

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of March 16, 1999

1. CALL TO ORDER:

The meeting was convened at 5:07 p.m. by Assembly Chair Fay Von Gemmingen in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Bob Bell, Ted Carlson, George Wuerch, Melinda Taylor, Fay Von Gemmingen, Cheryl Clementson, Kevin Meyer, Pat Abney, Dan Kendall, Joe Murdy.
Absent: Charles Wohlforth (excused.)

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Kendall.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - December 8, 1998
- B. Regular Meeting - December 15, 1998

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

to approve the minutes of the regular meetings of December 8 and 15, 1998.

5. MAYOR'S REPORT:

Mayor Mystrom updated the Assembly on the status of animal control services. He pointed out the Assembly, at a special meeting of March 12, 1999, defeated an award to the low bidder, TLC. As the existing contract ends on March 31, 1999, he decided to act pursuant to Municipal Code chapter 7.20.120, which allows waiver of formal bidding procedures when time is of the essence and when it is in the best interest of the city. Four appropriate companies were contacted, and of those, Doyon/Universal Services Joint Venture was selected. Mayor Mystrom said he wanted a company with good management experience, strong organizational ability, provision of a broad range of services, good capitalization, and willingness to take over animal control in two weeks. Doyon/Universal Services, in addition to being an oil field service company, provides facility management, food service, security, medical response, janitorial services and facility maintenance. A contract was negotiated for \$1.499 million for one year. In addition, there is an incentive payment of \$246,800, which will be paid should all performance goals be met.

In response to Ms. Abney, Municipal Manager George Vakalis clarified the incentive package was the same as the one in the award to TLC, Inc., which the Assembly did not approve.

Ms. Abney encouraged the administration to re-negotiate the incentive package portion of the contract. Her constituents are very concerned about this issue.

In response to Mr. Meyer, Mr. Vakalis said a volunteer program is a mandatory item included in the contract.

In response to Mr. Bell, Mr. Vakalis said the contractor was required to obtain or furnish all equipment necessary to carry out the contract. There are no renewal options in the contract. At the end of one year, a competitive bid or request for proposal will be issued.

6. ADDENDUM TO AGENDA:

Mr. Murdy moved,
seconded by Mr. Bell,

to amend the agenda to include the addendum items.

Chair Von Gemmingen read the addendum items.

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

7. CONSENT AGENDA:

Mr. Murdy moved,
seconded by Mr. Kendall,

to approve all items on the consent agenda as amended.

- A. BID AWARDS: None.
- B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:
1. Ordinance No. AO 99-55, an ordinance providing for the **public purpose retention and the donation of Lot 7, Block 14, Fairview Subdivision** (Parcel No. 005-023-35), a vacant lot on Peterkin Avenue, Anchorage, Alaska (Exhibit A), to Habitat for Humanity, Inc., a Nonprofit Corporation for their program to develop affordable housing for the private sector, Real Estate Services/Heritage Land Bank. public hearing 4-27--99.
 - a. Assembly Memorandum No. AM 244-99.
 2. Ordinance No. AO 99-56, an ordinance of the Municipality of Anchorage **creating Street Paving Special Assessment District 1P99 - the south portion of West 31st Avenue from 'A' Street to 'C' Street** and determining to proceed with proposed improvements therein, Public Works. public hearing 4-27-99.
 - a. Assembly Memorandum No. AM 246-99.
 3. Resolution No. AR 99-47, a resolution to appropriate to the Federal Categorical Grants Fund (241) \$317,110 of **Rental Rehabilitation Program Income** for the **AnCHOR Loan Program** and the **Housing Rehabilitation Loan Program** and \$1000 of additional **1997 Home Partnership Agreement grant funds** for administration of \$100 and to **Anchorage Housing Initiatives** of \$900, Community Planning and Development. public hearing 3-23-99.
 - a. Assembly Memorandum No. AM 247-99.

Ms. Taylor asked this item be considered under the Regular Agenda. See item 8.C.

4. Resolution No. AR 99-48, a resolution of the Municipality of Anchorage appropriating \$1,294,118 from the State of Alaska Department of Community and Regional Affairs to the State Categorical Grants Fund (231) for the **Day Care Assistance Program** in the Department of Health and Human Services. public hearing 3-23-99.
 - a. Assembly Memorandum No. AM 248-99.
5. Resolution No. AR 99-52, a resolution of the Municipality of Anchorage appropriating \$425,000 from the Anchorage Parks and Recreation Service Area (APRSA) Fund (161) to the APRSA Capital Improvement Program Fund (461) for **major maintenance and upgrade of APRSA facilities**, Office of Management and Budget. public hearing 3-23-99.
 - a. Assembly Memorandum No. AM 256-99.
6. Resolution No. AR 99-53, a resolution **authorizing the Municipality of Anchorage to purchase the East 220 Feet of Block 34A, East Addition to Anchorage Townsite, Anchorage, Alaska**, to enable Municipal Light and Power to expand their site and provide an alternate pole yard, Municipal Light and Power. public hearing 3-23-99.
 - a. Assembly Memorandum No. AM 257-99.
7. Ordinance No. AO 99-57, an ordinance of the Anchorage Municipal Assembly amending AMC 12.15.030, **providing for a limit on increased assessed valuation of any real property from one year to the next unless additional improvements are made to property**; and providing for documentation by the Assessor for increased valuations over the limit, Assemblymember Kendall. public hearing 4-6-99. **(addendum)**
 - a. Assembly Memorandum No. AM 277-99.

Ms. Clementson asked this item be considered under the Regular Agenda. See item 8.C.

8. Ordinance No. AO 99-58, an ordinance of the Anchorage Municipal Assembly amending AMC 24.90.060, **allowing for the names or logos of community councils or business improvement districts to be displayed as part of the authorized use or encroachment of public rights-of-way** for the community council's or the business improvement district's beautification program, Assemblymember Wohlforth. public hearing 4-6-99. **(addendum)**
 - a. Assembly Memorandum No. AM 278-99.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-51, a resolution of the Anchorage Municipal Assembly **expressing appreciation to George W. Waters for his 30 years of service** to the Municipality of Anchorage upon his retirement, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

Mr. Carlson asked this item be considered under the Regular Agenda. See item 8.D.

2. Resolution No. AR 99-49, a resolution of the Municipality of Anchorage providing for the appropriation of \$5,000 donated from the Friends of the Library for the BP Wish List 1999 Program to the Miscellaneous Operational Grants Fund (261) for the **purchase of library books and materials**, Cultural and Recreational Services.
 - a. Assembly Memorandum No. AM 249-99.
3. Resolution No. AR 99-50, a resolution authorizing the Municipality of Anchorage to **extinguish all unpaid tax, penalty, interest, and administrative debt on the properties listed in Exhibit A** (011-212-51, Lakehurst Subdivision, Lot 25A, Block 6; 012-342-04, Bruce Subdivision #1, Lot 3, Block 1; 014-051-36, Galatea Estates, Lot 1, Block 7; 014-051-37, Galatea Estates, Lot 2, Block 7; 014-051-38,

Galatea Estates, Lot 3, Block 7; 014-051-39, Galatea Estates, Lot 4, Block 7; 014-051-40, Galatea Estates, Lot 5, Block 7; 014-181-41, Abbott Loop Manor, Lot 4, Block 4; 014-181-42, Abbott Loop Manor, Lot 5, Block 4; 014-181-43, Abbott Loop Manor, Lot 6, Block 4; 051-172-01, T15N R1W, Section 18, S.M., Lot 75), Real Estate Services/Heritage Land Bank.

a. Assembly Memorandum No. AM 250-99.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.D.

4. Resolution No. AR 99-54, a resolution **amending Special Assessment District 1SD97** to exempt certain properties included on the original assessment roll due to clerical error, Executive Manager's Office.
 - a. Assembly Memorandum No. AM 258-99.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 265-99, **Solid Waste Advisory Commission reappointments** (Robert Miller, David Wigglesworth, David Taylor), Mayor's Office.
2. Assembly Memorandum No. AM 266-99, **Anchorage Water and Wastewater Commission reappointment** (Bruce Steely), Mayor's Office.
3. Assembly Memorandum No. AM 267-99, **Youth Advisory Commission appointments** (Jonalyn Lavarias, L. Stuart Bannan, Chris Hoffmeyer), Mayor's Office.
4. Assembly Memorandum No. AM 268-99, **Zoning Board of Examiners and Appeals reappointments** (Dan Grafton, Jim Sawhill, J. Ellen McKay), Mayor's Office.
5. Assembly Memorandum No. AM 269-99, **Urban Design Commission reappointments** (Lewis Stackpole, John Crittenden), Mayor's Office.
6. Assembly Memorandum No. AM 270-99, **On-Site Wastewater Systems Technical Review Board appointments** (Willem Van Hemert, Mark R. Musial, John P. Middaugh, M.D.), Mayor's Office.
7. Assembly Memorandum No. AM 271-99, **Girdwood Board of Supervisors appointment** (Elizabeth Wilson), Mayor's Office.

Mayor Mystrom asked this item be considered under the Regular Agenda. See item 8.E.

8. Assembly Memorandum No. AM 272-99, **Chugiak-Eagle River Parks and Recreation Board of Supervisors appointment** (Carl Waters), Mayor's Office.
9. Assembly Memorandum No. AM 273-99, **Bidding Review Board appointment** (Dave Gardner), Mayor's Office.
10. Assembly Memorandum No. AM 274-99, **Heritage Land Bank Commission appointments** (Patrick Gilmore, Gayle Knepper, James Cantor), Mayor's Office.
11. Assembly Memorandum No. AM 242-99, **1999-2000 Liquor License Renewals**: The Raven (Beverage Dispensary); American Legion Spenard Post #28 (Club); 2 Go Mart #54, B.J. Liquor Store, Party Time/Boniface Liquors, Pitts Stop Liquor (Package Store); Alaska Bagel, Bella Vista Pizzeria & Restaurant, Lucero's Restaurant, Marx Brothers Cafe (Restaurant/Eating Place), Clerk's Office.
12. Assembly Memorandum No. AM 251-99, change order No. 2 to purchase order 80316 with Wilder Construction Company for the **1998 Merrill Field Taxiway Bravo (Phase I) project** for the Municipality of Anchorage, Merrill Field Airport.
13. Assembly Memorandum No. AM 252-99, contract amendment No. 3 to Spernak & Son, Inc. for the **construction of the North Point Road Improvement District**, File 97-02, Public Works.
14. Assembly Memorandum No. AM 253-99, **private development water main oversizing reimbursement for Eagle Pointe Subdivision** AWWU File No. W-97-057, Water and Wastewater Utility.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.E.

15. Assembly Memorandum No. AM 254-99, recommendation of award to HDR Alaska, Inc. for providing professional engineering services for the **planning and design of a 30-inch diameter water main** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 65-98), Purchasing.
16. Assembly Memorandum No. AM 255-99, proprietary purchase of **official election stock** from Sequoia Pacific Systems Corporation for the Municipality of Anchorage, Clerk's Office/Purchasing.
17. Assembly Memorandum No. AM 259-99, change order No. 2 to purchase order 82494 with Bankston & McCollum P.C. for providing **legal services related to site acquisition for the New Downtown Jail Facility** for the Municipality of Anchorage, Municipal Attorney's Office/Purchasing.
18. Assembly Memorandum No. AM 260-99, change order No. 1 to purchase order 81044 to exercise the first option renewal period with Denali Fire Extinguisher Company for providing **fire extinguisher maintenance** to the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
19. Assembly Memorandum No. AM 261-99, change order No. 2 to purchase order 80845 to exercise the option period with Rand Construction for performing **bus shelter maintenance** for the Municipality of Anchorage, Public Transportation Department/ Purchasing.

Mr. Meyer asked this item be considered under the Regular Agenda. See item 8.E.

20. Assembly Memorandum No. AM 262-99, recommendation of award to Tryck Nyman Hayes, Inc. for providing professional **land surveying services** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 72-98), Purchasing.
21. Assembly Memorandum No. AM 263-99, amendment No. 1 to the contract with USKH for the **Dempsey Anderson Ice Arena addition**, Property and Facility Management.

Mr. Meyer asked this item be considered under the Regular Agenda. See item 8.E.

22. Assembly Memorandum No. AM 264-99, change order No. 2 to purchase order 82228 with Wordsmith for providing **recording secretarial services** to the Municipality of Anchorage, Community Planning and Development.
23. Assembly Memorandum No. AM 275-99, **Fred Meyer-Northern Lights** - Transfer of Ownership and Location of a Package Store Liquor License (Spenard/Rogers Park Community Councils), Clerk's Office. (**addendum**)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 21-99, Internal Audit Report 99-02 - **1998 Parts, Fuel and Lubricants Inventory, Public Transportation Department**, Internal Audit.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.F.

2. Information Memorandum No. AIM 22-99, Internal Audit Report 99-03 - **1998 Parts and Fuel Inventory, Anchorage Water and Wastewater Utility**, Internal Audit.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.F.

3. Information Memorandum No. AIM 23-99, Internal Audit Report 99-04 - **1998 Parts, Tires and Lubricants Inventory, Fleet Services Division-Property and Facility Management**, Internal Audit.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.F.

4. Information Memorandum No. AIM 24-99, Internal Audit Report 99-05 - **1998 Parts and Fuel Inventory, Municipal Light and Power**, Internal Audit.

Mr. Wuerch asked this item be considered under the Regular Agenda. See item 8.F.

5. Information Memorandum No. AIM 25-99, Anchorage Water and Wastewater Utility construction contract change order for **E. 6th Avenue/Pine to Boniface Water R&R**, Water and Wastewater Utility.
6. Information Memorandum No. AIM 26-99, **Job Training Partnership Act Annual Report and Performance Awards**, Health and Human Services.

Ms. Taylor asked this item be considered under the Regular Agenda. See item 8.F.

7. Information Memorandum No. AIM 27-99, **Election Data Processing Review Board appointments** (Thomas E. Edwards, Peter Hjellen), Municipal Clerk.
8. Information Memorandum No. AIM 28-99, **waiver of formal procedures for full and mid-size police patrol sedans** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
9. Information Memorandum No. AIM 29-99, **Bar Violations/Quarterly Report** - Third Quarter 1998 REVISIED, Anchorage Police Department.
10. Information Memorandum No. AIM 30-99, **Bar Violations/Quarterly Report** - Fourth Quarter 1998, Anchorage Police Department.

Ms. Clementson asked this item be considered under the Regular Agenda. See item 8.F.

11. Information Memorandum No. AIM 31-99, **waiver of formal procedures for award of a temporary animal control services contract** for the Municipality of Anchorage, Department of Health and Human Services/Purchasing. (**addendum**)

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

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

Mayor Mystrom introduced and welcomed the newly-appointed board and commission members.

8. **REGULAR AGENDA:**

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

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Resolution No. AR 99-47, a resolution to appropriate to the Federal Categorical Grants Fund (241) \$317,110 of **Rental Rehabilitation Program Income** for the **AnCHOR Loan Program** and the **Housing Rehabilitation Loan Program** and \$1000 of additional **1997 Home Partnership Agreement grant funds** for administration of \$100 and to **Anchorage Housing Initiatives** of \$900, Community Planning and Development. public hearing 3-23-99.
 - a. Assembly Memorandum No. AM 247-99.

Ms. Taylor, Mr. Wuerch and Ms. Clementson introduced the resolution for hearing on March 23, 1999.

In response to Ms. Taylor, Director of Community Planning and Development Caren Mathis advised the AnCHOR loans were targeted for low to moderate income people as well as renaissance zones.

2. Ordinance No. AO 99-57, an ordinance of the Anchorage Municipal Assembly amending AMC 12.15.030, **providing for a limit on increased assessed valuation of any real property from one year to the next unless additional improvements are made to property**; and providing for documentation by the Assessor for increased valuations over the limit, Assemblymember Kendall. public hearing 4-6-99. **(addendum)**
 - a. Assembly Memorandum No. AM 277-99.

Ms. Clementson, Mr. Wuerch and Mr. Murdy introduced the ordinance for hearing on April 6, 1999.

Ms. Clementson asked that the ordinance receive a thorough review by the Department of Law prior to the hearing. Similar ordinances have been judged improper.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-51, a resolution of the Anchorage Municipal Assembly **expressing appreciation to George W. Waters for his 30 years of service** to the Municipality of Anchorage upon his retirement, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

Mr. Carlson moved, to approve AR 99-51.
seconded by Ms. Taylor,
and it passed without
objection,

Mr. Wuerch read the resolution while Mr. Carlson presented it to Mr. Waters.

2. Resolution No. AR 99-50, a resolution authorizing the Municipality of Anchorage to **extinguish all unpaid tax, penalty, interest, and administrative debt on the properties listed in Exhibit A** (011-212-51, Lakehurst Subdivision, Lot 25A, Block 6; 012-342-04, Bruce Subdivision #1, Lot 3, Block 1; 014-051-36, Galatea Estates, Lot 1, Block 7; 014-051-37, Galatea Estates, Lot 2, Block 7; 014-051-38, Galatea Estates, Lot 3, Block 7; 014-051-39, Galatea Estates, Lot 4, Block 7; 014-051-40, Galatea Estates, Lot 5, Block 7; 014-181-41, Abbott Loop Manor, Lot 4, Block 4; 014-181-42, Abbott Loop Manor, Lot 5, Block 4; 014-181-43, Abbott Loop Manor, Lot 6, Block 4; 051-172-01, T15N R1W, Section 18, S.M., Lot 75), Real Estate Services/Heritage Land Bank.

Mr. Wuerch moved, to approve AR 99-50.
seconded by Mr. Murdy,
and it passed without
objection,

Mr. Wuerch asked that future ordinances like this one be submitted with a map depicting where the properties are located.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 271-99, **Girdwood Board of Supervisors appointment** (Elizabeth Wilson), Mayor's Office.

Mayor Mystrom moved, to postpone action on AM 271-99 until March 23, 1999.
seconded by Mr. Kendall,
and it passed without
objection,

Mayor Mystrom explained Assembly representatives of this area had requested postponement.

2. Assembly Memorandum No. AM 253-99, **private development water main oversizing reimbursement for Eagle Pointe Subdivision** AWWU File No. W-97-057, Water and Wastewater Utility.

Mr. Wuerch moved, to approve AM 253-99.
seconded by Mr. Murdy,

In reply to Mr. Wuerch, Curt Voss of AWWU stated the reimbursement was not based on the excavation or fill costs. The tariff allows reimbursement of costs for extra materials specifically required by the utility.

Mr. Wuerch pointed out AWWU based the reimbursement calculation on the difference between a 14" pipe and a 16" pipe. The developer had an agreement with a prior utility to install a 12" pipe. He felt the prior utility's agreement should be honored and reimbursement should be based on the cost differential between a 12" and 16" pipe.

Don Keefer of AWWU indicated when the water main extension agreement was signed by the developer, he knew about Alaska Public Utility Commission's (APUC) actions relative to AWWU's purchase of Eklutna Utilities (EUI) and the agreement between AWWU and EUI for purchase of the assets. When the issue of changing the service from a 12" to a 16" system came up the purchase agreement was amended. That agreement allows either AWWU or EUI to reimburse for line installation. Funds are in escrow to reimburse for the oversizing.

Mr. Wuerch moved, to postpone action until March 23, 1999 to allow
seconded by Mr. Murdy, representatives of AWWU to meet with the developer
and it passed without and EUI.
objection,

3. Assembly Memorandum No. AM 261-99, change order No. 2 to purchase order 80845 to exercise the option period with Rand Construction for performing **bus shelter maintenance** for the Municipality of Anchorage, Public Transportation Department/ Purchasing.

Mr. Meyer moved, to approve AM 261-99.
seconded by Ms. Clementson,
and it passed without
objection,

In response to Mr. Meyer, Transportation Director Bob Kniefel explained the reduction was based on actual expenses in the prior year. He added that snow is cleared from bus stops by either Public Works or private contractors.

4. Assembly Memorandum No. AM 263-99, amendment No. 1 to the contract with USKH for the **Dempsey Anderson Ice Arena addition**, Property and Facility Management.

Mr. Meyer moved, to approve AM 263-99.
seconded by Mr. Murdy,
and it passed without
objection,

In reply to Mr. Meyer, Joe Beauchamp of Property and Facility Management stated the contract was for Dempsey II.

Mayor Mystrom announced the dedication was scheduled early in May.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 21-99, Internal Audit Report 99-02 - **1998 Parts, Fuel and Lubricants Inventory, Public Transportation Department**, Internal Audit.
2. Information Memorandum No. AIM 22-99, Internal Audit Report 99-03 - **1998 Parts and Fuel Inventory, Anchorage Water and Wastewater Utility**, Internal Audit.
3. Information Memorandum No. AIM 23-99, Internal Audit Report 99-04 - **1998 Parts, Tires and Lubricants Inventory, Fleet Services Division-Property and Facility Management**, Internal Audit.
4. Information Memorandum No. AIM 24-99, Internal Audit Report 99-05 - **1998 Parts and Fuel Inventory, Municipal Light and Power**, Internal Audit.

Mr. Wuerch moved, to accept AIM 21-99, AIM 22-99, AIM 23-99
seconded by Mr. Murdy, and AIM 24-99.
and it passed without
objection,

Mr. Wuerch noted the audits report the compliance of four departments in the area of asset inventory. He commended their efforts.

5. Information Memorandum No. AIM 26-99, **Job Training Partnership Act Annual Report and Performance Awards**, Health and Human Services.

Ms. Taylor moved, to accept AIM 26-99.
seconded by Ms. Clementson,
and it passed without
objection,

Ms. Taylor pointed out the report included several success stories.

Lynn Taylor, JTPA grant administrator, stated the US Department of Labor Region X and the State of Alaska recognized the Municipality's program for outstanding performance.

6. Information Memorandum No. AIM 30-99, Bar Violations/Quarterly Report - Fourth Quarter 1998, Anchorage Police Department.

Ms. Clementson moved, to accept AIM 30-99.
seconded by Mr. Meyer,
and it passed without
objection,

Ms. Clementson noted the delay in receiving this report impeded the ability of the Assembly to address "problem" establishments because they could only protest the second year of operation until January 31 of the license year. She asked that the reports be sent sooner.

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

- A. Ordinance No. AO 99-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$428,740,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Anchorage School District.
1. Assembly Memorandum No. AM 93-99.
 2. Ordinance No. AO 99-14(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$428,740,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Anchorage School District.
 3. Assembly Memorandum No. AM 119-99.
 4. Ordinance No. AO 99-14(S-2), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$428,740,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymembers Von Gemmingen and Carlson.
 5. Assembly Memorandum No. AM 238-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- B. Ordinance No. AO 99-17, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$121,570,400 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Kendall.
1. Assembly Memorandum No. AM 189-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- C. Ordinance No. AO 99-18, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$463,680,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Kendall.
1. Assembly Memorandum No. AM 190-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- D. Ordinance No. AO 99-31, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$171,150,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Wuerch.
1. Assembly Memorandum No. AM 191-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- E. Ordinance No. AO 99-38, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$15,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Bell.
1. Assembly Memorandum No. AM 192-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)

- F. Ordinance No. AO 99-39, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$443,740,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Bell.
1. Assembly Memorandum No. AM 193-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- G. Ordinance No. AO 99-41, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$173,150,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Wohlforth.
1. Assembly Memorandum No. AM 168-99.
 2. Ordinance No. AO 99-41(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$173,150,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Wohlforth.
 3. Assembly Memorandum No. AM 219-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)
- H. Ordinance No. AO 99-42, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$431,540,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 20, 1999, Assemblymember Wohlforth.
1. Assembly Memorandum No. AM 169-99.
(POSTPONED FROM 2-23-99; CARRIED OVER FROM 3-2-99)

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

to postpone indefinitely AO 99-14, AO 99-17,
AO 99-18, AO 99-31, AO 99-38, AO 99-39
and AO 99-41.

The Assembly then considered item 10, Appearance Requests.

Senior Nursing Class-UAA School of Nursing, to present results of Community Nursing Project.

TRISH AUSTIN, UAA Senior Nursing Student, reported on her class assignment to improve the health of Anchorage Fire Department employees. One way to enhance health and morale of employees is through recognition. Her class has elected to lobby for the establishment of a Firefighter Appreciation Day. She outlined various activities such a day could include.

Don Dwiggins, regarding Title 23 accessibility standards.

DON DWIGGINS, Building Owners and Managers Association, reminded members he testified about the Americans with Disabilities (ADA) requirements contained in the local amendments to the building codes adopted late last year. The local amendments exceed requirements of the Act. The Assembly indicated they wanted to meet but not exceed the ADA standards. Consequently, the Building Department was to report back to the Assembly by January 26 on areas of the code which exceed ADA requirements. To date, there has been no change in the local ADA amendment nor has any time table been set for resolution of the issue. He was concerned the matter would be referred back to the Building Board which did not adequately address the area initially.

In response to Mr. Bell, Public Works Director Jim Fero estimated it would take at least two weeks to reconstitute the accessibility committee and four to six months for the matter to work its way back to the Assembly. The department's aim was to adopt local amendments which would pass muster with the US Department of Justice as they interpret the Fair Housing Act. The standards adopted by the Assembly have passed that test.

Ms. Clementson felt the Assembly could give specific direction to Public Works after a work session.

Mr. Bell asked the administration to reform the committee and meet with the Assembly in a work session at 2:30 p.m. on April 6 to discuss potential solutions.

- I. Resolution No. AR 99-42, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant and Eating Place License) located on Hansen Subdivision, Block 3, Lot 3A, generally located on the south side of West 27th Avenue and west of Spenard Road. (Rod Hancock d.b.a. Film-on Productions LLC d.b.a. **Bear Tooth Cinema**) (Case 99-042), Community Planning and Development.
1. Assembly Memorandum No. AM 218-99.
(POSTPONED FROM 3-2-99)

Chair Von Gemmingen gave the history of the resolution and noted a motion to approve was on the floor. She invited the applicant forward to answer Assembly questions.

ROD HANCOCK stated the restaurant would be separate from the theater and lobby. Each business will have a separate entrance. Plans are to designate a portion of the theater as a licensed premise so alcohol can be served. This business, new to Alaska, is modeled on theater-restaurants located in Portland, Oregon. Movies will be family oriented second run films, art films and classics. An extensive menu will be available in the restaurant and theater. Employees will check identification to prevent underage patrons from entering the licensed premises. No alcohol will be served in the theater during matinees. The Spenard Community Council has not expressed concern about this license.

Question was called on the motion to approve AR 99-42 and it passed:

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

- J. Ordinance No. AO 99-13(S), an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code to provide for **municipal reimbursement of utility relocation costs** necessitated by municipal capital projects; to adjust the fee and fine schedules for utility permits; streamline permit monitoring; provide for annual blanket permits, Legal Department.
 - 1. Assembly Memorandum No. AM 149-99.
(APPROVED 2-9-99; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. WUERCH 2-10-99; RECONSIDERED 2-23-99; SECTION 19 APPROVED 2-23-99; REMAINDER POSTPONED FROM 2-23-99)
- K. Resolution No. AR 99-44, a resolution of the Anchorage Municipal Assembly **directing the Municipal Administration to discontinue privatizing all or part of the Municipality's animal control services**, Assemblymember Wohlforth.
(CARRIED OVER FROM 3-2-99)
- L. Ordinance No. AO 98-141(S), an ordinance of the Municipality of Anchorage **creating a Board of Adjustment panel separate from the Assembly**, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment, Assemblymember Clementson.
 - 1. Ordinance No. AO 98-141(S-1), an ordinance of the Municipality of Anchorage creating a Board of Adjustment panel separate from the Assembly, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment, Assemblymember Wohlforth.
 - 2. Assembly Memorandum No. AM 64-99.
(AO 98-141(S) FAILED 12-8-98; MR. WOHLFORTH GAVE NOTICE OF RECONSIDERATION ON 12-9-98; AO 98-141(S) WAS RECONSIDERED & POSTPONED FROM 12-15-98; CARRIED OVER FROM 1-12-99 & 1-26-99; POSTPONED FROM 2-2-99; CARRIED OVER FROM 2-9-99, 2-23-99 & 3-2-99)

AO 99-13(S), AR 99-44 and AO 98-141(S) were considered later in the meeting following New Public Hearings.

10. APPEARANCE REQUESTS:

- A. **Don Dwiggin**s, regarding Title 23 accessibility standards.
- B. **Senior Nursing Class-UAA School of Nursing**, to present results of Community Nursing Project.

Appearance requests were heard earlier in the meeting following action on AO 99-42.

11. CONTINUED PUBLIC HEARINGS:

- A. Ordinance No. AO 98-51, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code Chapters 11.10 - 11.40 governing the authority of the Anchorage Transportation Commission; changing the regulation of taxicabs, limousines, and vehicles for hire; **changing the regulation of chauffeurs operating taxicabs, limousines, and vehicles for hire; and changing the regulation of dispatch services**, Legal Department.
 - 1. Assembly Memorandum No. AM 505-98.
 - 2. Assembly Memorandum No. AM 1169-98, Transportation Inspection.
 - 3. Ordinance No. AO 98-51(S), an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code Chapters 11.10 - 11.40 governing the authority of the Anchorage Transportation Commission; changing the regulation of taxicabs, limousines, and vehicles for hire; changing the regulation of chauffeurs operating taxicabs, limousines, and vehicles for hire; and changing the regulation of dispatch services, Legal Department.
 - 4. Assembly Memorandum No. AM 276-99.
(CONTINUED FROM 9-1-98, 11-17-98, 12-15-98, AND 1-26-99)

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

The meeting recessed at 7:06 p.m. and reconvened at 7:40 p.m.

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

to continue the public hearing on AO 99-51 until
March 23, 1999.

Chair Von Gemmingen announced distribution of a substitute version of the ordinance and suggested testimony be based on that document.

12. **NEW PUBLIC HEARINGS:**

- A. Ordinance No. AO 99-44, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$58,910,000 in aggregate principal amount of General Obligation General Purpose Bonds of the Municipality for the purpose of **raising funds to pay the costs of road, storm drainage, parks and recreation, fire protection, public transit and related capital improvements**; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance.
1. Assembly Memorandum No. AM 227-99.

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

Mr. Kendall moved, to adopt AO 99-44.
seconded by Ms. Clementson,

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

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

- B. Ordinance No. AO 99-45, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of General Obligation Refunding General Purpose Bonds of the Municipality in the aggregate principal amount of not to exceed \$50,000,000 to provide funds required to **refund certain outstanding General Obligation General Purpose Bonds** of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds and related matters, Finance.
1. Assembly Memorandum No. AM 228-99.

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

Mr. Murdy moved, to adopt AO 99-45.
seconded by Mr. Bell,

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

- C. Ordinance No. AO 99-48, an ordinance amending Anchorage Municipal Code 3.30 regarding **establishment of a Leave Buyback Program** for employees assigned to the third leave tier program described in AMC 3.30.152(A)3 and (A)4, Employee Relations.
1. Assembly Memorandum No. AM 232-99.

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

Mr. Murdy moved, to adopt AO 99-48.
seconded by Ms. Clementson,

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

- D. Resolution No. AR 99-46, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant and Eating Place License) located on Original Townsite Subdivision, Block 100, Lot 11, generally located on the north side of West 9th Avenue and West of "F" Street (D & M Enterprises d.b.a. **As Is Cafe**) (Case 99-053), Community Planning and Development.
1. Assembly Memorandum No. AM 243-99.

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

LOAH McCOY, an owner, stated the Cafe tried offering dinner without beer and wine and 70% of the potential customers left when informed alcohol was not available. The license is needed to survive. The Downtown Community Council supports the license.

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

Mr. Murdy moved, to approve AR 99-46.
seconded by Ms. Clementson,

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

- E. Ordinance No. AO 99-37, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential) to R-4/SL (Multiple-Family Residential District) with Special Limitations for **Tract 2, Toyon Subdivision**, generally located on the east side of the New Seward Highway and North Abbott Road (Abbott Loop Community Council) (Planning and Zoning Commission Case 98-196), Community Planning and Development.
1. Assembly Memorandum No. AM 151-99.

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

DAN SULLIVAN, property owner representative, asked the Assembly to approve the request. In response to Mr. Meyer he indicated the Abbott Loop Community Council opposed the original request to rezone to B-3. Council concerns that residential density would be lost, have been addressed by requesting the R-4 classification.

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

Mr. Murdy moved, to adopt AO 99-37.
seconded by Mr. Wuerch,

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

- F. Ordinance No. AO 99-49, an ordinance amending Title 21 of the Anchorage Municipal Code Zoning District subsections 21.40.030 R-1 and R-1A (Single-Family Residential), 21.40.040 R-2A (Two-Family Residential District, Large Lot), R-2D (Two-Family Residential), 21.40.045 R-2M (Multiple-Family Residential), 21.40.115 R-10 (Residential Alpine/Slope) to **increase the maximum height of principal buildings to 30 feet**, Community Planning and Development.
1. Assembly Memorandum No. AM 233-99.

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

ROBIN WARD, Anchorage Home Builders Association, advised the amendment would permit builders to construct homes with more curb appeal because it allows homes with 9 foot ceilings, more gables and steeper pitched roofs. Current law limits height to 25 feet which dictates a less attractive 4:12 pitch on the roof. The ordinance is the culmination of work between builder associations, community councils and municipal agencies.

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

Mr. Murdy moved, to adopt AO 99-49.
seconded by Mr. Wuerch,

Ms. Clementson moved, to postpone action until March 23, 1999 so Mr. Wohlforth's concerns could be addressed.
seconded by Mr. Murdy,
and it passed without objection,

- G. Ordinance No. AO 99-46, an ordinance determining and approving the total amount of the **annual operating budget of the Anchorage School District for its Fiscal Year 1999-2000** and determining and appropriating the portion of the Assembly approved budget amount to be made available from local sources, Anchorage School District.
1. Assembly Memorandum No. AM 187-99.
 2. Ordinance No. AO 99-46(S), an ordinance determining and approving the total amount of the annual operating budget of the Anchorage School District for its Fiscal Year 1999-2000 and determining and appropriating the portion of the Assembly approved budget amount to be made available from local sources, Anchorage School District.
 3. Assembly Memorandum No. AM 245-99.

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

SHANE INCH a parent and educator, supported the budget request. He outlined the extensive process which led to the creation of the budget before the Assembly. It is a reasonable request based on real needs.

KIM JACKISH a teacher, asked the Assembly to support the budget as presented. She represented a group working to expand all day kindergarten to all schools. The proposed budget expands the program to ten more schools. If we are going to ask more from our children, we need to expand education programs.

DEBRA CARLSON a teacher, spoke in support of full day kindergarten and the proposed budget. Research shows children's brains grow very rapidly in the early years and absorb information readily. Full day kindergarten is especially beneficial to children in high risk environments.

DIANE ETTER a parent of high school students, urged support of the budget presented. Specifically she supported the increased funding for reading specialists, an expanded secondary summer school, more computers in classrooms and additional secretarial help.

DIANE JOHNSON, Creekside Park Elementary PTA President, urged support of the budget presented. It is important to have full day kindergartens to adequately prepare students for first grade.

DAVID COMBS, speaking as a taxpayer who does not like to pay taxes, urged the Assembly to support the budget presented and assess necessary taxes to support it.

JENNIFER CRUZ a parent of a Taku Elementary student, stated half-day kindergarten did not fully prepare her child for first grade. She supported full day kindergarten.

BOB CHRISTAL, Superintendent of Schools, stated the proposed budget represented a 2.8% increase over last year and a \$7.3 million tax increase. The district has worked hard to address community issues and reflect those concerns in its budget. He indicated it was difficult to predict fund balances because of the unpredictable timing and amounts of federal and state funding. He gave examples of unknowns that can effect budgets and fund balances.

PAULA WILSON, a parent, supported all day kindergarten because a half day of instruction is not enough to prepare students for first grade.

PAMELA BICKFORD felt the budget should be cut because the district employees are not accountable. She belonged to a group working to correct test evaluation procedures. Litigation has been initiated in Federal Court to address these concerns.

JIM GAYLE, a property owner, complained not all property owners were equally treated. When certain property owners are exempt the remaining property owners are required to make up the difference. He suggested a sales tax, which everyone would pay, should be levied to increase available revenue and create revenue source other than property taxes.

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

Mr. Murdy moved, to adopt AO 99-46(S).
seconded by Ms. Abney,

Mr. Kendall moved, to postpone action until March 23, 1999 so Mr. Wohlforth
seconded by Mr. Wuerch, could be present for debate and action.

Mr. Bell and Superintendent Christal discussed funding for various capital projects and potential uses of undesignated fund balances.

In response to Ms. Clementson, School Board Member Debbie Ossiander indicated there was no written policy on the use of undesignated fund balances. However, the intent is to keep undesignated fund balances in the range of 3 to 5 percent of the budget and use the money for one time expenses. Mr. Christal explained how bond funds were applied to projects. The locations of the new all day kindergartens have not been identified. Space will be a primary issue in selecting the sites.

Mr. Meyer supported consolidation of some municipal and district services to effect efficiencies and reduce property taxes.

Question was called on Mr. Kendall's motion to postpone action and it failed:

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

NAYS: Carlson, Taylor, Meyer, Abney, Murdy.

Mr. Wuerch moved, to amend AO 99-46(S) by changing the number on line 14 to
seconded by Ms. Clementson, \$391,713,356 and on line 15 to read \$111,396,821.

Mr. Wuerch noted the proposed reduction neutralized the tax impact of the operating budget. The reduction also reflects the uncertainty of the municipality's incoming revenue from state government. Additionally, the cost of education is consistently shifting to local taxpayers.

Mr. Bell pointed out even if the amendment passed, the school budget would increase over last year's budget. The proposed reduction was less than what the district has allocated to its undesignated reserves in past years.

Ms. Abney opposed the amendment. Shortfalls in state funding have increased local tax support for all services.

Question was called on Mr. Wuerch's amendment and it failed:

AYES: Bell, Wuerch, Clementson, Kendall.

NAYS: Carlson, Taylor, Von Gemmingen, Meyer, Abney, Murdy.

Ms. Clementson moved, to amend AO 99-46(S) to reduce the amount on line 14 by
seconded by Mr. Wuerch, \$2.5 million to \$394,616,330 and on line 15 to \$114,299,795.

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

Ms. Clementson moved, to postpone action until March 23, 1999.
seconded by Mr. Wuerch,

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

Question was called on the motion to adopt AO 99-46(S) and it passed:

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

Ms. Abney moved, immediate reconsideration of the vote
seconded by Mr. Murdy, on AO 99-46(S).

Mr. Bell moved, to enter on the minutes reconsideration of
seconded by Ms. Clementson, the vote on AO 99-46(S).

The meeting recessed at 9:20 p.m. and reconvened at 9:35 p.m.

H. Ordinance No. AO 99-54, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code 3.70.060 C. by **adding the category of municipal employees who provide services under the authority of Title 17 of the Anchorage Municipal Code (commonly known as animal control) to the listing of municipal employees exempt from collective bargaining.**

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

CAROL JENSEN commented that the way the animal control contract was awarded by the Mayor discouraged most people from testifying on this ordinance. The action preempted public input and review particularly from groups most involved with animal welfare. She felt the service should be performed by Municipal employees. She urged that work begin on designing an "in-house" animal control program to stop the upheaval contracting out has caused the community.

JOHN MARTIN, Anchorage Municipal Employees' Association, opposed the ordinance. When the program was run "in house" the jobs were represented positions. The proposed ordinance was not discussed with AMEA representatives nor any other unions. There is no basis to exempt these positions from collective bargaining. These are essentially code enforcement officers who, if employed by another department, would not be exempt. If the ordinance passes, AMEA will consider it an unfair labor practice and file suit.

JEAN WILEY felt animal control officers should be represented so the best enforcement officers would be hired.

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

Mr. Kendall moved, to table AO 99-54.
seconded by Mr. Carlson,

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

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

14. **SPECIAL ORDERS:** See following action on unfinished agenda items.

15. **ASSEMBLY COMMENTS:** See following action on unfinished agenda items

16. **UNFINISHED AGENDA:**

A. Ordinance No. AO 99-13(S), an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code to provide for **municipal reimbursement of utility relocation costs** necessitated by municipal capital projects; to adjust the fee and fine schedules for utility permits; streamline permit monitoring; provide for annual blanket permits, Legal Department.

1. Assembly Memo randum No. AM 149-99.

(APPROVED 2-9-99; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. WUERCH 2-10-99;

RECONSIDERED 2-23-99; SECTION 19 APPROVED 2-23-99; REMAINDER POSTPONED FROM 2-23-99)

Chair Von Gemmingen reviewed previous action on the ordinance. She stated a motion to adopt remaining sections of AO 99-13(S) was on the floor.

Mr. Wuerch moved,
seconded by Ms. Clementson,

to amend AO 99-13(S) on page 5, line 23, to delete the word "annual" and on line 27 add the following sentence: "The permit and fee requirements do not apply to vendors with valid licenses issued under Chapter 10.60."

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

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

Question was called on the motion to adopt AO 99-13(S) as amended and it passed:

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

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

Ms. Clementson noted the next two items were sponsored by Mr. Wohlforth. She suggested they be postponed until he returned.

- B. Resolution No. AR 99-44, a resolution of the Anchorage Municipal Assembly **directing the Municipal Administration to discontinue privatizing all or part of the Municipality's animal control services**, Assemblymember Wohlforth.
(CARRIED OVER FROM 3-2-99)

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

to postpone action until March 23, 1999.

- C. Ordinance No. AO 98-141(S), an ordinance of the Municipality of Anchorage **creating a Board of Adjustment panel separate from the Assembly**, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment, Assemblymember Clementson.
1. Ordinance No. AO 98-141(S-1), an ordinance of the Municipality of Anchorage creating a Board of Adjustment panel separate from the Assembly, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment, Assemblymember Wohlforth.
 2. Assembly Memorandum No. AM 64-99.
(AO 98-141(S) FAILED 12-8-98; MR. WOHLFORTH GAVE NOTICE OF RECONSIDERATION ON 12-9-98; AO 98-141(S) WAS RECONSIDERED & POSTPONED FROM 12-15-98; CARRIED OVER FROM 1-12-99 & 1-26-99; POSTPONED FROM 2-2-99; CARRIED OVER FROM 2-9-99, 2-23-99 & 3-2-99)

Mr. Murdy moved,
seconded by Mr. Bell,
and it passed without
objection,

to postpone action until March 23, 1999.

- D. SPECIAL ORDERS:

Mr. Wuerch congratulated Linda Heim Board of Equalization Clerk on her 10 year anniversary of municipal service.

- E. ASSEMBLY COMMENTS:

1. Mr. Bell relayed a request from Mrs. Johnson, widow of Mr. Ted Johnson who died following a confrontation with an animal control officer, for an investigation into the circumstances of the incident.

The matter was referred to the Municipal Ombudsman.

2. Ms. Abney suggested a meeting of the Taxi Cab Committee be held next Tuesday.

17. AUDIENCE PARTICIPATION: None.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

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

to adjourn.

The meeting adjourned at 10:00 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: September 14, 1999

LF/f

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