

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of November 23, 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, Dan Sullivan, Dick Tremaine, Allan Tesche, Melinda Taylor, George Wuerch, Kevin Meyer, Anna Fairclough, Pat Abney (5:01 p.m.), Fay Von Gemmingen, Cheryl Clementson.
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Tesche.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - August 10, 1999
- B. Regular Meeting - August 17, 1999

Mr. Sullivan moved, to approve the minutes of the regular meetings of August 10 and August 17, 1999.
seconded by Mr. Meyer,
and it passed without
objection,

5. MAYOR'S REPORT:

Mayor Mystrom discussed plans for a parking lot on Arctic Boulevard near Campbell Creek. He said a parking lot was planned for an area north of the present location, and many area residents complained. Officials from the adjacent Lutheran Church have agreed to allow their parking lot be expanded for the public to use. Church members would also have the right to use the lot. The lot will be close to the trail and was on the opposite site of the street from the location which caused concern to some people. He felt it would work well. Secondly, Mayor Mystrom announced a tour of the Point McKenzie port has been arranged on December 9, for Assembly members and the Administration. A tug boat will transport the party across Knik Arm to Point McKenzie, to view the port area. The trip should take about ten minutes one way. Representatives of the Matanuska-Susitna Borough will also attend to discuss planned infrastructure.

Mr. Meyer thanked the Mayor and members of the Administration for finding a solution to the Arctic Boulevard parking lot issue.

Ms. Von Gemmingen presented the Mayor with a check for \$30,166. The payment was reimbursement of a grant to the Women Police of Alaska Association conference. She conveyed the thanks of the Association for the support of the Assembly and Administration.

6. ADDENDUM TO AGENDA:

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

Chairman Wuerch read the addendum 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 Mr. Meyer,

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 1151-99, recommendation of award to Alaska Computer Brokers for furnishing **desktop computers, servers, warranty and miscellaneous components** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 99-B108), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 99-147, an ordinance amending the zoning map and providing for the rezoning from R-7 (Intermediate Rural Residential) to B-4/SL (Rural Business District with Special

Limitations) for **Eklutna ANCSA 14(C)(1) Lot 2A located within the SE 1/4 of Section 24, T16N, R1W, S.M., AK**, generally located to the west of Eklutna Village Road and north of New Glenn Highway (Eklutna Community Council) (Planning and Zoning Commission Case 99-150), Community Planning and Development. public hearing 1-11-00.

- a. Assembly Memorandum No. AM 1139-99.
2. Ordinance No. AO 99-148, an ordinance **repealing Ordinance 84-101 concerning Tracts C11 and C15 Eagle Crossing Subdivision, Tract A, Ptarmigan Subdivision and the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 17 along the S 1/2 of Section 17** excepting therefrom Tract A, Eagle River Greenbelt, located within Sections 17 and 18, T14N, R1W and amending the zoning map and providing for the rezoning from R-3/SL (Multiple-Family Residential with Special Limitations) to R-3/SL (Multiple-Family Residential with Special Limitations) for the Tracts C11 and C15, Eagle Crossing Subdivision, Tract A, Ptarmigan Subdivision and the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 17 along the S 1/2 of Section 17 excepting therefrom Tract A, Eagle River Greenbelt, located within Sections 17 & 18, T14N, R1W, SM, AK, containing approximately 225 acres and generally located south of Ptarmigan Boulevard and north of the Eagle River Greenbelt and along both sides of Eagle River Lane (Eagle River Valley Community Council) (Planning and Zoning Commission Case 99-109), Community Planning and Development. public hearing 1-11-00.
 - a. Assembly Memorandum No. AM 1140-99.

Ms. Fairclough requested this item be considered on the Regular Agenda. See item 8.C.

3. Ordinance No. AO 99-149, an ordinance amending the Anchorage Municipal Code 21.40.160 B-2B, **Central Business District Intermediate**, and 21.40.170 B-2C, **Central Business Peripheral** to allow police and fire stations as permitted principal use and 21.40.020.F PLI, **Public Lands and Institutions District** to amend the minimum size of required yards (Planning and Zoning Commission Case 99-199), Community Planning and Development. public hearing 12-14-99.
 - a. Assembly Memorandum No. AM 1152-99.
4. Ordinance No. AO 99-150, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing of not to exceed \$8,400,000 from the State of Alaska Clean Water Fund for the purpose of **financing a portion of the costs of the Asplund (Pt. Woronzof) solids handling project** in the Municipality, and providing for related matters, Water and Wastewater Utility. public hearing 12-7-99.
 - a. Assembly Memorandum No. AM 1153-99.
5. Ordinance No. AO 99-151, an ordinance of the Municipality of Anchorage Assembly approving the **sale by public open competitive bid of Heritage Land Bank Parcels 1-062 and 1-098, known as Lots 54 and 93, Section 25, Township 5 North, Range 2 West, Seward Meridian** for fair market value or above, Heritage Land Bank. public hearing 12-14-99.
 - a. Assembly Memorandum No. AM 1164-99.
6. Resolution No. AR 99-341, 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, Part II**, Public Works. public hearing ~~12-14-99~~ 12-7-99.
 - a. Assembly Memorandum No. AM 1154-99.

Municipal Manager George Vakalis requested this item be considered on the Regular Agenda. See item 8.C.

7. Ordinance No. AO 99-152, an ordinance amending Anchorage Municipal Code Sections 1.25.005 and 1.25.015 to **require that announcements of meetings of the Assembly, the School Board, and other Boards and Commissions be posted in a public place** maintained by the Municipal Clerk, played on a recording maintained by the Municipal Clerk, and posted on a publicly accessible computer bulletin board maintained by the Municipality, Assemblymember Fairclough. public hearing 12-7-99. **(addendum)**
 - a. Assembly Memorandum No. AM 1165-99.
8. Ordinance No. AO 99-153, an ordinance of the Anchorage Municipal Assembly **continuing or reestablishing On-Site Wastewater System Technical Review Board** pursuant to Anchorage Municipal Code Section 4.05.150, Assembly Chair Wuerch. public hearing 12-14-99. **(addendum)**
 - a. Assembly Memorandum No. AM 1166-99.
9. Ordinance No. AO 99-154, an ordinance amending AO 99-104 (amending the zoning map and providing for the rezoning from R-3 (Multiple Family Residential District) to R-4 SL (Multiple Family Residential District) with Special Limitations, for **Third Addition Subdivision, Block 15C, Lots 1 through 12**; generally located between East 12th and 13th Avenues and between Cordova and Barrow Streets, Amended and Approved 8/17/99) by enlarging the time within to complete conditions precedent to effectiveness of the rezoning ordained by AO 99-104 (Fairview Community Council) (Planning and Zoning Commission Case 99-004), Assemblymember Kendall. public hearing 12-7-99. **(addendum)**

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-338, a resolution authorizing the **granting of a tax refund as a result of manifest clerical error** on Real Property Account 002-102-44, Finance.
 - a. Assembly Memorandum No. AM 1141-99.

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

2. Resolution No. AR 99-342, a resolution of the Anchorage Municipal Assembly **supporting the establishment of the National Museum of Women's History**, Assemblymembers Von Gemmingen, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, and Wuerch. (**addendum**)

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

3. Resolution No. AR 99-343, a resolution of the Anchorage Municipal Assembly providing for a **review of the need for and benefits of establishing a Domestic Violence Unit within the Anchorage Police Department**, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch. (**addendum**)

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 1149-99, **Platting Board appointment** (Rick Barrier), Mayor's Office.

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

2. Assembly Memorandum No. AM 1150-99, **Public Safety Advisory Commission appointment** (Tim Melican), Mayor's Office.
3. Assembly Memorandum No. AM 1144-99, **Courtyard by Marriott** - Transfer of Ownership of a Beverage Dispensary Liquor License and Application for a Restaurant Designation Permit (Spenard and Turnagain Community Councils), Clerk's Office.
4. Assembly Memorandum No. AM 1145-99, **Hollywood Pizza & Italian Cuisine** - Transfer of Ownership of a Restaurant/ Eating Place Liquor License and Application for a Restaurant Designation Permit (Spenard and Tudor Community Councils), Clerk's Office.
5. Assembly Memorandum No. AM 1146-99, **Kings X Lounge** - Transfer of Ownership of a Beverage Dispensary Liquor License (Downtown and Fairview Community Councils), Clerk's Office.
6. Assembly Memorandum No. AM 1147-99, **Pancho's Villa Restaurant** - Transfer of Ownership of a Beverage Dispensary Liquor License and Application for a Restaurant Designation Permit (Spenard Community Council), Clerk's Office.
7. Assembly Memorandum No. AM 1142-99, change order No. 3 to **King Street/100th Avenue Upgrade - 96th Court to Old Seward Highway Project**, Quality Asphalt paving, Inc., Contract No. C-991519, DPW Project File No. 96-14, Public Works.
8. Assembly Memorandum No. AM 1143-99, amendment No. 12 to the contract for professional services with CH2M Hill, Inc. for performing a **Disinfection Alternatives Evaluation Study** for the Municipality of Anchorage, Water and Wastewater Utility.
9. Assembly Memorandum No. AM 1155-99, sole source purchase of **software license and maintenance/support** from Oracle Corporation for the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.
10. Assembly Memorandum No. AM 1156-99, proprietary purchase of **computer hardware and software maintenance/support** from Hewlett Packard Company for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
11. Assembly Memorandum No. AM 1157-99, proprietary purchase of **computer software products** from BMC Software for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Tremaine requested this item be considered on the Regular Agenda. See item 8.E.

12. Assembly Memorandum No. AM 1158-99, sole source contract for professional **lobbying services** with Markley and Company in support of electric industry restructuring efforts for the Municipality of Anchorage, Municipal Light and Power/ Purchasing.
13. Assembly Memorandum No. AM 1159-99, change order No. 3 to purchase order 990868 with Elite Employment Services for providing **temporary office services** to the Municipality of Anchorage, Department of Health and Human Services/ Purchasing.
14. Assembly Memorandum No. AM 1160-99, **Port Land Development Project - Lot 4A**, PO No. 80311 Change Order No. 3, Port of Anchorage.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 107-99, **Financial Report** - September 1999, Finance.

Question was called on the motion to approve the 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.

Mayor Mystrom congratulated Tim Melican, the new appointee to the Public Safety Advisory Commission.

8. REGULAR AGENDA:

- A. TIME CRITICAL ITEMS: None.
- B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 99-148, an ordinance **repealing Ordinance 84-101 concerning Tracts C11 and C15 Eagle Crossing Subdivision, Tract A, Ptarmigan Subdivision and the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 17 along the S 1/2 of Section 17** excepting therefrom Tract A, Eagle River Greenbelt, located within Sections 17 and 18, T14N, R1W and amending the zoning map and providing for the rezoning from R-3/SL (Multiple-Family Residential with Special Limitations) to R-3/SL (Multiple-Family Residential with Special Limitations) for the Tracts C11 and C15, Eagle Crossing Subdivision, Tract A, Ptarmigan Subdivision and the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 17 along the S 1/2 of Section 17 along the S 1/2 of Section 17 excepting therefrom Tract A, Eagle River Greenbelt, located within Sections 17 & 18, T14N, R1W, SM, AK, containing approximately 225 acres and generally located south of Ptarmigan Boulevard and north of the Eagle River Greenbelt and along both sides of Eagle River Lane (Eagle River Valley Community Council) (Planning and Zoning Commission Case 99-109), Community Planning and Development. public hearing 1-11-00.
 - a. Assembly Memorandum No. AM 1140-99.

Ms. Fairclough, Mr. Meyer and Mr. Kendall joined in introducing this ordinance. The public hearing was scheduled for January 11, 2000.

Ms. Fairclough requested a worksession be held to discuss this ordinance. There was no objection, and the worksession was scheduled for January 11, 2000.

(Clerk's Note: On December 7, the Assembly rescheduled the public hearing for this item to February 1, 2000.)

2. Resolution No. AR 99-341, 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, Part II**, Public Works. public hearing 12-14-99 12-7-99.
 - a. Assembly Memorandum No. AM 1154-99.

Ms. Fairclough, Mr. Sullivan and Ms. Clementson joined in introducing this ordinance.

Municipal Manager George Vakalis requested the public hearing date be changed from December 14 to December 7, 1999. There was no objection.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-338, a resolution authorizing the **granting of a tax refund as a result of manifest clerical error** on Real Property Account 002-102-44, Finance.
 - a. Assembly Memorandum No. AM 1141-99.

Ms. Clementson moved, to approve AR 99-338.
seconded by Ms. Fairclough,

In response to Ms. Clementson, Executive Manager Elaine Christian said staff would make an attempt to collect taxes from the rightful owners of the property.

Question was called on the motion to approve AR 99-338 and it passed without objection.

2. Resolution No. AR 99-342, a resolution of the Anchorage Municipal Assembly **supporting the establishment of the National Museum of Women's History**, Assemblymembers Von Gemmingen, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, and Wuerch. **(addendum)**

Ms. Von Gemmingen moved, to approve AR 99-342.
seconded by Mr. Meyer,

(Clerk's Note: See further action on this item after item 9.F.)

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 1149-99, **Platting Board appointment** (Rick Barrier), Mayor's Office.

Mr. Tesche moved, to approve AM 1149-99.
seconded by Ms. Taylor,

In response to Mr. Tesche, Mayor Mystrom confirmed this appointment was subject to public comment and action should be postponed.

Mr. Tesche moved, to postpone action on AM 1149-99 until December 7, 1999 to
seconded by Ms. Clementson, allow time for the public comment period.
and it passed without
objection,

2. Assembly Memorandum No. AM 1157-99, proprietary purchase of **computer software products** from BMC Software for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Tremaine moved,
seconded by Ms. Taylor,

to approve AM 1157-99.

In response to Mr. Tremaine, Management Information Systems Director Dave Rudisill explained when the Anchorage Telephone Utility was under Municipal ownership, the Candle software program was used for database management. The utility discontinued use after it was sold, because it did not perform. Therefore, his staff did not consider Candle as an alternative; the other two bidders were considered. He said he did not know how much the Candle software cost, but felt it was mute as the product did not perform the desired functions.

In response to Ms. Fairclough, Mr. Rudisill explained capital purchases are normally not expensed in the year they were purchased. This allows the purchase to be paid over five years and avoids large variations in the budget in any particular year.

Question was called on the motion to approve AM 1157-99 and it passed without objection.

F. INFORMATION AND REPORTS: None.

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

- A. **NOTICE OF RECONSIDERATION:** Resolution No. AR 99-339(As Amended), a resolution of the Anchorage Municipal Assembly **supporting the State of Alaska's agreement with BP Amoco on the acquisition of ARCO**, Assemblymembers Wuerch, Abney, Kendall, Sullivan, Taylor, and Tesche. (AMENDED AND APPROVED 11-16-99; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. FAIRCLOUGH 11-17-99)

Ms. Taylor noted the question of whether she has a conflict of interest on this issue was raised, because of her employment by the State of Alaska in the Governor's Office. She contacted an attorney, who advised her she did have a conflict. She asked to be recused from the debate and vote.

Ms. Abney moved,
seconded by Mr. Tremaine,

that Ms. Taylor has a conflict of interest on the matter before the body.

Mr. Kendall pointed out in a case such as this, the Assembly normally moves the question "does the member have a substantial financial interest in the matter before the body?" He did not feel Ms. Taylor has a substantial financial interest, and felt she should participate.

In response to Chairman Wuerch, Ms. Taylor shared the advise of the attorney, which in part said as an employee of the State, she is similar to an employee of ARCO. After reviewing the attorney's opinion, she said she would feel more comfortable if she did not participate.

Mr. Kendall pointed out Mr. Meyer and Ms. Clementson both have a financial interest in terms of potential loss of employment from ARCO. However, Ms. Taylor would not face the same risk, regardless of the outcome. Although there might be the perception of an association, many Assembly members are in the same situation. There is no financial interest, which is the only criteria according to the Municipal Code.

Mr. Tesche said he read the attorney's position, and felt according to definitions in the Code, Ms. Taylor did have a substantial financial interest.

Ms. Fairclough said she would support Ms. Taylor's opinion. However, she did not feel Ms. Taylor had a conflict of interest.

Chairman Wuerch was surprised at the attorney's opinion. However, he would support Ms. Taylor's wishes.

Question was called on whether Ms. Taylor had a conflict of interest in the matter before the Assembly and it passed:

AYES: Tremaine, Tesche, Wuerch, Fairclough, Abney, Von Gemmingen.

NAYS: Kendall, Sullivan.

ABSTAIN: Taylor, Meyer, Clementson.

Chairman Wuerch noted Mr. Meyer and Ms. Clementson abstained because their household incomes depend significantly on salaries from ARCO. That issue was resolved on November 16, 1999, the last time the Assembly considered this item, and remains in effect.

Chairman Wuerch gave the history of the resolution and noted the question of whether to reconsider action was before the body.

Ms. Fairclough spoke in support of reconsideration. She felt the resolution should then be amended to insert language that would urge the Governor to proceed for the best financial interests of the State, to accomplish a successful transition between the two companies.

Question was called on whether to reconsider action on AR 99-339 as amended and it failed:

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

- B. Assembly Memorandum No. AM 1136-99, approval of the Arts Advisory Commission recommendations for **Year 2000 art grants**, Cultural and Recreational Services.
(POSTPONED FROM 11-16-99)

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

Ms. Clementson explained she had some concern about a proposed grant for Out North Theatre, because of a grant to that group in the past which was non-compliant. She has been working with the group's treasurer, Diane O'Connell, who has agreed the group would not receive payment until they have expended the funds and those expenditures have been verified by the Municipality. This agreement was appended to the contract, which was acceptable to Out North and the Division of Parks and Beautification.

In response to Ms. Abney, Reverend Diane O'Connell said she was pleased with the agreement and encouraged approval. She said the slight difference in treatment of the Out North grant was acceptable. She explained she suggested the agreement explained by Ms. Clementson.

Mr. Meyer thanked Rev. O'Connell for agreeing to remove him from the Out North mailing list.

In response to Mr. Sullivan, Rev. O'Connell explained the group's mailing list was composed of subscribers and people who have attended Out North events in the past. The Assembly members were placed on the mailing list as a courtesy.

Ms. Abney said she was glad Ms. Clementson and Rev. O'Connell were able to come to a solution. However, she did not like the agreement. She pointed out the group went through the grant selection process just as all other recipients, and met the requirements. She felt it was wrong to single out this group for additional requirements.

Ms. Clementson pointed out the Arts Advisory Commission did not have the information about Community Development Block Grant (CDBG) files as the Assembly does. It was a CDBG grant to Out North that was non-compliant. She felt the proposed special treatment of this group was appropriate because this group was the only recommended grantee that has been non-compliant in the past.

Question was called on the motion to approve AM 1136-99 and it passed:

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

- C. 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.
(CONTINUED FROM 10-26-99; POSTPONED FROM 11-9-99)

Chairman Wuerch gave the history of the resolution and noted a motion to approve was on the floor. He said Ms. Clementson requested postponement to allow time for review by the School Site Selection Committee.

Ms. Clementson explained today's School Site Selection was postponed until December 7, 1999. She said she checked with Ms. Wilson of Real Estate Services, who indicated a delay would not affect the transaction.

Ms. Clementson moved, to postpone action on AR 99-280 until December 7, 1999.
seconded by Mr. Tremaine,
and it passed without
objection,

- D. Ordinance No. AO 99-125, an ordinance of the Municipality of Anchorage adopting and appropriating funds for the **2000 Plan Year Anchorage Police and Fire Retirement System Operating Budget**, Police and Fire Retirement System.
1. Assembly Memorandum No. AM 815-99.
(POSTPONED FROM 11-16-99)

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

Mr. Sullivan moved, to adopt AO 99-125.
seconded by Mr. Meyer,

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

- E. Ordinance No. AO 99-123, an ordinance adopting and appropriating funds for the **2000 Enterprise Activities/Municipal Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of Management and Budget.
1. Assembly Memorandum No. AM 812-99.

(POSTPONED FROM 11-16-99)

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

Mr. Sullivan moved, to adopt AO 99-123.
seconded by Ms. Taylor,

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

- F. Resolution No. AR 99-236, a resolution adopting the **2000-2005 Enterprise Activities/Municipal Utilities Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 813-99.
(POSTPONED FROM 11-16-99)

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

Mr. Sullivan moved, to approve AR 99-236.
seconded by Ms. Fairclough,

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

The meeting recessed at 5:40 p.m. and reconvened at 6:10 p.m.

Chairman Wuerch welcomed a group of Boy Scouts sponsored by Amazing Grace Lutheran Church. The Scouts, from various troops, introduced themselves to the Assembly.

The Assembly then returned to item 8.D.2, AR 99-342.

Resolution No. AR 99-342, a resolution of the Anchorage Municipal Assembly **supporting the establishment of the National Museum of Women's History**, Assemblymembers Von Gemmingen, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, and Wuerch.
(addendum)

Ms. Clementson read the resolution while Ms. Von Gemmingen presented it to Karen Staser and Katelyn Markley.

Question was called on the motion to approve AR 99-342 and it passed without objection.

Ms. Staser thanked the Assembly for its support, especially Ms. Von Gemmingen for brining this item to the Assembly. She also thanked Ms. Markley, chair of the new council in Alaska. She added the idea for the museum began in Anchorage in 1983.

Ms. Von Gemmingen requested a copy of the resolution be forwarded to Alaska's Congressional delegation.

- G. Ordinance No. AO 99-124, an ordinance of the Municipality of Anchorage **adopting and appropriating funds for the 2000 General Government Operating Budget for the Municipality of Anchorage**, Office of Management and Budget.
1. Assembly Memorandum No. AM 814-99.
2. Ordinance No. AO 99-124(S), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2000 General Government Operating Budget for the Municipality of Anchorage, Office of Management and Budget.
3. Assembly Memorandum No. AM 1148-99.
(POSTPONED FROM 11-16-99)

This item was considered later in the meeting. See item 16, Unfinished Agenda.

10. APPEARANCE REQUESTS:

- A. **Michele Czajkowski**, regarding APD's traffic citations policy.

Ms. Czajkowski questioned the Anchorage Police Department's policy on traffic citations. She previously submitted information on two recent cases, one of which has been well-publicized. The other case involved herself, when her vehicle was hit by another vehicle, and damage of about \$1,800 resulted. The police officer who responded did not issue a citation, and when she questioned him, he explained it is not APD's policy to issue a citation if the officer cannot determine fault. Ms. Czajkowski also later questioned Police Chief Udland, who said "we take no enforcement action unless we can prove a case." She questioned the definition of the word "prove."

In response to Mr. Sullivan, Ms. Czajkowski said Chief Udland did offer to do further investigation on her case. However, she felt that was not the point. She was satisfied with the officer's decision on the day of her collision. She felt it was an enormous waste of time, money and energy to do investigations. She felt officers were well trained, and if they have insufficient information on the scene to make a decision, they should not issue a citation.

Mr. Meyer said he would submit an information request to the Administration on APD's policy and how it is implemented.

Ms. Von Gemmingen introduced Jeff Staser, of the Denali Commission.

Chairman Wuerch explained the Denali Commission was a federally-funded organization, whose purpose was to be a channel of Federal support for rural Alaska.

11. CONTINUED PUBLIC HEARINGS: None.

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 99-335, a resolution of the Municipality of Anchorage appropriating \$500,000 to Areawide General Fund (101), Non-Departmental for the **contribution to the Anchorage Convention and Visitors Bureau** for 50% of the estimated increase in hotel-motel tax revenue collections, Office of Management and Budget.
1. Assembly Memorandum No. AM 1134-99.

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 99-335.
seconded by Mr. Tesche,

Ms. Clementson noted the proposed appropriation was greater than the amount that was budgeted by the Municipality and Anchorage Convention and Visitors Bureau (ACVB). According to the Municipal Charter, the Municipality is required to allocate half of bed tax revenues toward the tourist industry. She questioned why \$100,000 of the appropriation was not proposed to be used by the Municipality to finance a portion of the study for a new convention center.

In response to Ms. Abney, Ms. Clementson clarified she was suggesting that \$400,000 be transferred to ACVB, and the remaining \$100,000 be directed for ACVB to use toward funding the study.

Mr. Tesche expressed concern that Ms. Clementson's suggestion might run afoul of the traditional agreement between the Municipality and ACVB. He would like to hear comments from ACVB representatives.

Ms. Abney felt the suggestion would breach the contract between the Municipality and ACVB. She pointed out ACVB is increasing their tourist promotion work as State funding of that function declines.

Ms. Clementson moved, to postpone action on AR 99-335 until December 7, 1999.
seconded by Mr. Tesche,

In response to Ms. Von Gemmingen, Mayor Mystrom explained if the \$100,000 would join the other bed tax revenues in the general fund. Then, \$100,000 would be taken from the general fund to pay for the Municipality's portion of the study.

Employee Relations Director Tom Tierney noted he was on the board of ACVB, and it was his understanding that ACVB plans to donate \$100,000 to the study project. These funds were from private donations from the tourism industry and did not relate to tax dollars.

Question was called on the motion to postpone action on AR 99-335 until December 7 and it passed without objection.

- B. Ordinance No. AO 99-143, an ordinance amending Anchorage Municipal Code by amending various sections of Chapter 3.30 and enacting a new Section 3.30.1913 to **approve, adopt by reference and implement the Substance Abuse Testing Policy for the Public Transportation Department** of the Municipality of Anchorage, Employee Relations.
1. Assembly Memorandum No. AM 1007-99.
 2. Information Memorandum No. AIM 108-99.

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 adopt AO 99-143.
seconded by Mr. Meyer,

In response to Mr. Meyer, Mayor Mystrom said there was no cost as a result of the proposed ordinance, but there was a cost for the program.

Employee Relations Director Tom Tierney added the program cost has been reduced, because pre-employment alcohol testing is being eliminated. Since the program has been in existence, there have been no positive tests in that area, and Federal transit officials recommended that specific test be eliminated. The test is quite expensive.

Mayor Mystrom added the program is working very well. He noted substance abuse testing was recently removed from collective bargaining. Now, the JCC, Police, AMEA and IBEW unions are participating in the random testing program. Fire fighters do not participate, and have taken the issue to court. The court ruled in favor of the Municipality, and the union appealed that decision to the Supreme Court. That appeal is pending. Fire fighters are, however, subject to post-accident testing and testing triggered by appearance of intoxication. The first post-accident test was performed earlier this month, and a fire fighter/EMT tested positive for cocaine and marijuana. The employee was terminated. He felt this illustrated the importance of random testing for all employees in the emergency services field, including fire fighters and paramedics.

Question was called on the motion to adopt AO 99-143 and it passed:

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

- C. 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.
1. Assembly Memorandum No. AM 991-99.

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

Ms. Von Gemmingen moved, to adopt AO 99-141.
seconded by Ms. Taylor,

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

- D. Ordinance No. AO 99-142, an ordinance of the Municipality of Anchorage **authorizing Anchorage Water and Wastewater Utility to sell via sole source Tract 1, Bayshore West Subdivision Unit 4A**, Plat No. 84-195, generally located off of Bettles Bay Loop in Bayshore West Subdivision, to the Alaskan Bay Owner's Association, Inc. for purposes of a community park, Heritage Land Bank/Water and Wastewater Utility.
1. Assembly Memorandum No. AM 1000-99.

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

CHERYL STEWART spoke as president of the Alaskan Bay homeowners association, the association for the Bayshore West Subdivision. The community is interested in the proposed purchase, as the tract is in the middle of the neighborhood. Since September 1987, the community has continued to express its concerns to the Water and Wastewater Utility and the Administration. Ms. Stewart pointed out with volunteer labor and Association funds of about \$17,000 the community cleared the property and brought it up to drainage grade. This addressed the eyesore and flooding problems on the tract. Since that time, the community has voluntarily maintained the property at no expense to the Municipality, but at a cost to the Association of about \$17,000. During these years, the Association has been pursuing the possibility of turning the property into parkland. They do not want the property developed. The land has become a welcome green space. If the property is developed, there would be concerns about drainage problems, negative impact to existing homeowners, and the fact that new homes would not be part of the Association. In September of this year, Association members voted to more than double dues for five years to finance purchase of the land. She said there has been a huge amount of community effort and funding in supporting the property as a green space. She encouraged the Assembly to adopt the ordinance.

In response to Ms. Abney, Ms. Stewart said the proposed purchase price was acceptable.

Ms. Clementson and Mr. Tremaine congratulated the homeowners for their hard work in pursuing this solution.

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

Mayor Mystrom noted this was the first park improvement district created in Anchorage since 1973. He felt this purchase would result in a very nice park. The improvement was complicated by several issues, including ownership of the land by AWWU, which has to abide by tariff rules. He commended the homeowners for their willingness to work with the Administration.

Ms. Von Gemmingen moved, to adopt AO 99-142.
seconded by Mr. Tremaine,

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

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS: None.

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

16. UNFINISHED AGENDA:

- A. Ordinance No. AO 99-124, an ordinance of the Municipality of Anchorage **adopting and appropriating funds for the 2000 General Government Operating Budget for the Municipality of Anchorage**, Office of Management and Budget.
1. Assembly Memorandum No. AM 814-99.
2. Ordinance No. AO 99-124(S), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2000 General Government Operating Budget for the Municipality of Anchorage, Office of Management and Budget.
3. Assembly Memorandum No. AM 1148-99.
(POSTPONED FROM 11-16-99)

Mr. Sullivan moved, to adopt AO 99-124(S).
seconded by Ms. Von Gemmingen,

Mr. Sullivan moved, to amend AO 99-124(S) with the eight-page list of
seconded by Mr. Tesche, Assembly Proposed Amendments with Six or More
Supporters, dated November 23, 1999 at 5:58 p.m.

(Clerk’s Note: This amendment is attached as Exhibit A.)

There was a discussion of how individual members’ positions on each separate item would be reflected.

Ms. Fairclough moved, to amend the amendment on page 1, item #3 to reduce the
seconded by Ms. Clementson, Municipal Attorney’s budget by \$55,000.

Mr. Meyer discussed intergovernmental charges (IGC’s) and felt there was an excess of funds in the Department of the Municipal Attorney. He felt the priority of the Assembly should be public safety. He felt the Attorney’s budget should be reduced by \$225,000.

Ms. Clementson pointed out the Attorney’s office handles prosecution of criminal cases as well as civil cases. Law enforcement is often hindered in part by a lack of ability to prosecute crimes.

Mr. Tesche noted in the past seven years, the Attorney’s budget has increased 28 percent. He felt less should be budgeted for the department. He supported a reduction of \$225,000.

Mr. Kendall noted police officers have often told him they are frustrated when there is a lack of prosecution of the criminals they arrest. He supported Ms. Fairclough’s amendment.

Mayor Mystrom supported the amendment, since there was a corresponding \$55,000 proposed to be added to the Assembly budget for legal counsel. He said the Attorney’s budget was cut significantly, with seven positions being eliminated. He said a reduction of \$225,000 from the Attorney’s budget would have a significant impact on prosecutors as well as the civil division.

Mr. Tesche suggested the description of item #3, Exhibit A be changed to include a statement to read: “(civil division and admin. unit only).”

There were further reiterations of previously stated arguments.

Ms. Von Gemmingen pointed out Mr. Gravo is a full-time lobbyist, but not for the Municipality. The Municipality is only one of his many clients. She felt Mr. Tesche’s suggestion would be close to micro-management. She felt the Assembly should recognize the efforts by the Department which has already reduced its budget by over \$332,000 this year. She supported Ms. Fairclough’s amendment.

Ms. Fairclough felt the Assembly was very concerned with public safety, and the proposed budget does not include enough funding for those services. Although she was listed as a sponsor of item #3 in Exhibit A, she did not support a reduction of \$225,000 from the Municipal Attorney’s budget. She felt such large cuts to the budget might send the wrong message to State Legislators, that there is plenty of surplus in the Municipal budget, which is not true. She felt more paramedics and fire fighters were needed.

Question was called on Ms. Fairclough’s motion to amend the amendment and it failed:

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

Ms. Fairclough asked her name be removed as a sponsor for item #3, Exhibit A.

Ms. Abney asked her name be added as a sponsor for item #3, Exhibit A.

Ms. Abney moved, to amend the amendment on page 1, item #3 to reduce the
seconded by Mr. Meyer, Municipal Attorney’s budget by \$170,000.

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

(Clerk’s Note: This item was not reconsidered. However, later in the meeting, Ms. Von Gemmingen, Mr. Sullivan, Ms. Clementson and Ms. Fairclough asked the record reflect their “no” votes on this item.)

Mr. Tesche moved, to amend the amendment on page 1, in the description of item
seconded by Ms. Clementson, #3 to read: “civil division and administrative units only.”

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

Mr. Tesche moved, to amend the amendment on page 5, item #2 to increase the
seconded by Ms. Taylor, Cultural & Recreational Services budget by \$80,000 to
continue the purchase of library books.

In response to Ms. Abney, Municipal Librarian Moe McGee clarified the Library's materials budget usually covers books, magazines and newspapers.

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

to amend Mr. Tesche's amendment to include purchase of
other materials.

There was discussion of whether the amendment referred only to printed materials or included electronic media. Ms. Abney said her intent was that the amendment be as inclusive as possible.

Ms. Von Gemmingen supported an addition of \$40,000. She felt Library officials should focus more on soliciting funds from the public.

Ms. Clementson spoke against Mr. Tesche's amendment. She felt \$40,000 was adequate.

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

AYES: Tremaine, Tesche, Abney.

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

Chairman Wuerch asked his name be added as a sponsor for item #2 on page 5, \$40,000 for the Library.

Ms. Clementson moved,
seconded by Ms. Taylor,

to amend the amendment on page 2, item #1 to remove the
deletion of \$70,580 from the Municipal Manager's budget.

Ms. Clementson noted this \$70,580 would fund a position in the Office of Management and Budget, which would accomplish goals that have been advocated by the Budget Advisory Commission for many years. The Commission has advised the development of performance measures, to allow evaluation of budget goals. Removal of funding for this position would eliminate the ability to pursue that goal.

Mr. Meyer noted the position has been vacant since August. He felt the department could try to get along a little longer without the position. If they find that is impossible, it can be adjusted during First Quarter budget amendments.

Municipal Manager George Vakalis noted the Administration developed a pilot project for performance measures, which was cited in the Budget Advisory Commission's report. He explained the person who staffed the position in question was very involved in that process. Although the original goal of a pilot project was completed, the position is necessary to coordinate the performance measures project. In order to ensure that public services are worthy and cost-effective, performance measures are necessary.

Mr. Tesche agreed with Mr. Meyer. He pointed out the new Mayor that takes office in July 2000 might want to pursue a different approach.

Ms. Von Gemmingen noted an Assembly subcommittee studied this issue in depth a few years ago, and decided the concept is worthy.

Chairman Wuerch felt performance measures were important, but would entail a change in thinking and doing business. He felt the concept should involve a new system, not adding a position to the existing system.

Ms. Clementson pointed out the subject position would help create a new system, as it was not in place yet.

In response to Ms. Von Gemmingen, consultant Larry Crawford said he felt it was important to maintain the position. He said performance measurement is a concept that is gaining momentum throughout the country. He felt employees would need training by some person to learn the new system.

In response to Mr. Tremaine, Mr. Vakalis confirmed the position would include benefits.

Mr. Tesche noted he proposed the deletion in order to balance increases he felt were necessary in public safety items.

In response to Ms. Taylor, Mr. Crawford said he doubted that a university student would be appropriate in this position. He felt the staff person would need a lot of experience in order to relate to all the different departments and train their employees in how to accomplish the function.

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

AYES: Kendall, Sullivan, Von Gemmingen, Clementson.

NAYS: Tremaine, Tesche, Taylor, Wuerch, Meyer, Fairclough, Abney.

Ms. Taylor referred to item #5 on page 5 of Exhibit A. She disclosed she is a member of the Board of the Mountain View Recreation Center. She said she receives no financial benefit from serving on the Board.

Ms. Clementson recalled in the past, members who served on boards refrained from voting on the portion of the budget which directly affected the subject organization.

Chairman Wuerch asked his name be added to item #3 on page 7 of Exhibit A, regarding the Alaska Native Heritage Center.

Mr. Sullivan moved,
seconded by Mr. Kendall,
and it was withdrawn,

to amend the amendment on page 5, item #5 to increase the
Cultural & Recreational Services budget by \$100,000 for the
Mountain View Recreation Center.

In response to Mr. Sullivan, John Oates, Chief Executive of the Boys & Girls Clubs of Greater Anchorage, addressed the Assembly. Mr. Oates explained the proposed budget increase would be used for additional personnel, equipment and other operating items. It takes about \$400,000 per year to operate the Center. This is consistent with operating costs for two other recreation centers, however, the Mt. View Center serves more young children than the others and young children are more labor intensive. He explained the original plan was for a \$4 million structure. The end result was a \$6 million facility with more space, requiring higher utility payments, and more clients requiring more supervision. He clarified all of the funding would be applied to the Mt. View Center.

Mr. Tremaine pointed out the Municipal budget would be reduced by about \$80 million next year, if a proposition on the State ballot to place a limitation on mill rates to 10 mills is approved. He hoped everyone would realize the effect of limiting property taxes without having corresponding revenue sources.

Mayor Mystrom explained there was an existing community center in Mt. View, which was funded at about \$125,000 per year. There was a general agreement that the Municipality would continue contributions of that amount, and the Boys and Girls Club would build a larger building and provide more services. He did not oppose the proposed increase. He clarified if the State proposition mentioned by Mr. Tremaine is approved in November 2000, the Municipal budget would not be affected until 2002. He said it might be appropriate to increase the amount of a subsequent contract with Boys and Girls Club.

Mr. Sullivan withdrew his amendment. Mr. Kendall concurred.

(Clerk's Note: Members then voiced individual comments regarding various amendments to Exhibits A.)

Mr. Sullivan asked his name be added as a sponsor of item #2 on page 5 of Exhibit A, \$40,000 for the Library, and item #5 on page 5, \$150,000 for the Mt. View Recreation Center. He also asked the record reflect his "no" vote on any other items in Exhibit A where his name does not appear as a co-sponsor.

Mr. Tremaine asked his name be added as a sponsor of item #2 on page 7 of Exhibit A, \$10,000 for Victims for Justice, and item #2 on page 5, \$40,000 for the Library. He also asked the record reflect that the absence of his name as a sponsor of other items in Exhibit A did not mean he was opposed to those items.

Mr. Tesche asked the record reflect that the absence of his name as a sponsor of items in Exhibit A did not mean he was opposed to those items.

Ms. Taylor asked her name be added as a sponsor of item #2 on page 5 of Exhibit A, \$40,000 for the Library, and asked the record reflect her abstention on item #5 on page 5, \$150,000 for the Mt. View Recreation Center.

Chairman Wuerch reiterated his earlier requests that his name be added as a sponsor for item #2 on page 5, \$40,000 for the Library and item #3 on page 7, \$10,000 for the Alaska Native Heritage Center.

Mr. Sullivan asked that his name be added as a sponsor for item #3 on page 7, \$10,000 for the Alaska Native Heritage Center.

Ms. Von Gemmingen asked the record reflect her "no" vote on the following items: #3, page 1, regarding a deletion to the Municipal Attorney's budget; item #1, page 2, regarding a deletion to the Municipal Manager's budget; item #2, page 4, to dedicate one patrol officer as an Alcoholic Beverage Control/Tobacco Enforcement Officer for the Police Department; and items #1 and #2 on page 6, regarding the Public Transportation Department.

Ms. Clementson asked the record reflect her "no" vote on the following items: #3, page 1, regarding a deletion to the Municipal Attorney's budget; item #1, page 2, regarding a deletion to the Municipal Manager's budget; and item #2, page 4, to dedicate one patrol officer as an Alcoholic Beverage Control/Tobacco Enforcement Officer for the Police Department.

Ms. Fairclough asked the record reflect her "no" vote on the following items: #3, page 1, regarding a deletion to the Municipal Attorney's budget.

Mr. Sullivan moved,
seconded by Mr. Meyer,

the previous question.

(Clerk's Note: No vote was taken on this motion. Further debate continued.)

Chairman Wuerch announced the Assembly was now ready to vote on the entire package of amendments in Exhibit A. He said a "yes" vote would mean a member approves of the amendments, subject to the requests to record "no" votes on specific items, and whether or not a member was a sponsor.

In response to Mayor Mystrom, Chairman Wuerch clarified his intent was that if a members' name did not appear as a sponsor to an individual amendment, that would indicate they did not support that amendment.

Mr. Tremaine reiterated his earlier comment that the absence of his name as sponsor of an item did not indicate his opposition. He said his vote on the entire package would reflect his position.

Ms. Abney concurred with Mr. Tremaine's position.

Ms. Clementson clarified the Assembly would vote on the entire package as if it were a consent agenda. Some members have indicated separate “no” votes on individual items. Members will vote on the entire package with specific objections as noted.

Mr. Kendall, Mr. Sullivan and Ms. Taylor said their intent was accurately explained by Ms. Clementson.

Chairman Wuerch said his intent was to be registered as a “no” vote on any item where his name does not appear as a sponsor.

Mr. Meyer and Ms. Fairclough concurred with Ms. Clementson’s intent.

Chairman Wuerch specified which items he wished to be reflected as a “no” vote: #2, page 2, Fire Department; item #1, page 3; all items on page 4, for the Fire and Police Departments; item #6, page 5 regarding the Eagle River Nature Center; items #1 and #2, page 6; and items #1 and #2 on page 7.

In response to Mayor Mystrom, Mr. Kendall indicated he wished to be reflected as a “no” vote on any items where his name does not appear as a sponsor.

Question was called on the motion to approve the amendments in Exhibit A as amended and it passed:

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

The Assembly then considered individual amendments from a six-page list entitled “Assembly Proposed Amendments with Three to Five Supporters, dated November 23, 1999 at 5:53 p.m., attached as **Exhibit B**.

Mr. Tesche moved,	to amend AO 99-124(S) with item #1 on page 1 of Exhibit
seconded by Ms. Taylor,	B, changing the reduction to \$92,000.

In response to Chairman, Employee Relations Director Tom Tierney said his department has already made budget cuts. Also, the department has had to bear an increasing burden of Federal regulatory issues. He felt it was inappropriate to saddle the department with increasing responsibilities and less funding. He felt comfortable the current budget is appropriate.

In response to Mr. Tremaine, Gene Dusek of the Office of Management and Budget explained even though the Employee Relations Department is supported largely by Intergovernmental Charges (IGC’s) there is still a portion that impacts taxes. He added the department’s budget has also increased about \$145,000 due to the Police and Fire Retirement Trust.

The meeting recessed at 8:25 p.m. and reconvened at 8:35 p.m.

Mr. Tierney clarified the increase in his budget was attributable to the Police and Fire Retirement Trust. There is one part-time position in the department that helps administer the Trust.

Mr. Dusek noted a correction to a figure in the budget work materials. He noted on page 9-42, an item for \$631,940 for the Police and Fire Retiree medical program is showed to be funded by IGC’s, which is incorrect.

Question was called on Mr. Tesche’s motion to amend and it failed:

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

Mr. Tesche moved,	to amend AO 99-124(S) with item #1 on page 2 of Exhibit
seconded by Ms. Abney,	B, changing the increase to \$200,000, and changing the
	description to read: “Decrease the vacancy factor by moving
	academy scheduled for November to begin instead in August.”

Mr. Tesche explained the intent of this amendment was to employ more police officers as quickly as possible. He understood moving the academy from November to August would accomplish that goal.

Ms. Clementson clarified the amount of \$200,000 was the cost of accelerating the academy. Academy cadets are paid during their time in the academy.

Mr. Kendall noted the Police Department budget has steadily increased over the years. He questioned the urgency to accelerate the next academy.

Mr. Tesche felt if the Assembly’s priority was to hire new police officers, then it should happen as soon as possible. He said despite statistics which indicate a decrease in crime, his constituents report they do not see a difference.

Mayor Mystrom clarified Anchorage’s crime rate is declining almost three times faster than the national average. He agreed there was a sense of urgency to address crime five years ago. Now, according to people he has spoken with in Mountain View, and according to letters to the editor of the newspapers, residents feel more safe now. He added among cities the size of Anchorage, only one other city, Riverside, California, is safer than Anchorage. He felt the Assembly, Administration and Police employees should be proud of this situation. He felt the current formula to address crime has worked well. He did not oppose moving the academy to August, but noted there was a question of whether it could be filled with applicants at that time.

Ms. Abney agreed everyone should be proud of the accomplishments of the Police Department. It was her understanding that the goal was to improve the Department by filling the vacancies. She felt they should be filled as soon as possible. She felt traffic enforcement during police shift overlap times is still an issue.

In response to Ms. Von Gemmingen, Mayor Mystrom clarified the 15 new police officers would attend the November, 2000 academy.

Ms. Clementson moved, to amend the amendment to change the fund source from fund
seconded by Mr. Kendall, balance to Tax Costs.

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

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

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

Mr. Tesche moved, to amend AO 99-124(S) with item #2 on page 2 of Exhibit B.
seconded by Mr. Tremaine,
and it was withdrawn,

Mr. Sullivan moved, to amend AO 99-124(S) with item #2 on page 3 of Exhibit B.
seconded by Ms. Fairclough,

In response to Ms. Abney, Cultural and Recreational Services (CRS) Director Kathy Kingston said no one from Bowman or Spring Hill Elementary schools has requested at-risk youth programs. She explained the at-risk youth program at Hanshew Junior High was discontinued because the Community Schools program was offering the same service. Therefore, participation in the Municipal program was diluted, yet the need was still being met by the Community Schools program.

In response to Ms. Abney, Jerry Walton of CRS, Sports and Recreation, discussed the areas served by the Rec and Roll programs. Five areas are served, and two of those areas are being reduced: Spruce View and Anchorage Trailer Court. Those areas were reduced primarily because of lack of participation.

Ms. Abney suggested applications for the programs be made available in more locations. She felt participation might increase if people have easier access to the applications. She said several of her constituents were reluctant to travel so far to obtain applications.

Mr. Walton estimated to reinstate the Rec and Roll programs, it would take approximately half of the amount listed in the amendment. He added the Rec and Roll program does not have an application process; the program organizers travel to high density housing areas to provide the service. He added the playground program requires application. There will be no change in the level of service for that program.

(Clerk's Note: Action on this amendment was postponed until later in the meeting. See page 16.)

Mr. Tesche moved, to amend AO 99-124(S) with item #1 on page 4 of Exhibit B,
seconded by Ms. Taylor, with a change in the deletion amount to \$73,800.

Mr. Tesche explained his intent was to reduce funding for maintenance of landscaping on International Airport Road, a State road.

In response, Mayor Mystrom explained they worked with State and Airport officials to enhance the landscaping. On many State roads in Anchorage, if the Municipality did not perform landscaping, it would not be done at all. He felt the proposed cut would probably not be applied to International Airport Road, but instead be applied to sidewalk snow removal, volunteer programs and ballfield maintenance, at the discretion of the department Director. He discouraged Assembly members from approving the proposed reduction.

Ms. Von Gemmingen pointed out the CRS budget was reduced \$1.1 million for 2000. She questioned the need for an additional cut.

Mr. Meyer agreed beautification was necessary. However, the Assembly has decided that public safety is a priority. Since funding has been added for paramedics, corresponding cuts must be made. He added the Municipality should no longer be maintaining State roads.

Ms. Abney did not support the amendment, because the funding cut would be left to the discretion of the department Director.

In response to Ms. Clementson, Mayor Mystrom said Municipal maintenance of International Airport Road was not part of the contract with the State, but it was an agreement at the time the road was improved, and it will continue. The reduction, if approved, will come from another area of the Department's budget.

Mr. Kendall opposed the amendment.

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

AYES: Tremaine, Tesche, Taylor, Wuerch, Meyer.

NAYS: Kendall, Sullivan, Fairclough, Abney, Von Gemmingen, Clementson.

Mr. Tesche moved,

seconded by Ms. Taylor,

to amend AO 99-124(S) with item #3 on page 4 of Exhibit B.

Mr. Tesche noted the Public Works Department staff has struggled in recent years to handle Code enforcement cases. He felt the problem was there were not enough staff resources. Several years ago, an ordinance was adopted to allow private citizens to pursue Code enforcement actions. Although not many cases have been pursued under that law, the few that have been have been very successful in addressing nuisances in neighborhoods. He proposed a position be reclassified so a staff person would be available to help citizens with Code enforcement issues.

In response to Municipal Manager George Vakalis, Steve Ellis of Public Works addressed the Assembly. Mr. Ellis explained a Neighborhood Zoning Enforcement program currently exists, and provides the training and assistance as indicated by the proposed amendment. Citizen utilization of this program has waned in recent years. He was concerned that the proposal would create a position that may not be fully utilized, and would only be able to perform the proposed functions and not be able to be utilized for Code enforcement functions. The department is facing an increased workload because of the addition of enforcement of Storm Water Discharge permits, which used to be done by the Health and Human Services Department, and the earlier reduction to the civil division of the Municipal Attorney's Department, a division his office relies on heavily for their cases.

Mr. Tesche clarified his intent was not that the proposed position be restricted to only the citizen training/education functions. The staff person would simply be assigned to perform those functions, and be able to perform other enforcement actions as well.

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

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

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

Mr. Tesche moved,

seconded by Mr. Tremaine,

to amend AO 99-124(S) with item #1 on page 5 of Exhibit B, changing the amount of the reduction to \$200,000.

Mr. Tesche noted according to the Budget Advisory Commission, the Management Information Systems (MIS) budget has increased 31 percent since 1993. He felt the costs of computers has generally decreased in that same time frame. He felt a reduction in the MIS budget was appropriate.

Mr. Sullivan pointed out the MIS budget has already been reduced considerably.

In response to Mr. Meyer, Management Information Services Director Dave Rudisill explained ATU did not cost the department anything. Their charges were charged back to ATU via IGC's. He said the PeopleSoft implementation project and Y2K issues were capital budget items. He concurred with Mr. Tesche that the costs of computer individual units has declined, the cost of information technology to organizations has been increasing over the years. He explained of the department's \$13 million budget, about \$5 million was depreciation and interest. In comparison, in 1995 the budget was \$1.4 million for these items. This is because the way the Municipality purchases technology equipment and software has changed over the years. Instead of various departments placing the cost of new computers in their individual budgets, the cost is paid by MIS.

In response to Ms. Taylor, Mr. Rudisill clarified the software for PeopleSoft was a capital budget item; maintenance of the system is an operating budget item.

In response to Mr. Tesche, Mr. Rudisill explained various rankings describe individual staff members. These people perform basically the same service, some at satellite Municipal departments and some in City Hall. They have different levels of expertise. Each employee appears in the budget as a different service level.

Mayor Mystrom described the impact of the MIS department on the administration and overall efficiency of the Municipality. He noted in 1990, the Municipal budget was \$197 million, and now, taking into account inflation, it is \$191 million. This is despite a 17 percent increase in population, 35 percent increase in the police service area, 91 new police officers, 54 new fire fighters and 52 additional miles of road to maintain. Technology has enabled operation of the Municipal functions to be much more efficiency. That benefit comes from MIS and is difficult to quantify.

Ms. Clementson urged her colleagues to avoid cutting the budgets of those departments which have already made significant budget reductions. She pointed out the implications of the proposed reductions may not be clear based on limited information in the budget work book.

Mr. Tremaine pointed out the net result of the reductions already made to the MIS budget were actually only 1.3 percent. He felt the proposed amendment was appropriate.

Executive Manager Elaine Christian pointed out the request that all departments make a 6 percent cut was for those expenses the department has control over. She explained MIS does not have control over the depreciation and interest portion of its budget. She added the MIS department staff and functions directly affect all other departments in the Municipality.

Question was called on Mr. Tesche’s motion to amend and it failed:

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

Ms. Fairclough explained items #2 on page 5 and #1 on page 6 represented her attempts to increase revenues. She intended to bring these items forward during 1st Quarter budget revisions.

Mr. Tremaine asked his name be added as a sponsor on the items mentioned by Ms. Fairclough, even though they will not be moved as amendments.

Mr. Kendall moved, to amend AO 99-124(S) with item #2 on page 6 of Exhibit B.
seconded by Mr. Tremaine,

Chairman Wuerch asked his name be added as a sponsor for this item.

Mr. Sullivan declared a conflict of interest on this item, because he does work for Arctic Winter Games team Alaska.

Question was called on Mr. Kendall’s motion to amend and it passed:

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

Mr. Tesche moved, to amend AO 99-124(S) with item #3 on page 6 of Exhibit B,
seconded by Mr. Tremaine, changing the amount of the reduction to \$105,000.

Mr. Tremaine asked his name be added as a sponsor on this item.

Mr. Tesche suggested the proposed reduction be made in the following service levels: rank #20 on page 23-12; rank #26 on page 23-14; and rank #29 on page 23-15. However, he was willing to allow the Administration to make the reductions in the areas they choose.

Question was called on Mr. Tesche’s motion to amend and it failed:

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

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

The Assembly then returned to a motion made earlier in the meeting by Mr. Sullivan (see page 14).

Ms. Abney moved, to amend Mr. Sullivan’s amendment regarding item #2 on
seconded by Ms. Fairclough, page 3 of Exhibit B to make the amount \$19,885.
and it passed without
objection,

Question was called on Mr. Sullivan’s motion to amend as amended and it passed:

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

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

Mr. Tesche moved, to amend AO 99-124(S) to reduce the Finance Department
seconded by Mr. Tremaine, by \$73,000, at the discretion of the Director.

Mr. Kendall noted this department’s personnel costs has decreased over the years.

Mr. Meyer noted automation can make a difference to this department, which deals with billing, accounts payable and accounts receivable.

Ms. Christian pointed out this department’s budget has already been cut. She noted the Municipal Assessor’s office is one area that might be cut from this department. The Assembly has expressed concern in the past about insufficient staff levels in the Assessor’s office. She added there are issues about getting payables out on time, after implementation of the PeopleSoft system. The Controller’s Division has made a huge commitment to the system, and staff is working as hard as possible, but still they are barely meeting the minimum criteria for check disbursement. She felt there was very little area of flexibility in that Division.

Question was called on Mr. Tesche’s motion to amend and it passed:

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

Mr. Tesche moved,
seconded by Mr. Tremaine,

to amend AO 99-124(S) to add \$130,000 to the Community Planning and Development Department, for a Downtown Central Business District Study as part of the Anchorage 2020 Comprehensive Land Use Plan. Revenue source would be an increase in Applied Fund Balance from the Areawide Fund 101.

Mr. Tesche explained there are many major issues facing downtown, as well as increased development and new Municipal facilities. He felt all these activities call for a study right away.

Chairman Wuerch felt CPD Department staff presently working on the Comprehensive Plan could attend to the Study without adding more to the budget.

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

to amend the amendment to change the funding source to Tax Costs.

Mayor Mystrom explained the Comprehensive Plan should be completed in June, and it would take the rest of the year for implementation. He suspected the new Mayor and Administration would want to work on the Central Business District Study in 2001.

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

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

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

Ms. Clementson moved,
seconded by Mr. Kendall,

to reconsider action on the amendment item #2 on page 2, Exhibit A, \$346,000 for 4 EMS positions in the Fire Department.

Ms. Clementson explained she supported public safety. However, she felt some of the reductions made to the budgets of other departments to support public safety increases were irresponsible.

Mr. Meyer pointed out to pay for public safety items, other areas of the budget had to be reduced correspondingly. He recommended against reconsideration.

Ms. Von Gemmingen said she was disappointed with the process tonight. She was also disappointed in the reductions to certain departments' budgets, which had already been reduced. She felt if the priority was public safety, the public should be willing to pay for such services.

Mr. Tesche spoke against reconsideration. He felt the Assembly had a responsibility to make the difficult decisions about the tax burden on Anchorage citizens.

Chairman Wuerch spoke in support of reconsideration. He supported public safety, but felt the proposed increase of 15 positions was consistent with the gradual increase to public safety positions. That is why he asked the record reflect his "no" vote on the subject amendment.

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

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

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

Mr. Tremaine moved,
and it died for lack of a second,

to reconsider action on the Exhibit A amendment.

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

to amend AO 99-124(S) in Sections 3 and 4 to reflect the new totals resulting from approved amendments.

Mayor Mystrom clarified the Assembly's actions added about \$1.3 million to the budget.

Question was called on the motion to adopt AO 99-124(S) as amended and it passed:

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

NAYS: Tremaine.

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

immediate reconsideration.

AYES: Tremaine.

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

(Clerk's Note: AO 99-124(S) was vetoed. See minutes of December 7, 1999 for further action.)

B. Assembly Comments.

Chairman Wuerch noted the Superior Court issued a ruling on the Westfork, Inc. (Klondike Kate’s Baretrap Saloon) zoning case. The ruling was in favor of the Municipality.

Mr. Kendall encouraged his colleagues to put the budget process in the proper perspective.

Mr. Sullivan thanked everyone for their patience during his first time as Budget Committee chair.

Mr. Tremaine thanked Mr. Sullivan and Assembly staff-person Elvi Gray-Jackson. He discussed the resolution earlier in the meeting regarding support of the BP-ARCO merger. He pointed out it was not actually a merger, but an acquisition. He offered suggestions on requirements which should be applied to BP after the acquisition.

Mr. Tesche also thanked Mr. Sullivan and Ms. Gray-Jackson.

Ms. Taylor echoed Mr. Kendall’s and Mr. Tesche’s remarks.

Mr. Meyer also thanked Mr. Sullivan and Ms. Gray-Jackson.

Ms. Fairclough thanked her colleague for their patience. She wished everyone have a happy Thanksgiving holiday. She noted the U.S. Census Bureau has employment positions available.

Ms. Abney thanked her colleagues, especially the new members.

Ms. Von Gemmingen commended Mr. Sullivan for his work on the budget. She announced a West Side town meeting on December 6, 1999 at 7:00 p.m.

17. AUDIENCE PARTICIPATION: None.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

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

The meeting adjourned at 10:40 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: February 1, 2000

VC/db

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