funds should be special assessments rather than bonds.

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

to amend the amendment description by changing  
"unification" to "lumination" and inserting the words  
"and safe" so the description would read: "...make alleys more  
attractive and safe for pedestrian..."

Municipal Manager George Vakalis commented he was unsure whether bonds could be used for this proposed project.

Mr. Tesche envisioned either Parks and Recreation or ARDSA bond funds, whichever is most appropriate, would be matched with assessments approved by benefited property owners.

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

to amend the amendment by changing the "amount"  
column to read: Bond=75, Other=75.

There was discussion about the nature, location and extent of the improvement envisioned by this proposal.

Ms. Von Gemmingen moved,  
seconded by Mr. Sullivan,  
and it passed without  
objection,

to amend the amendment by changing the budget  
year to 2002.

Ms. Von Gemmingen pointed out the details of the alley improvements could be worked out in the interim.

Municipal Manager George Vakalis pointed out the Municipality could not sell bonds to improve land or facilities it did not own.

Mr. Tesche recommended the first project be improvement of the alley between 3<sup>rd</sup> and 4<sup>th</sup> Avenues and E and F Streets.

Ms. Von Gemmingen asked that her name be removed from the "sponsor" column.

Question was called on the motion to amend AO 99-122(S) by adding item #12 as amended and it passed:

AYES: Tremaine, Tesche, Taylor, Meyer, Fairclough, Abney.

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

Mr. Sullivan moved,  
seconded by Mr. Tesche,

to amend AO 99-122(S) by adding item #13 in Exhibit C,  
Al Miller Memorial Lions Park.

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

to amend the amendment by changing the  
budget year to 2001.

Question was called on the motion to amend AO 99-122(S) by adding item #13 in budget year 2001 and it passed:

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

NAYS: Von Gemmingen.

Ms. Abney moved,  
seconded by Mr. Tremaine,  
and it was withdrawn,

to amend AO 99-122(S) by adding a project to  
install a sign at the DeArmoun and Lake Otis intersection  
indicating the location of Rabbit Creek School.

In response to Ms. Abney, Public Works Director Jim Fero thought his department could find money to install this sign without adding the project to the CIB.

Ms. Abney moved,  
seconded by Mr. Tremaine,

to amend AO 99-122(S) by adding on Lake Otis at Springhill  
elementary school a flashing light to operate during school  
hours with signage indicating a school zone to be funded by  
the State for \$50,000.

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

NAYS: Wuerch.

The Assembly then returned to item #7, Tudor/Baxter fire station.

Ms. Clementson moved,  
seconded by Ms. Taylor

to amend AO 99-122(S) by adding item #7 in Exhibit C,  
Tudor/Baxter fire station land acquisition in 2001, bond  
funding, \$200,000; design in 2002, bond funding, \$200,000,  
match money \$455,000; construction in 2003, match money  
\$455,000.

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

NAYS: Wuerch.

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

to amend project #11 on the green sheets (Exhibit A)  
to change Lore Park to Whisper Faith Kovach Park.

Question was called on the motion to adopt AO 99-122(S) as amended by the motions pertaining to budget year 2000 funding and it passed:

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

Mr. Kendall moved,  
seconded by Mr. Tremaine,

to immediately reconsider AO 99-122(S) as amended.

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

Resolution No. AR 99-235, a resolution of the Municipality of Anchorage **adopting the 2000-2005 General Government Capital Improvement Program**, Office of Management and Budget.

1. Assembly Memorandum No. AM 809-99.
2. Resolution No. AR 99-235(S), a resolution of the Municipality of Anchorage adopting the 2000-2005 General Government Capital Improvement Program, Office of Management and Budget.
3. Assembly Memorandum No. AM 989-99.  
(POSTPONED FROM 10-19-99)

Mr. Sullivan moved,  
seconded by Ms. Taylor,

to approve AR 99-235(S).

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

to amend AR 99-235(S) by incorporating amendments  
passed during discussion of AO 99-122(S).

Question was called on the motion to approve AR 99-235(S) as amended and it passed:

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

Mr. Sullivan moved,  
seconded by Mr. Tremaine,

to immediately reconsider AR 99-235(S) as amended.

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

Resolution No. AR 99-246, a resolution confirming and levying assessments for sanitary sewer improvements for **Hideaway Lateral Sewer Special Improvement District (LID) 106**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 844-99.  
(POSTPONED FROM 10-12-99)

Chairman Wuerch gave the history of the resolution and noted a motion to approve AR 99-246 was on the floor.

Ms. Clementson reported meeting with AWWU staff and the effected property owner. Although the assessment was in accordance with the tariff and code she found it distasteful.

Question was called on the motion to approve AR 99-246 and it passed:

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

Resolution No. AR 99-83, a resolution of the Anchorage Municipal Assembly **requesting that the State Legislature amend state law to allow municipalities to establish a limit on annual increases in assessed valuation of real property** unless improvements are made which increase the property's value by an amount greater than the limit, Assemblymember Kendall.  
(POSTPONED FROM 4-6-99; CARRIED OVER FROM 4-27-99; POSTPONED FROM 5-11-99, 5-25-99, AND 9-14-99; CARRIED OVER FROM 10-19-99)

Chairman Wuerch gave the history of the resolution and noted a motion to approve AR 99-83 was on the floor.

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

to postpone action on AR 99-83 to December 14, 1999.

The Assembly then returned to the regular order, and item 12.I.

- I. Resolution No. AR 99-280, a resolution authorizing the Municipality of Anchorage to **purchase Lot 28, Block 4, Wickersham Park Addition No. 1**, located at 1606 Cache Drive, Anchorage, Alaska, to enlarge the Tudor Elementary School parking lot, Heritage Land Bank/Real Estate Services.
1. Assembly Memorandum No. AM 918-99.

Chairman Wuerch opened the public hearing and asked if anyone wished to speak. There was no one, and he announced the hearing would be continued to November 9, 1999.

- J. Ordinance No. AO 99-134, an ordinance of the Municipality of Anchorage authorizing the **purchase of Southwood Park Tract A, Anchorage**, Tax ID 012-074-01, an 8 acre parcel from Swamp Rats Inc. for \$45,000, Heritage Land Bank.
1. Assembly Memorandum No. AM 937-99.

Chairman Wuerch opened the public hearing and asked if anyone wished to speak. There was no one, and he announced the hearing would be continued to November 9, 1999.

- K. Resolution No. AR 99-295, a resolution of the Municipality of Anchorage Assembly appropriating \$22,500 of the Heritage Land Bank General Fund (221) Balance to the Heritage Land Bank Capital Fund (421) for the **purchase of Southwood Park Tract A**, Heritage Land Bank.
1. Assembly Memorandum No. AM 937-99.

Chairman Wuerch opened the public hearing and asked if anyone wished to speak. There was no one, and he announced the hearing would be continued to November 9, 1999.

- L. Ordinance No. AO 99-132, an ordinance amending Sections 15.80.050 and 15.80.060 and adding a new Section 15.80.080 of the Anchorage Municipal Code providing for a **fine schedule for offenses relating to the Vehicle Inspection Maintenance Program** to comply with the requirements set forth in Alaska Statute 28.05.151 and Alaska Statute 29.25.070, Health and Human Services.
1. Assembly Memorandum No. AM 914-99.

Chairman Wuerch opened the public hearing and asked if anyone wished to speak. There was no one, and he announced the hearing would be continued to November 9, 1999.

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

**14. SPECIAL ORDERS:**

- A. Mr. Kendall announced he would reintroduce a resolution to release executive session tapes concerning the Anchorage Telephone Utility as requested by the Anchorage Daily News.

Ms. Taylor recommended that in the interim, a time be arranged for new members to listen to the tapes.

Chairman Wuerch asked Mr. Moyer to find a mutually agreeable time for the Assembly to have a special meeting for the purpose of holding an executive session to listen to the tapes in question.

- B. Resolution No. AR 99-324, a resolution of the Anchorage Municipal Assembly **requesting that the AMATS Policy Committee advance six projects on the Transportation Improvement Plan (TIP)** to ensure that all four projects related to the new South Anchorage High School be completed in time for the opening, Assemblymember Tremaine and Abney. (**LAI D ON THE TABLE**)

Mr. Tremaine moved, to approve AR 99-324.  
seconded by Ms. Abney,

Mr. Kendall wanted to see the TIP before voting on the resolution.

Mr. Kendall moved, to postpone AR 99-324 until November 9, 1999.  
seconded by Mr. Meyer,

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

(Clerk's Note: Ms. Clementson was out of the room at the time of the vote. The Assembly returned to this item after the executive session.)

**15. ASSEMBLY COMMENTS:**

- A. Chairman Wuerch stated he would be giving a report on the Assembly at the Chamber of Commerce meeting on Monday, November 1.
- B. Ms. Fairclough announced the 2000 Millennium buttons and prints were on sale.

**16. UNFINISHED AGENDA:** None.

**17. AUDIENCE PARTICIPATION:**

SHARON LONG asked that free bus service be extended to south Anchorage. She argued the routes in question were not new because they were in effect during the grant application process. HALO, Huffman/O'Malley Community Council, Anchorage School District, Anchorage Education Association and 1100 petition signers support the reinstatement of the routes.

BRENDA POULSON, Service High student, noted that People Mover Buses, were frequently used by teachers for field trips at a cost of \$50 per trip,.

RICK BUTTON was disappointed the Assembly approved AM 983-99. He felt it was wrong to issue a sole source contract for construction of the downtown fire station. The award circumvents procedure for the sake of convenience. The city never solicited design/build proposals for this project. The approved bond issue for the project was \$8.4 million but the proposal will cost an estimated \$14 million. Either the process needs to start over or the voters need to be asked to approve additional bond funds.

**18. EXECUTIVE SESSIONS:**

A. Pending Litigation.

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

to recess into executive session for the purposes of discussing litigation and discussing matters which, if immediately disclosed, would adversely effect the finances of the Municipality.

The meeting recessed into executive session at 10:05 p.m. and reconvened at 10:55 p.m.

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

that the executive session tapes be released when all causes of action discussed in the executive session have been resolved by final judgment or when further claims arising from the matters are otherwise barred.

The Assembly then took up the pending motion to approve AR 99-324.

Resolution No. AR 99-324, a resolution of the Anchorage Municipal Assembly **requesting that the AMATS Policy Committee advance six projects on the Transportation Improvement Plan (TIP)** to ensure that all four projects related to the new South Anchorage High School be completed in time for the opening, Assemblymember Tremaine and Abney. (**LAI D ON THE TABLE**)

Question was called on the motion to approve AR 99-324 and it failed:

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

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

**19. ADJOURNMENT:**

The meeting adjourned at 10:58 p.m.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Municipal Clerk

Date Minutes Approved: January 11, 2000

LF/lf

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