

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of January 25, 2000

1. CALL TO ORDER:

The meeting convened at 5:05 p.m. by Assembly Chairman Kevin Meyer in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE:

Ms. Von Gemmingen led the pledge.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - October 19, 1999
- B. Regular Meeting - November 9, 1999
- C. Special Meeting - November 16, 1999
- D. Regular Meeting - November 16, 1999

Ms. Taylor moved, to approve the minutes of the regular meetings
seconded by Mr. Tesche, of October 19, November 9, November 16 and the special
and it passed without meeting of November 16, 1999.
objection,

5. MAYOR'S REPORT:

Municipal Manager George Vakalis reported that the Mayor was in Juneau meeting with the AML and the Conference of Mayors. Their major topic was a proposed cut in revenue sharing by the legislature. Those two organizations were against that type of a cut because of the impact it would make on Anchorage and other locales regarding tax increases. He requested that before the public hearing on the general government bond propositions, that they be allowed to make some changes regarding the recalculation of interest.

6. ADDENDUM TO AGENDA:

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

Chairman Meyer read the addendum items.

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

7. CONSENT AGENDA:

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

- A. BID AWARDS:
 - 1. Assembly Memorandum No. AM 109-2000, recommendation of award to Consolidated Contracting & Engineering for the **Transit Barn heating and electrical upgrade** for the Municipality of Anchorage, Property and Facility Management (ITB 99-C086), Purchasing.
- B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:
 - 1. Ordinance No. AO 2000-31, an ordinance amending the zoning map and providing for the rezoning from R-O (Residential Office District) to PLI (Public Lands and Institutions District) for **Lathrop Subdivision, Tract B-2**; generally located on the south side of East 42nd Avenue and west of Lake Otis Boulevard (University Area Community Council) (Planning and Zoning Commission Case 99-194), Community Planning and Development. public hearing 3-7-00.
 - a. Assembly Memorandum No. AM 86-2000.
 - 2. Ordinance No. AO 2000-32, an ordinance amending Anchorage Municipal Code Section 12.15.030 **to establish a method for assessment of real property entitled to federal low income housing tax credits** and/or other financing requiring legally binding rental restrictions, through long-term

- deed restrictions recorded against the property benefiting lower income families, Assemblymembers Tesche and Taylor. public hearing 2-15-00.
- a. Assembly Memorandum No. AM 12-2000.

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

3. Ordinance No. AO 2000-33, an ordinance amending Section 27.20.110 of the Anchorage Municipal Code **relating to the composition of the Girdwood Valley Service Area Board of Supervisors** and establishing a Public Safety Board for the Girdwood Valley Service Area, Assemblymembers Abney and Tremaine. ~~public hearing 2-15-00.~~
 - a. Assembly Memorandum No. AM 111-2000.

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

4. Resolution No. AR 2000-19, a resolution approving the **Arctic Boulevard water main extension** and providing for assessment of benefited properties at time of service connection, Water and Wastewater Utility. public hearing 2-15-00.
 - a. Assembly Memorandum No. AM 87-2000.
5. Resolution No. AR 2000-20, a resolution confirming and levying assessments for the sewer special improvements within **Levy-Upon-Connection Roll 2000-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency connection, Water and Wastewater Utility. public hearing 2-15-00.
 - a. Assembly Memorandum No. AM 88-2000.
6. Ordinance No. AO 2000-26(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.20.040, **exempting federally-licensed wholesale and retail gun dealers from the Municipality's secondhand merchant's licensing**, Assemblymember Kendall. ~~public hearing 2-1-00.~~ **(addendum)**
 - a. Assembly Memorandum No. AM 112-2000.

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

7. Ordinance No. AO 2000-37, an ordinance amending Section 27.20.110 of the Anchorage Municipal Code **relating to the composition of the Girdwood Valley Service Area Board of Supervisors**, Assemblymembers Abney and Tremaine. public hearing 2-15-00. **(addendum)**
 - a. Assembly Memorandum No. AM 123-2000.
8. Ordinance No. AO 2000-38, an ordinance amending Section 27.20.110 of the Anchorage Municipal Code **establishing a Public Safety Board for the Girdwood Valley Service Area**, Assemblymembers Abney and Tremaine. public hearing 2-15-00. **(addendum)**
 - a. Assembly Memorandum No. AM 124-2000.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-24, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Captain Lauren J. Zager for his 16 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.
2. Resolution No. AR 2000-25, a resolution of the Anchorage Municipal Assembly **recognizing and applauding the Anchorage 2000 Board Members and staff** for their efforts and commitment in making the "Night of Light" New Year's Eve Millennium Celebration a success, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.
 - a. Resolution No. AR 2000-25(S), a resolution of the Anchorage Municipal Assembly recognizing and applauding the Anchorage 2000 organizers, Board Members, and staff for their efforts and commitment in making the "Night of Light" New Year's Eve Millennium Celebration a success, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch. **(addendum)**

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

3. Resolution No. AR 2000-21, a resolution of the Municipality of Anchorage appropriating \$7,500 from the State of Alaska, Department of Health and Social Services/Public Health Enforcement to the State Categorical Grants Fund (0231) for **tobacco sales to minors enforcement project**, Anchorage Police Department.
 - a. Assembly Memorandum No. AM 89-2000.
4. Resolution No. AR 2000-22, a resolution of the Municipality of Anchorage reappropriating \$87,193 from the Alaska Department of Labor and Workforce Development for **PY98 Title II Vocational Education Program Carry-In Funds** within the State Categorical Grants Fund (231) from Health and Human Services Department to Community Planning and Development Department.
 - a. Assembly Memorandum No. AM 90-2000.
5. Resolution No. AR 2000-23, a resolution authorizing the granting of **a tax refund as a result of manifest clerical error** on Real Property Account 9001 08001 38, Finance.
 - a. Assembly Memorandum No. AM 91-2000.

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

6. Resolution No. AR 2000-26, a resolution of the Municipality of Anchorage appropriating \$48,430 from the Areawide General (101) Fund Balance to the Department of Property and Facility Management **to pay attorney fees awarded in Alaska Firebirds v. Ogden Allied Entertainment Services/MOA**, Case No. 3AN-96-9163 Civil, Legal Department.
 - a. Assembly Memorandum No. AM 107-2000.

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

7. Resolution No. AR 2000-27, a resolution to **amend the collective bargaining agreement between the International Association of Fire Fighters - Local 1264** and the Municipality of Anchorage to incorporate an alternate work schedule for Fire Dispatchers, Employee Relations.
 - a. Assembly Memorandum No. AM 108-2000.
8. Resolution No. AR 2000-28, a resolution of the Anchorage Municipal Assembly **recognizing and commending the team effort of the Management Information Systems Department staff and other citywide employees** for their work and commitment to the Y2K Readiness Program, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch. **(addendum)**

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

D. NEW BUSINESS

1. Assembly Memorandum No. AM 92-2000, confirmation of **appointment to 457 Deferred Compensation** Committee (Alan Sandar), Employee Relations.
2. Assembly Memorandum No. AM 110-2000, **Totem Limited Road Service Area Board of Supervisors appointment** (Richard Applegate), Mayor's Office.
3. Assembly Memorandum No. AM 69-2000, 2000-2001 Liquor License Renewal: **AMF East 40 Bowl** - Beverage Dispensary Liquor License (Northeast Community Council), Clerk's Office.
4. Assembly Memorandum No. AM 70-2000, 2000-2001 Liquor License Renewals: **American Legion Post 1; Loyal Order of Moose; VFW Post 1685** - Club Liquor License (Spenard Community Council), Clerk's Office.
5. Assembly Memorandum No. AM 71-2000, 2000-2001 Liquor License Renewal: **American Legion Post 29** - Club Liquor License (Northeast Community Council), Clerk's Office.
6. Assembly Memorandum No. AM 72-2000, 2000-2001 Liquor License Renewals: **Anchorage Billiard Palace; Moose's Tooth Pub & Pizzeria; Mad Myma's; Sea Galley/Pepper Mill (duplicate)** - Beverage Dispensary Liquor License (Spenard and Campbell Park Community Councils), Clerk's Office.
7. Assembly Memorandum No. AM 73-2000, 2000-2001 Liquor License Renewal: **Avenue Bar** - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.
 - a. Information Memorandum No. AIM 8-2000, AM 73-2000; Liquor License Renewal for the Avenue Bar, Municipal Clerk.
8. Assembly Memorandum No. AM 74-2000, 2000-2001 Liquor License Renewals: **Bootleggers Cove (tourism); Mom & Pop's Grocery & Liquor** - Package Store Liquor License (Downtown Community Council), Clerk's Office.
9. Assembly Memorandum No. AM 75-2000, 2000-2001 Liquor License Renewal: **Chartroom (duplicate)** - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.
10. Assembly Memorandum No. AM 76-2000, 2000-2001 Liquor License Renewals: **Cheers (duplicate); Frontier Lounge (tourism); Top of the World (duplicate); Chilkoot Charlie's (duplicate); The Setter; Upper One; Don Jose's Mexican Restaurant; Sports Edition Bar** - Beverage Dispensary Liquor License (Downtown, Northeast, Sand Lake, Turnagain, Mt. View, Fairview, and Spenard Community Councils), Clerk's Office.
11. Assembly Memorandum No. AM 77-2000, 2000-2001 Liquor License Renewals: **Downtown Deli & Café; Hogg Brothers Café & Watering Trough; Las Margaritas, Peking Palace; Moose's Tooth Pub & Pizzeria; Thai Town Restaurant** - Restaurant/Eating Place Liquor License (Spenard, Downtown, and Fairview Community Councils), Clerk's Office.
12. Assembly Memorandum No. AM 78-2000, 2000-2001 Liquor License Renewal: **515 Club** - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.
13. Assembly Memorandum No. AM 79-2000, 2000-2001 Liquor License Renewal: **Gaslight** - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.

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

14. Assembly Memorandum No. AM 80-2000, 2000-2001 Liquor License Renewal: **Hot Rods (duplicate)** - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.
15. Assembly Memorandum No. AM 81-2000, 2000-2001 Liquor License Renewals: **Kmart #3580 (400 Rodeo Place); Shoppers Cache** - Package Store Liquor License (Russian Jack and Chugiak Community Councils), Clerk's Office.
16. Assembly Memorandum No. AM 82-2000, **Panda Express** - Transfer of Ownership for a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Taku/Campbell Community Council), Clerk's Office.
17. Assembly Memorandum No. AM 83-2000, 2000-2001 Liquor License Renewal: **Specialty Imports, Inc.** - Wholesale Liquor License (Tudor, Campbell Park, and Spenard Community Councils), Clerk's Office.

18. Assembly Memorandum No. AM 84-2000, Carlo's #2 (415 E. Northern Lights Blvd.) - Transfer of Ownership for a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Russian Jack and University Community Councils), Clerk's Office.
19. Assembly Memorandum No. AM 93-2000, change order No. 1 to purchase order 99VC0258 to exercise the first option period with Alaska Fleet Services for providing **Rockwell brake parts** to the Municipality of Anchorage, Purchasing Department.
20. Assembly Memorandum No. AM 94-2000, contract amendment No. 2 with Alaska Testlab for providing **quality control testing**, Contract No. 82308, Public Works.
21. Assembly Memorandum No. AM 95-2000, approval to enter into **grant agreements with the Association for Retarded Citizens of Anchorage, NorthEast Community Center, Mt. View Recreation Center, Anchorage Opera Company, and Anchorage Symphony Orchestra**, Cultural and Recreational Services.

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

22. Assembly Memorandum No. AM 96-2000, amendment No. 2 to the contract with USKH, Inc. for **the AFD Warm Storage Facility**, Property and Facility Management.
23. Assembly Memorandum No. AM 97-2000, approval to expend 2000 Funds for **the operation of the William A. Egan Civic and Convention Center**, Property and Facility Management.
24. Assembly Memorandum No. AM 99-2000, approval of 2000 funding and to amend the **professional services agreement with the Anchorage Convention and Visitors Bureau (ACVB)**, Property and Facility Management.

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

25. Assembly Memorandum No. AM 100-2000, change order No. 1 to contract with Pinnacle Construction, Inc., **Anchorage Police Department Headquarters gasoline tank replacement**, Property and Facility Management.
26. Assembly Memorandum No. AM 101-2000, change order No. 2 to purchase order 991287 with Alaska Justice Services, Inc. for providing **Neighborhood Watch Services** for the Municipality of Anchorage, Anchorage Police Department/Purchasing.
27. Assembly Memorandum No. AM 102-2000, **1999 sewer improvements project contract** with SeaCoast Construction, Inc., change order No. 2, Water and Wastewater Utility.
28. Assembly Memorandum No. AM 103-2000, change order No. 2 to purchase order 72126 with Steiner Corporation dba American Linen for furnishing **uniform rental and cleaning** for the Municipality of Anchorage, Purchasing.
29. Assembly Memorandum No. AM 104-2000, sole source agreement with Comtec Business Systems, Inc. for providing **PBX telephone services** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
30. Assembly Memorandum No. AM 105-2000, sole source contract with Perkins Coie for providing **legal services** to the Municipality of Anchorage, Employee Relations Department/Purchasing.

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

31. Assembly Memorandum No. AM 106-2000 change order No. 5 to purchase order 60830 with Dynacare Laboratories d.b.a. DrugProof, Inc. for **substance abuse testing and collection services** for the Municipality of Anchorage, Employee Relations/Purchasing.

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

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 7-2000, **Election Data Processing Review Board appointments** (Kirk F. Waldhaus, Eugene F. Kaplanis, Jr.), Municipal Clerk.
2. Information Memorandum No. AIM 10-2000, report of **Public Works' construction contract amendments**, Public Works.
3. Information Memorandum No. AIM 11-2000, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the months of October through December 1999, Purchasing.
4. Information Memorandum No. AIM 12-2000, **Sole Source Procurement Report** for the months of October through December 1999, Purchasing.
5. Information Memorandum No. AIM 13-2000, **Bar Violations/Quarterly Report** (4th Quarter-1999: Fred Meyer-Diamond Blvd.; Northern Lights Hotel (Cusack's Brewpub); Sullivans), Anchorage Police Department.

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

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

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

8. REGULAR AGENDA:

- A. TIME CRITICAL ITEMS: None.

B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2000-32, an ordinance amending Anchorage Municipal Code Section 12.15.030 **to establish a method for assessment of real property entitled to federal low income housing tax credits** and/or other financing requiring legally binding rental restrictions, through long-term deed restrictions recorded against the property benefiting lower income families, Assemblymembers Tesche and Taylor. public hearing 2-15-00.
 - a. Assembly Memorandum No. AM 12-2000.

Ms. Clementson, Mr. Tesche and Ms. Taylor joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

In response to Ms. Clementson, Executive Manager Elaine Christian said the administration would provide a summary of economic effects as soon as possible.

In response to Mr. Tesche, Assembly Office Director Greg Moyer said his office prepares summaries of economic effects or the administration does so when the information was more readily available to the administration. They would prepare it at the Assembly's request. Mr. Moyer said he would look at the summary of economic effects on behalf of the Assembly as their budget analyst.

In response to Ms. Fairclough, Mr. Tesche said the temptation was to postpone from February 15, 2000 meeting due to the complexity of this issue. However, it was his understanding that there was some urgency to set this policy for the city. He said the Assembly would have a 90-minute work session on February 8, 2000, to go through all questions that members of the Assembly might have and he felt confident that they could be answered. He said he would prefer to take action as quickly as possible.

Ms. Clementson said as long as they scheduled any bond propositions that were left before that, she did not think there would be a problem.

2. Ordinance No. AO 2000-33, an ordinance amending Section 27.20.110 of the Anchorage Municipal Code **relating to the composition of the Girdwood Valley Service Area Board of Supervisors** and establishing a Public Safety Board for the Girdwood Valley Service Area, Assemblymembers Abney and Tremaine. ~~public hearing 2-15-00.~~
 - a. Assembly Memorandum No. AM 111-2000.

Ms. Abney moved, to postpone introduction of AO 2000-33 indefinitely.
seconded by Mr. Tremaine,
and it passed without
objection,

3. Ordinance No. AO 2000-26(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.20.040, **exempting federally-licensed wholesale and retail gun dealers from the Municipality's secondhand merchant's licensing**, Assemblymember Kendall. . ~~public hearing 2-1-00.~~ **(addendum)**
 - a. Assembly Memorandum No. AM 112-2000.

Ms. Fairclough moved, to postpone introduction of AO 2000-26(S) indefinitely.
seconded by Ms. Taylor,
and it passed without
objection,

In response to Ms. Clementson, Mr. Moyer said he prepared a substitute version for the 15th. Due to a problem with the title wherein one word was different, the Clerk's office scheduled it as a new document for introduction and it should have been a substitute version.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-25, a resolution of the Anchorage Municipal Assembly **recognizing and applauding the Anchorage 2000 Board Members and staff** for their efforts and commitment in making the "Night of Light" New Year's Eve Millennium Celebration a success, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.
 - a. Resolution No. AR 2000-25(S), a resolution of the Anchorage Municipal Assembly recognizing and applauding the Anchorage 2000 organizers, Board Members, and staff for their efforts and commitment in making the "Night of Light" New Year's Eve Millennium Celebration a success, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch. **(addendum)**

Ms. Taylor moved, to approve AR 2000-25(S).
seconded by Mr. Tesche,
and it passed without
objection,

Ms. Fairclough read the resolution.

Tennys Owens thanked the Municipality and the Assembly for their commitment to the community of Anchorage. She said the level of cooperation throughout the community for the planning of the Anchorage 2000 and The Night of Light and future events had been wonderful. She thanked the Assembly for their support.

Ms. Fairclough, Ms. Taylor, and Mr. Tesche thanked Ms. Owens and her board for all their hard work in planning the events.

2. Resolution No. AR 2000-23, a resolution authorizing the granting of **a tax refund as a result of manifest clerical error** on Real Property Account 9001 08001 38, Finance.
 - a. Assembly Memorandum No. AM 91-2000.

Ms. Fairclough moved, to approve AR 2000-23.
seconded by Ms. Taylor,

In response to Ms. Fairclough, Chief Fiscal Officer Soren Orley said the Kenai and the North Slope Boroughs would not reimburse the Municipality for the 80 percent that was to be given back to the property owner. The theory was that the city had use of that money when it should not have and earned interest on it. The 8 percent was a mandated rate, rather than the actual interest rate the city earned. He pointed out it was no one agency's mistake. He affirmed that the state made the determination that 80 percent of the property was not available to the property owner.

Ms. Clementson said she talked to the Assessor's Office and this was basically business property tax. It was for equipment that was owned, but was not used primarily within the Municipality. It was on Municipality rolls, but it was not for use in Anchorage. It was for use in properties that they owned or leased within other boroughs, and that was how the State determined where the proper taxation belonged.

In response to Ms. Fairclough, Ms. Clementson said she did not ask how the other boroughs taxed. She said the Municipality assessed because the business was physically located within Anchorage, but they do business around the state and the equipment was on their list that was turned into the Municipality. The State had the authority to make the determination as to what municipalities and boroughs were allowed to collect taxes for the oil and gas industry. She said she did not know if the other boroughs assessed them or not, but we did. The determination was made that the equipment did not actually rest in the Municipality.

In response to Ms. Fairclough, Deputy Municipal Attorney Bill Greene said he did not know if the Kenai Borough and the North Slope Borough taxed that equipment. He said the Municipality could tax only property that was located within the boundaries of the Municipality as of the assessment date, January 1. He said this appeared to be property that was not located here.

Mr. Orley said both the North Slope and the Kenai Peninsula Borough would be taxing the property. The reason why Finance came forth with a manifest clerical error was that the property owner would have been paying double tax on that equipment because they had already paid the Municipal tax and were going to get additional tax bills. Finance was treating this like any other manifest clerical error. He said it was tax collected that the Municipality should not have received. The Municipality is now giving it back and a stated 8 percent interest rate that must be given back. Instead of our Assessor's Office doing the assessment, the State Oil and Gas Division does the assessing. They send the Municipality the amount that was assessed and we bill based on the State's assessment. The property owner paid that bill and when the State audited it, it was discovered that the original assessment was not correct. Finance corrected it after a revised notice from the State was received. He said the property owners would be taxed by the appropriate location where their property was being assessed.

Question was called on the motion to approve AR 2000-23 and it passed without objection.

Ms. Clementson moved, to change the orders of the day to consider item 9A,
seconded by Ms. Fairclough, AR 2000-11.
and it passed without
objection,

Resolution No. AR2000-11, a resolution of the Anchorage Municipal **Assembly recognizing and honoring Theo M. Chenier, Jr. for his 25 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Abney, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.
(POSTPONED FROM 1-11-00)

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

Ms. Clementson moved, to approve AR 2000-11.
seconded by Mr. Sullivan,
and it passed without
objection,

Ms. Von Gemmingen read the resolution, while Ms. Clementson presented it to Mr. Chenier.

Purchasing Officer Ted Chenier said that after nearly 25 years in municipal government, it was hard to say goodbye to public service. He said it has been an honor, a pleasure, a privilege and a challenge. He noted he served and survived four administrations. He noted he had met and worked with many bright, talented and dedicated people in each of those administrations, as well as those Assemblies. He thanked those he has worked with over the years who approached their responsibilities with pride, confidence, open minds and a spirit of teamwork. He said he has accepted a position in the private sector that presents different challenges and offers new worlds to conquer. He said he leaves knowing that the

municipal government continues in strong, capable hands. Mr. Chenier announced he would be the new purchasing manager for Alaska Communication Systems.

Mr. Wuerch said everyone would miss him and he was sorry to see him leave this city. He was pleased to hear that Mr. Chenier would continue to serve the citizens of Anchorage in his new position. He wished Mr. Chenier the best in his new career and thanked him for his last one.

Ms. Clementson said Mr. Chenier was one of the most honest, ethical and straightforward people she had met during her tenure on the Assembly. She said it had been a privilege to work with him and she was sorry to see him leave.

Ms. Taylor thanked Mr. Chenier for all his hard work. She said he handled contracts with extreme integrity and honesty.

Mr. Tesche said he was impressed with the integrity and dedication to public service that Mr. Chenier has shown to the Assembly. He thanked Mr. Chenier for all he had learned from him about competitive bidding and the benefits of competitive source selection.

Ms. Abney wished Mr. Chenier the best for the future. She recounted how he had helped members over the years and said she appreciated that and would miss it.

Ms. Fairclough said she hoped Mr. Chenier's predecessor did as good a job as recognizing freshmen Assembly members who might not know the process all the way through, because she had appreciated all his help. She said he would be missed and wished him good luck in the future.

Ms. Von Gemmingen noted the following words in the resolution fair, equitable, honest, ethical, and forthright. She said Mr. Chenier kept the Assembly on the straight and narrow and she thanked him for that.

Mr. Sullivan thanked Mr. Chenier on behalf of two generations of Sullivans who had the pleasure of working with him. He noted that his father had asked him to thank Mr. Chenier and commented that his work on behalf of Anchorage was unparalleled.

Chairman Meyer pointed out that the company Mr. Chenier was going to work for was very fortunate. He said Mr. Chenier would be missed at the Assembly. He thanked him for all his help and wished him the best of luck in his new job.

3. **Resolution No. AR 2000-26**, a resolution of the Municipality of Anchorage appropriating \$48,430 from the Areawide General (101) Fund Balance to the Department of Property and Facility Management **to pay attorney fees awarded in *Alaska Firebirds v. Ogden Allied Entertainment Services/MOA***, Case No. 3AN-96-9163 Civil, Legal Department.
 - a. Assembly Memorandum No. AM 107-2000.

Mr. Tesche moved, to approve AR 2000-26.
seconded by Ms. Taylor,

In response to Mr. Tesche, Employee Relations Director Tom Tierney said the Firebirds was a women's hockey organization that brought suit against Ogden in connection with management policies for allocation of ice time. The allocation of ice had historically been based on a formula of a certain amount of time per house team in a league or a competitive team. The Firebirds took the position that all of their teams were competitive teams, as opposed to the Anchorage Hockey Association, which had 50 teams with 8 or 9 being competitive teams. The plaintiffs prevailed in court and the ultimate resolution was to reallocate ice respectively. It has been rendered mute to some extent by the fact that there is a great deal of additional ice in town. They were ultimately deemed to be a public interest litigant, so therein lies the issue of paying part of the attorney's fees.

In response to Mr. Tesche, Contract Manager of Property and Facility Management, Don Simmons said the actual policy was promulgated through the public process in the Public Facilities Advisory Commission. It was determined that Ogden was simply their agent in carrying out that policy. The Public Facilities Advisory Commission is a commission appointed by the Mayor that provides recommendations to the Administration and the Assembly on certain public facilities, including ice rinks. The policy has now been revised to meet the legal requirements set out by the judge. Mr. Simmons said he could send a copy of that new policy to Mr. Tesche. He said this was ultimately picked up as a municipal responsibility at the onset. Greg King of the Municipal Attorney's staff originally handled the litigation.

In response to Mr. Tesche, Deputy Municipal Attorney Bill Greene said Assistant Municipal Attorney Patricia Huna-Jines finished the case. It was essentially concluded, except for the final court approval, shortly before Mr. King left the Municipality.

Question was called on the motion to approve AR 2000-26 and it passed without objection.

4. **Resolution No. AR 2000-28**, a resolution of the Anchorage Municipal Assembly **recognizing and commending the team effort of the Management Information Systems Department staff and other citywide employees** for their work and commitment to the Y2K Readiness Program, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch. **(addendum)**

Ms. Taylor moved, to postpone action on AR 2000-28 indefinitely.
seconded by Ms. Clementson,
and it passed without
objection,

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 79-2000, 2000-2001 Liquor License Renewal: **Gaslight - Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.**

Ms. Clementson moved, to approve AM 79-2000.
seconded by Ms. Abney,

In response to Ms. Clementson, Mr. Pattee said the Avenue's policies were instituted at the Gaslight. He said the Gaslight was a much busier and different type of bar. The Gaslight has a real late night, high energy, and young type of crowd. He mentioned that the Gaslight has problems that the Avenue does not have. For example, there is a city parking lot right behind the building and there is a problem with people going into the cars and drinking. He said he knew there were a lot of incidents at the Gaslight, but if you looked at who initiated the police calls you would see that most of them were the employees of the Gaslight. He said there were more minor arrests and drug arrests at the Gaslight, but they were really cracking down.

In response to Mr. Tesche, Mr. Pattee said there were no ABC violations pending. He said popularity of the bar was one thing that attracted incidents. He said they were doing their best to police and he felt they were doing a great job. The employees of the Gaslight were more likely to call Anchorage Police Department when they had customers who drank too much instead of just tossing them out. He indicated that the Anchorage Police Department and the Gaslight had great cooperation. They had a partnership agreement that had expired, but they were working on a new one. The partnership agreement recognizes the problems with drinkers, drug dealers, and bringing the establishment into compliance. He felt they have addressed these issues and were now looking for new ideas for the new agreement. He said the new teenage nightclub, Halo, is a couple of blocks away from the Gaslight. He said it was hard to say if the Halo had any impact on the increased problems associated with young people trying to get into the Gaslight. He said it was an invitation for trouble if you put 500 to 1,000 teenagers in the downtown area where there are several bars. He indicated he could not say if he had seen a problem with this so far, but their minor arrests were up.

Question was called on the motion to approve AM 79-2000 and it passed without objection.

2. Assembly Memorandum No. AM 95-2000, approval to enter into **grant agreements with the Association for Retarded Citizens of Anchorage, NorthEast Community Center, Mt. View Recreation Center, Anchorage Opera Company, and Anchorage Symphony Orchestra, Cultural and Recreational Services.**

Mr. Tesche moved, to approve AM 95-2000.
seconded by Ms. Taylor,

In response to Mr. Tesche, Municipal Manager George Vakalis said this was funding for the current contract with the Boy's and Girl's Club in Mountain View. He said the administration was taking a real hard look at the additional \$125,000 requested by the Boy's and Girl's Club. The administration would be making a determination soon, because of the quarterly review of the budget and adjustments would be made just prior to tax time.

Question was called on the motion to approve AM 95-2000 and it passed without objection.

3. Assembly Memorandum No. AM 99-2000, approval of 2000 funding and to amend the **professional services agreement with the Anchorage Convention and Visitors Bureau (ACVB), Property and Facility Management.**

Ms. Abney moved, to postpone action on AM 99-2000 until February 1, 2000.
seconded by Mr. Wuerch,
and it passed without
objection,

4. Assembly Memorandum No. AM 105-2000, sole source contract with Perkins Coie for providing **legal services** to the Municipality of Anchorage, Employee Relations Department/Purchasing.

Mr. Tesche moved, to approve AM 105-2000.
seconded by Ms. Fairclough,

Mr. Tesche moved, to consolidate consideration of AM 105-2000 with item 12.B,
seconded by Ms. Taylor, AR 2000-16.
and it passed without
objection,

5. Assembly Memorandum No. AM 106-2000 change order No. 5 to purchase order 60830 with Dynacare Laboratories d.b.a. DrugProof, Inc. for **substance abuse testing and collection services** for the Municipality of Anchorage, Employee Relations/Purchasing.

Ms. Fairclough moved, to approve AM 106-2000.
seconded by Ms. Clementson,

In response to Ms. Fairclough, the contract administrator, Debbie English, said they were splitting the contract. DrugProof was no longer doing the onsite at Anchorage Police Department, nor were they willing to do the after hours, weekend or holidays. The Municipality would be contracting directly with Quiz to cover those services. She said Quiz was not

interested in the full contract, but in the fall would offer the whole program. In late December or early January, Dynacare notified that they were not willing to continue covering all of the services.

Question was called on the motion to approve AM 106-2000 and it passed without objection.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 13-2000, Bar Violations/Quarterly Report (4th Quarter 1999: Fred Meyer-Diamond Blvd.; Northern Lights Hotel (Cusack's Brewpub); Sullivans), Anchorage Police Department.

Ms. Clementson moved, to accept AIM 13-2000.
seconded by Mr. Tesche,

Ms. Clementson moved, to postpone action on AIM 13-2000 until February 1, 2000.
seconded by Ms. Von Gemmingen,

Ms. Clementson pointed out that Cusack's Brewpub had a significant number of incidents regarding sales to under age people and she was trying to get information from the ABC Board.

Mr. Wuerch suggested inviting the applicant to be present at the meeting next week when the issues were discussed.

In response to Ms. Clementson, Deputy Municipal Attorney Bill Greene said there was nothing wrong with inviting Cusack's to be present at the meeting next week. He said the issue would be whether or not they would take action of any kind. He affirmed that the window of opportunity expired at the end of January.

In response to Chairman Meyer, Ms. Clementson asked the clerk to invite Cusack's to next week's meeting.

Question was called on the motion to postpone action on AIM 13-2000 and it passed without objection.

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

- A. Resolution No. AR2000-11, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Theo M. Chenier, Jr. for his 25 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Abney, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.
(POSTPONED FROM 1-11-00)

This item was addressed earlier in the meeting. See after item 8.D.2.

- B. 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.
 1. Assembly Memorandum No. AM 1165-99.
 2. Information Memorandum No. AIM 15-2000, AO 99-152; amending AMC 1.25 regarding meeting announcements, Municipal Clerk. (**addendum**)
 (POSTPONED FROM 12-7-99)

Chairman Meyer gave the history of the ordinance and noted a motion to adopt was on the floor.

Ms. Fairclough said she would like to hear Assembly comments. Many people testified that the *Journal* was not reaching post office boxes on a regular basis. They could not access the website to find out what was happening with the agendas. They also felt there was not a place the public could find out what was happening in front of the Assembly. She indicated it was her intent to keep the public as well informed as possible. She understood that posting full documents by Friday could create a problem. It was her understanding that the Anchorage School District was already successfully implementing that.

Deputy Clerk Vickie Cantrell explained the Municipal Clerk's memorandum expressed her reservations about being compelled to do all three things, in the event a server was down, or some other unknown or unplanned circumstance, would prevent noticing in all three locations. If a problem occurred, a meeting may have to be cancelled or some other action taken. At the present time, there is a choice of two of the three notice methods. She believed the Clerk was amenable to posting on the Internet, but there were reservations about a compulsion to do so.

Ms. Clementson thought it would be better to say that they would do all three, to the extent practicable. But under no circumstances would they do less than two of the three. It should also state that the School District should maintain their telephone line portion of it. Her main concern was that if they were tied to all three and there was a problem, the Assembly or other bodies may not be able to take action.

Mr. Wuerch spoke against the ordinance. He felt it was well meaning, but the reality was they could do these things on their own without having to resort to an ordinance. He felt that making it mandatory that all three be successful was an invitation to inefficiency. Any evidence that they failed to do the mandated three things would cause the Assembly to adjourn the meeting and have to come back. He felt the idea had been well served by talking about it, but they could dispose of it by not adopting this ordinance and continue the good practices that the Clerk had already implemented.

Mr. Tesche said a substitute version of this ordinance could come back that would essentially incorporate the policy that had been set out, but adding the words “to the extent practical.” With that language, they would be safe in using less than all three means of providing notice if something like a power outage did occur. He felt it was a good idea to put the ordinance into code to let the people of Anchorage know what their expectations and rules for public notice were. He felt a code amendment would be appropriate.

Ms. Von Gemmingen felt it was well intentioned, but it set the Assembly up for failure. She thought they could direct the Clerk’s office to start doing this, to the extent possible and within their budget, and they could see how that worked. She felt they were premature in putting it into the code.

Ms. Fairclough said she appreciated the members’ comments, but she felt it was peculiar to hold the public’s feet the fire on specifics, but that the Municipality could do three out of one, or one, or maybe the others. The legal department reviewed the ordinance. Her intent was to let the public know that the Municipality was doing everything it could, on an economic basis, to provide the necessary information in a timely manner.

Ms. Fairclough moved, to postpone action on AO 99-152 to March 7, 2000 and
seconded by Ms. Clementson, reopen public hearing.

Chairman Meyer advised Ms. Fairclough that the best way to handle it would be to postpone this ordinance indefinitely and reintroduce one as a new item for a new public hearing.

Ms. Fairclough moved, to postpone action on AO 99-152 indefinitely.
seconded by Ms. Taylor,
and it passed without
objection,

- C. Ordinance No. AO 99-109(S), an ordinance amending the Anchorage Municipal Code by enacting a new Chapter 12.50 to **provide procedures for declaration of a deteriorated area or property**, including definitions of deteriorated area or property and rehabilitation, and requiring a Confirmation Impact Study (CIS), and requiring the Assembly to hold a public hearing prior to declaring a deteriorated area or property, application procedures for obtaining taxation exemption or deferral, Assemblymember Clementson.
(CONTINUED FROM 10-12-99; POSTPONED FROM 12-7-99)
- D. Ordinance No. AO 99-140, an ordinance amending Chapter 12.35 of the Anchorage Municipal Code to **provide procedures for designation of a "deteriorated area"**, Assemblymember Tesche.
(POSTPONED FROM 12-7-99)

Chairman Meyer gave the history of the AO 99-109(S) and AO 99-140 and noted no motions were pending.

Ms. Clementson moved, to postpone action on AO 99-109(S) and AO 99-140
seconded by Mr. Tesche, indefinitely.

Ms. Clementson said there were some very good questions at the work session about the length of time that a determination of deteriorated property lasted and what we would do with undeveloped property and raw land. She did not feel either ordinance clearly addressed that and it would be best to table both of them and come back with new legislation.

Question was called on the motion to postpone action on AO 99-109(S) and AO 99-140 indefinitely and it passed without objection.

10. APPEARANCE REQUESTS:

- A. **Peter Kinneen** - Commercial Recycling Center, regarding voluntary curbside recycling.

Mr. KINNEEN said he was representing the Commercial Recycling Center, which was in the process of facilitating significant recycling in the commercial sector. He wanted to discuss with the Assembly an experimental residential curbside recycling program. It would be voluntary, experimental and cost free to the Municipality. The people who would be invited to participate would pay less for garbage pickup, \$14.75 a month, and would source segregate their wastes. Commercial Recycling Center would pick up those wastes and remanufacture some of the materials in a way that has not been done traditionally. There would be no particular investment to the city. He said he came to the Assembly to start a dialogue because the area they would like to work within is in the Municipality's jurisdiction as a certificated area. It is an area that is not regulated by Alaska Regulatory Commission. He requested a work session to discuss the particulars.

In response to Mr. Sullivan, Mr. Kinneen said their proposal would be to take an area in Turnagain and offer each person the option to keep the service they currently have, which is \$15 a month, and they throw everything in one container and someone hauls it to the landfill. If they elected to go with them, they would pay \$14.75 a month and would separate their wastes into three different containers. The containers would be cellulose materials like paper, cardboard or any wood products, and anything metal. The second container would be for food waste, paint, and miscellaneous trash. The third container would vary from week to week. For example, week one would be newspapers, aluminum, copper; the second week would be plastics; the third week would be salvable items like clothes. He said they believed no wood products should be put in the landfill, because they had a use for it. They had worked out a system to collect the materials, hand sort them, and divert it from the landfill. He indicated that the next step would be a 30-second utility history hearing. One of the last regulated utilities in transportation is residential trash collection. It has already been deregulated in the commercial sector, but residential is still regulated. Within the regulatory scheme of things, everything outside of the old city boundary is a certificated area by a private carrier based out of Texas. The old city boundary is not certificated or regulated by the Utilities Commission, but by the Assembly. He pointed out that the Assembly had the authority to work with anyone to create programs for the public’s benefit. He said he could give them a proposal, but he would like to have some direction so they could tailor a written proposal to the Assembly’s potential questions or concerns.

In response to Mr. Wuerch, Mr. Kinneen said if the Assembly would invite him to a work session with the Recycling Taskforce he would be willing to attend.

Mr. Wuerch asked Chairman Meyer to choose a date and ask the staff to contact Mr. Kinneen with a date for a work session.

Ms. Fairclough suggested a work session for March 21, 2000. She said she would like to see a defined work plan, the scope of area to be covered and a schedule. She pointed out that for it to move forward successfully, it would have to be cost effective.

Municipal Manager George Vakalis said the Recycling Taskforce has been meeting for a long time and they gave the Assembly a preliminary report. In the report, there were many recommendations and there would still be public hearings. He believed the Recycling Taskforce planned on finishing their report in the March time frame. He felt it would be appropriate for Mr. Kinneen to talk to the people in the Recycling Taskforce about his ideas.

Chairman Meyer suggested a definite date should not be made until the Assembly heard from the advisory commission and Mr. Kinneen had a chance to talk to the Recycling Taskforce.

Ms. Clementson noted that the area was certificated to Solid Waste Services and they needed to weigh the impact of how that might affect Solid Waste Services' budget if other people were allowed into the certified areas.

Ms. Abney suggested a work session with the Recycling Taskforce, Solid Waste Services and Mr. Kinneen as to what the best approach would be to move forward with this.

Ms. Von Gemmingen thought Mr. Kinneen needed to go to the taskforce first with Solid Waste Services. She said any Assemblymembers who were interested could attend, but there were a lot of things that needed to be discussed before it came to the Assembly for a work session.

Mr. Kinneen said he has met with the taskforce and had a copy of their report. Everything they would be doing would be lateral to what the taskforce was doing. They would not be interfering at all. What they were proposing to do was far from what the taskforce was even dreaming about doing. He said he met with the director of Solid Waste Service and felt the economic impact to the city would be virtually nothing. He said he could work with Solid Waste Services, but if they were not willing to work with him, he was prepared to bring in other people.

B. Leaha Young, to petition for Mountain View streets be kept open for emergency access.

Ms. YOUNG said she spoke to people from Mountain View regarding closing streets in the area. Most of the people were not informed and did not know about the closures. A few homeowners who knew about it, said they went to the Community Council meeting, but their views fell on deaf ears. In 1996, someone in a high office told her it was not going to happen because there was not a budget. Later she went to a few meetings and they said it was going to happen. In 1998, they changed their minds again and said it was not going to happen due to a lack of budget. Finally, they were out there surveying and when she talked to them and they said it was going through.

She said many people thought it was beautification and did not realize the streets were actually going to be blocked off without any access. They said it was being done because traffic was heavy. Traffic is heavy because of the big apartment houses and there are a lot of people in the area. They use those roads to go back and forth to work and need access to their roads. They were concerned that once it was blocked off, there would be kids using it for skateboarding. She pointed out if children were hit by cars, it would be the driver's fault. She said the people of Mountain View do not want the roads closed and they did not believe it was going to happen. She indicated she had lived in the area since 1975 and has never had any problems with the traffic.

In response to Mr. Tesche, Ms. Young said she had been handing out pamphlets asking people to attend the Assembly meeting, but she had put down the wrong time. She said she had circulated a petition in the neighborhood and had more signatures than what the Community Council got to have the roads closed. She thought she had over 749 signatures and she filed a petition with the clerk. The petition was to show that the people of Mountain View did not want their roads closed. She said they have only done beautification so far, but next summer they were supposed to put in flowers and trees. She felt there were better ways to spend the taxpayers' money. She said the Community Council wanted the roads closed as far as she knew. She indicated that the people in Mountain View thought they were going to be able to vote on the issue. The homeowners were advised of the road closure by notices put on their doors and many of them thought they were just fliers and threw them away.

Mr. Wuerch pointed out that the Community Council was Ms. Young's and her neighbors. He said if you live in the neighborhood, you have an equal right to speak as any person duly elected to the board or their president, because you elected them.

In response to Mr. Tesche, Municipal Manager George Vakalis related this project to a similar Fairview project. He said the Fairview project called for street calming and allowed for better protection of the people who lived there in that it restricted straight through access for those people who wanted to come into that area and cause some type of misdeed. The Mountain View Community Council asked the Municipality to explore the possibility of doing the same thing in the Mountain View area. The Assembly appropriated the money through a bond and the vote had been approved. Public Works hired Dowl Engineers, who was the same contractor who did the Fairview project. He said Tim Potter was a spokesman for Dowl Engineers and was responsible for all aspects of the public input. He invited Mr. Potter to explain the process.

Mr. Potter, Dowl Engineers, said the Citizen's Advisory was assigned by the Community Council in Mountain View to participate in both the study and the analysis and design of the improvements. He related the significant public process made. First, there was a design study that determined the need for any traffic calming, defensible space creation for protection of the

community, which was a one-year process. It was recommended that some of those improvements are studied further and actual designs done, which went through a public review process. There was a Citizen's Advisory Committee and he attended the Community Council meetings on a regular basis. Mailers went out to the property owners in the community on two different occasions. The Community Council sent out their newsletters with announcements and updates as to what was going on. The Citizen's Advisory Committee was twice the size of the one that participated in the Fairview improvement and was selected by the Community Council to represent the entire broad spectrum of the area. There were briefing sessions with the police, fire, emergency services and street maintenance. He assured the Assembly that there had been a significant public process and that the Community Council and the public knew what was going on.

In response to Mr. Tesche, Chair of Community Council Randy Smith said there was an adequate public process on the Mountain View project. The Community Council, Dowl Engineering, and everyone involved in the process was very diligent in getting the information out for three years before the process even started. They sent out newsletters, surveys, and notices to all the residents and property owners on numerous occasions.

C. **Lynne Koral**, regarding the operations of and the regulations for AnchorRIDES.

Ms. KORAL said she was president of Alaska Need for the Blind and The Anchorage Chapter of Alaska Need for the Blind. In the last few months that group had noticed even more problems than they have had in the past with services. Many of them have to do with the attitudes that the city has about certain things. For instance, there are supposed to be only 50 percent of rides that are subscription, meaning that they are standard rides and you do not have to call in everyday. That means if you did not know eight days in advance, you get a cancel. If you get six or more cancels for three months out of the year, you are off the subscription rights roster. There was one individual who asked if she expected to have subscription rights for the rest of her life. She did not consider that a very respectful comment. She said there were other times when there were comments about being late for work. One's employment is supposed to be okayed by the ADA with the employer, as long as you have first talked to the employer. There are many problems with AnchorRIDE in terms of scheduling and then the rider gets blamed and it counts against them. If it's the fault of the scheduler or the dispatcher, they get blamed for it. She was told that only five people out of 2,500 even complain about AnchorRIDE, therefore it's suggested that most people think it's a wonderful system and those who represent other people at Alaska Need do not have much weight. She said they have met with Bob Kniefel a couple of weeks ago and they would do it again or go to the Transportation Advisory Committee. She wanted the Assembly to understand that these were ongoing problems and that the Assembly should revisit some of the problems with AnchorRIDE. It does not have to do with money; it has to do with attitudes. She wanted the Assembly to understand that as disabled people, it is their mode of transportation. She said most of the other problems have to do with scheduling.

In response to Mr. Wuerch, Municipal Manager George Vakalis said they would be glad to set up a work session to discuss these problems. He said it had been about a year since the last briefing.

Mr. Wuerch moved, seconded by Ms. Fairclough, and is passed without objection,	to change the orders of the day to consider item 12.aa, AO 2000-22, for 30 minutes for testimony by young people.
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The meeting recessed at 6:55 p.m. and reconvened at 7:20 p.m.

Ordinance No. AO 2000-22, an ordinance **approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc.**, a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department.

1. Assembly Memorandum No. AM 42-2000.
2. Ordinance No. AO 2000-22(S), an ordinance approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc., a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease, Legal Department. **(addendum)**
3. Assembly Memorandum No. AM 126-2000.

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

TOM MALONEY, first vice-president of the Board of Directors, said for over 17 years the voluntary Board of Directors has been running Hilltop as a non-profit. They occupy zero taxpayer funds. They pay all their own expenses, including utilities. They attempt to offer affordable services for the people who use it, 90 percent of whom are youth. It also includes free rope tows and other things for people who are learning to ski. They have 600 to 700 customers on many busy weekends and school holidays. The programs, which benefit youth, include after school programs. They have to turn away children from the programs because there isn't enough room from a facility or chairlift standpoint. They also provide camps over Christmas, spring break and inservice days. The summer camps are totally sold out. They are currently getting ready for the Special Olympics Winter Games. They employ 50 to 100 seasonal workers, including senior level teenagers and other young adults. In summary, they would like to have a long-term lease and a nice multi-purpose facility to satisfy the needs of a number of skiers, snowboarders, campers, cross-country skiers and other users of the area. He said he would appreciate the Assembly's support. They would like to continue to offer good programs for the youth of our area at no cost to the taxpayers. He provided some handouts on the schools and some pictures.

In response to Mr. Tremaine, Mr. Maloney affirmed that the ground lease expired at the end of the calendar year. He said the difference in extending the lease five years or twenty years had to do with financial arrangements for improvements. He said

they were also having a trial run for the Worldwide Games this year. There would probably be an elevated starting gate and additional tents for the games. They believe they could have the Special Olympic Snowboarding event without an additional chairlift. He pointed out that federal and other monies for Special Olympic were going into multiple uses, including Kincaid Park, Russian Jack, Nordic Ski Club, Alyeska Ski Club and other uses around town. Mr. Maloney said they were looking at a decreased overall acreage. The additional lift would only impact the Spencer Loop and Bill Spencer was redesigning the loop so it would conform to international standards for international races. He said it would also extend the entire cross-country ski trails by several kilometers. He felt if the lease was extended for five years the lack of an additional chairlift and other things would ultimately impact the ability to service the programs he spoke about earlier. He said they could not begin to meet the demand that exists right now. There is currently a 30 to 45 minute wait for chairlifts on the weekends. The projected build-date for the second chairlift would depend on the 20-year lease situation. Afterwards finalizing additional design type of work on the cross-country ski trails and other things would follow. Putting the lift physically up would not take much time assuming the other conditions were met.

COREY HUGHES, Goldenview Middle School student, said he had been a participant in most of the programs at Hilltop. He started at the Christmas camp, where he learned to ski. He was one of the original members of the Hot Dogger Program, where he learned to snowboard. He and his brother were two of the original six children in the summer camp program. He has attended the Renaissance Fair and won \$50 from the Fireman's Picnic for climbing the greased fire pole. He felt it was programs like these that made Hilltop special. He said a new building and more skiing terrain is what Hilltop and the city needed. He asked the Assembly to support Hilltop.

JEFF THOMPSON, Goldenview Middle School student, wanted to say how much Hilltop had benefited his family. They enjoy skiing there on the weekends and he enjoys skiing there on the weekdays after school.

KARLIE HASTINGS, Service High School student, said she had attended the summer camp programs, the Renaissance Fair, and the Fireman's picnic. She learned how to ski and snowboard there and enjoys both. Hilltop is close to her home and much more convenient to get to than Alyeska. She said she was for the Hilltop expansion.

In response to Mr. Tremaine, Ms. Hastings did not feel there was much difference in the time they had to wait in lines for the chairlift now as opposed to five years ago. She said it was getting to the point where it was 10 or 15 minutes on busy days. She felt it would be nice to have another lift.

TANYA LaNEEN, Service High School student, said in Elementary School she rode the bus for the Hot Doggers from O'Malley, which gave her the experience of doing things other than just watching television. Her dad taught her how to ski and she started the Spyder Program which she for seven years and then she started going to Alpenglow and racing. She said that really got her into athletics. Then she started snowboarding. She said she liked to go to Hilltop, because it is closer; she and her brother had season passes and went there twice a week. She said Alyeska was nice and challenging, but it was too far away.

In response to Ms. Abney, Ms. LaNeen said when she started skiing, it was not very busy because no one was really into the cold. Then everyone found out about Hilltop and now it is busier. The busy days are Friday and Saturday or night skiing.

NICOLAS said he snowboards and skis at Hilltop. He said he takes his friends to Hilltop for birthday parties. He said he would like to expand Hilltop so Hot Doggers could have more room. A lot of people love Hilltop and if they expand it, he felt they would love it more.

In response to Ms. Abney, Nicolas said he was a Hot Dogger and they have a special line so he does not have to wait very long for the chairlift. But on the weekends, there is a fairly long wait in the line, perhaps as much as five minutes.

In response to Mr. Tesche, Nicolas said a Hot Dogger was a program at Hilltop where they teach you how to ski and snowboard.

Ms. Fairclough suggested that if there were parents with children present who would have to be leaving soon, they should be allowed to speak now.

BRUCE DAVIDSON said he was the parent of two children, 14 and 11. They have been using Hilltop since they were three years old and they are both very accomplished skiers. He said his 14-year-old son represented Alaska last year at the Western Region Junior Olympics. He said without the Hilltop facility, his son would not have had the start and the early experience. Hilltop is a place for kids. He said when his kids were younger, it was one of the only places in town that he felt comfortable leaving them for an extended period of time. He said in today's society where we want the kids to get away from the television and exercise more and to do healthy things, we should be encouraging organizations like Hilltop Youth to expand their facilities and to increase their capabilities so they can serve more children.

In response to Ms. Abney, Mr. Davidson said his 14-year-old son still goes to Hilltop occasionally, but now he goes to Alyeska because of his advanced level and he wasn't willing to wait in the chairlift line. He felt this son was typical of the average young skier. He felt Hilltop was a popular location for young skiers.

DAVID HUGHES felt youth were not the only people who benefited from Hilltop. He said he had a challenge by three young boys when he moved to Anchorage to learn to ski. He said there were a lot of older people that use Hilltop to learn how to snowboard and ski. He felt it was a good family recreational area. He felt it was a true asset for the city and he hoped it could continue as a fine facility in the city.

MARY JANE EAST said she was a teacher with the Anchorage School District. She said she wanted to display her continued support for Hilltop. She was involved with the initial development of Hilltop. Her son, who is now 24, was a youngster when they became involved in the Hilltop organization. They built the prototype in their home and marketed the concept to the population of Anchorage. She said she was immensely proud of the achievement of Hilltop and looked forward to the continuation and progression of further development.

DOUG HENDRICKS, who was born and raised in Alaska, learned to ski when he was very young. He became the mountain manager of Hilltop ski area for two years and specialized in avalanche control, rescue, medic and other things. He said his son was learning how to ski now. He said he visualizes a ski area, but also sees a speed lap rink and a loge run and other things. He said we should not look at building fences, we should figure out how to use our land properly. He felt Alaskans had a pride about their land. He said he wanted his children to have what his father gave him. He pointed out that people get a lot out of the ski area.

Ms. Fairclough pointed out that there were people who had other perspectives on this. The Assembly had to listen to all of it and made a policy that would be good for everyone. She pointed out there were some people with environmental concerns and trail impact concerns.

HAROLD SNOW said he was a member of the Anchorage Parks and Recreation Commission. He indicated he has been a part of the commission for 10 years and Chairman since 1995. The proposed expansion of the Hilltop area has been before the commission twice. The current proposal was approved by the commission in 1998. In 1995 there had been two evenings of public testimony. They heard from about 250 people who addressed concerns ranging from the impact on the Nordic ski trail, wildlife management concerns, the neighbors within the area who were concerned about what it might do to the neighborhood, as well as the positive attributes that Hilltop had brought to the community. The Commission in 1995 recommended the concept approval for an expansion of Hilltop with a number of conditions. In 1998, Hilltop came back to the Commission with a plan which had three or four alternatives for the expansion of the chairlift and addressed the impact of the expansion of the chairlift on the Nordic ski trails. At that time they had two days of hearings and about 212 testified. Again, they had people speaking both in favor and opposed. At the conclusion, they proposed and recommended the expansion that is before the Assembly now. They took into consideration all the alternatives, the options, the various uses of Bicentennial Park, and they believed this was appropriate for a number of reasons. One is that the terrain in the proposed expansion area is more intermediate, so it provides an alternative. Another important thing was that currently Alaska has, at Kincaid Park, the only Federation International to Ski (FIS), which is the Olympics certification organization for Nordic skiing, in North America. The Spencer Loop trail could not meet Olympic standards, but there are opportunities with this expansion to get the trail to meet FIS standards. The opportunity for Anchorage to host a Nordic ski event at two locations with favorable snow is enhanced. He did not feel bifurcating between the 5-year and the 20-year lease would be a service to Hilltop. He felt the 20-year lease in their pocket that would give them the needed opportunity. He said the Commission required as a condition of this expansion that the chairlift and the relocation of the Spencer Loop happen at the same time. Mr. Spencer suggested a cost of \$90,000 to \$150,000 for the relocation of the Spencer Loop. He said when and if they present a complete package, the administration will permit them to go forward.

In response to Ms. Abney, Mr. Snow said there was about three proposals for the relocation of the Spencer Loop. He said the area of the proposed lift and ski run would be the 30 acres that would be cut. He said the area would be cleared and suitable for a ski run and not a glade.

In response to Mr. Tremaine, Mr. Snow said the committee that he chairs is an advisory body to the Municipality. They deal with public use lands around the Municipality, except for Eagle River and Girdwood. They review issues such as trail locations, greenbelt acquisitions, ball field development, and other things. He indicated that this was the first time this issue had come before the Assembly.

(Clerk's Note: Due to lack of time, the public hearing was continued until February 1, 2000.

11. CONTINUED PUBLIC HEARINGS: None.

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-24, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Drinking Water Fund of an amount not to exceed \$31,194,000 for the purpose of **financing a portion of the costs of various water capital improvement projects** in the Municipality, and providing for related matters, Water and Wastewater Utility.
 - 1. Assembly Memorandum No. AM 44-2000.

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

Ms. Taylor moved, to adopt AO 2000-24.
seconded by Mr. Sullivan,

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

Mr. Tesche requested AR 2000-16 and AM 105-2000 be combined for the public hearing. There was no objection.

- B. Resolution No. AR 2000-16, a resolution of the Municipality of Anchorage appropriating \$225,000 from the Anchorage Metropolitan Police Service Area (151) Fund Balance to the Anchorage Police Department for **professional legal services in support of labor relations activities in pending litigation regarding Messrs. Guillory and Nelson**, Employee Relations Department.
 - 1. Assembly Memorandum No. AM 61-2000.
Assembly Memorandum No. AM 105-2000, sole source contract with Perkins Coie for providing **legal services** to the Municipality of Anchorage, Employee Relations Department/Purchasing.

Mr. Tesche said there were a number of questions he would like to direct to the administration, the Mayor, and Mary Hughes about the litigation itself and some of its history. He suggested opening the public hearing for those who wanted to testify and continuing the resolution until the next meeting so the Mayor and the city attorney would be present.

Ms. Taylor said she spoke to Municipal Attorney Mary Hughes and she indicated that she was interested in settling this case, which would make this appropriation unnecessary.

In response to Ms. Fairclough, Employee Relations Director Tom Tierney said some of the \$145,000 billable hours awaiting payment have been spent. He felt even if it were to settle, the Administration would require an appropriation to ensure that this law firm, which has acted in good faith, got paid. He said his understanding was different than Ms. Taylor's, but he had not been present at her conversation with Mary Hughes. He felt Ms. Hughes could speak for herself when she returned.

Mr. Tesche felt that was the point. He said he had his own conversation with Ms. Hughes and she said the municipality was interested in pursuing a very aggressive defense of the litigation. He said she could explain more about that when she was here and it would be appropriate for her to be present. He said it was his understanding that the lawyers have already incurred \$145,000 of the \$225,000 appropriation. He said that raised a number of questions in his mind about the process. It also raises the question if there would be enough money left in the \$225,000 appropriation to carry this matter through trial.

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

to open the public hearing and continue it to next week
with the understanding that anyone testifying this week
could not testify next week.

Chairman Meyer opened the public hearing for AR 2000-16 and AM 105-2000 and asked if anyone wished to speak.

REV. WILLIAM GREENE said he was the pastor of the Eagle River Baptist Church. He wanted to address the issue of the \$225,000. He said he came to the Assembly in March of 1995 with grave concerns about systemic racism within the Municipality. Five years later, they are back again. The police officers took their case to the Anchorage Equal Rights Commission. The commission investigated this case and found cause for discrimination against these officers. The Mayor, in his speech, failed to recognize his own report that there were some problems. Instead he used a Justice Department report and said that the city had been exonerated from any discrimination. That was wrong. Nowhere in this report does the Justice Department state that Anchorage has been exonerated from the complaint of these men. The Equal Rights Commission clearly states that these men were discriminated against. And yet the city went out and hired two outside law firms and paid, so far, \$145,775.40. This case could have been solved for \$32,000 back in 1998. The officers and the Municipality came together and made a tentative agreement. The settlement came to \$32,000. When it came to putting this in writing, the Municipality reneged on their promise. These officers had no choice other than filing a complaint against the Municipality for race discrimination. Now that they have done it, the amount of money that has been paid was \$145,775.40. Rev. Greene questioned if the Municipality wanted to settle this case or try and bankrupt these officers. He said he was concerned about the way money was spent. He indicated that when the Mayor was asked when the Municipality was going to go to black colleges and universities to recruit, the Mayor stated they did not want to lower the standards. BP and Arco go to those predominate black universities and hire engineers to run their business. He said they were not talking about lowering the standards, they were talking about making the playing field level.

In response to Ms. Clementson, Rev. Greene said in 1998 there was a deal reached between the two parties to settle the case for \$32,000, but the Municipality reneged on the deal. He said the basis for that statement was information from the two officers and their reports.

Ms. Fairclough cautioned the Assembly against involvement in any litigation concepts. The Assembly was supposed to be deciding whether to appropriate \$225,000. She said they had other information that they cannot discuss at this time. While they may bring up points that may be relevant to the case, they are not relevant to this decision.

In response to Mr. Wuerch, Reverend Greene said there would be no problem with him surrendering the information he had so they could look into the alleged misuse of test materials. He said they would talk to anyone who was serious about getting to the bottom of this. He said they should look at the possibility of getting an outside person to look at this matter in depth. He said he would accept the Ombudsman's call to discuss the issue.

CELESTE HODGE, spoke as the president of National Association for the Advancement of Colored People (NAACP), which was the largest and oldest civil rights organization in the world. The NAACP was formed in 1909, because there were major race related problems. Back then blacks were limited to the shabbiest housing, the worse education, atrocious medical care, and the worst jobs. Lynchings were common and sanctioned. Mistreatment of blacks was a common occurrence. Here we are, today, in 2000 facing similar problems such as minorities being passed over for promotional and hiring provisions within the Municipality as a whole, but specifically, in the Anchorage Police Department (APD). Despite minorities passing the necessary tests for promotions, they continue at an alarming rate to be passed over for promotional and hiring opportunities. Ms. Hodge said, in an equal rights complaint filed against APD, the Anchorage Equal Rights Commission found APD demonstrates significant discriminatory practices in hiring of minorities into its general workforce, and in particular, to its higher ranks, including supervisory and command positions since 1981. She asked why it was that the rules for being promoted or hired change depending on the color of the skin. She asked why it was that in 1995/1996 the Equal Rights Commission investigated complaints of discrimination at APD and found APD altered the criteria used for establishing which applicants were successful without informing the applicants. The commission found that there were no safeguards in the promotional procedures designed to avert discriminatory practices. Despite the Equal Rights findings and a response from APD to show good faith in hiring and promotional opportunities for minorities, blacks and other minorities are still misrepresented within APD. Minorities continue at an alarming rate to be passed over for promotional opportunities. Discrimination is here in Anchorage and within the Municipality and it's time to do something about it. NAACP has no permanent friends and no permanent enemies. The only thing they do have that is permanent is their interest to irradiate discrimination.

In response to Mr. Tesche, Ms. Hodge said she has read the 1996 Equal Rights Commission report signed by Mr. Holt. She said that report looked at the specific cases of Mr. Guillory and Mr. Nelson. She glanced over the Department of Justice report that the mayor referred to, which was dated 1998. The Department of Justice report did not look specifically at the cases of Mr. Guillory and Mr. Nelson. She said there had been surface changes in APD between 1996 and 1998, but the level went down for number of minorities. She said there were no black officers that reached the rank of Captain since the department was founded in 1921. She thought two black officers reached the rank of Lieutenant and seven that reached the rank of Sergeant.

JESSIE MITCHELL spoke as a concerned citizen about money as opposed to racism. If he was the purchasing agent and could buy an item for \$32,000, and ended up spending five times more for that same item, he'd be looking for a job. He said his concern was how the Municipality was spending everyone's money. Two weeks ago there was an article in the paper that said if the State did not provide matching funds, then we would be looking at some type of tax base. He said he has been here for 30 years and there was a tax when he got here that has since gone away. He said that tells him that 30 years later, we are no farther advanced then we were then. He felt the Administration needed to look at how the money was being spent throughout the Municipality. He said he recalled another issue in the Police Department where a lot of money was spent because of a bad decision.

In response to Mr. Tremaine, Mr. Mitchell said he could not spend that type of money without prior approval from the church, unless he wanted to look for another church.

In response to Mr. Tesche, Mr. Mitchell said that if the Municipality was correct in their position on the case, they needed to determine at what point to cut their losses in respect to how much money they have already spent on the case.

DR. ROBERT PEOPLE said he was a concerned citizen. He said the Mayor treats the Assembly like the little boy who was bad so his father took him to the store to keep him from worrying his mother. The little boy was good, because his Daddy wouldn't let him be bad. The storeowner said because the boy was so good, he could reach his hand into the jar and get some candy. The little boy wouldn't. The store owner said it two or three times and finally the man reached in and got a handful of candy and gave it to the little boy and the little boy said thank you. And then his Daddy asked if the boy had heard the man tell him to get some candy and the boy said, Daddy, did you look at the man's hand? His hands are bigger than mine are. He said the people were tired of supporting discrimination. He said when they talk about litigation and money, they are talking about discrimination. He said the people who elected the Assembly elected them to be accountable.

In response to Mr. Tremaine, Mr. People said he did not believe the Municipality was doing enough to combat racism. He said there were some avenues that were working, but not well enough. He asked the Assembly to be sure to work with the new Mayor to stamp out discrimination.

In response to Ms. Taylor, Mr. People said one thing that would help would be to settle the situation with the officers so they could build up morale within APD. The second thing needed is to change policies. We need to make sure the Assembly says we're not going to spend money, unless it's based on objectivity, not subjectivity. The third thing we need to do is make sure that the board that approves hiring and promotion would be done by the department with the Mayor's office as an overseer and not as an involved participant.

In response to Mr. Tesche, Mr. People said to get more minorities at APD they could go to predominantly black colleges to recruit officers. He said Anchorage needed to realize it's not the old days, it's a new day. We are no longer a city sitting off by itself, because of our distance.

PAT WARDLAW said she was offended by a remark made. She said she was proud of every single police officer. She is not proud of the minority hiring, but anyone who was willing to put their life on the line for her deserves anything and everything that we could give them. Whoever authorized the money to be spent, it should come out of their budget. So no more money should be spent on the litigation, but find a way of reducing the billing. Fix it.

ANDREE McCLEOD said she was very concerned about the money, given the Equal Rights Commission finding. She volunteered to initiate an Ombudsman's complaint; however, she did not feel it would do any good. She said it was reinventing the wheel on this issue.

ALONSO PATTERSON JR. said he wanted to begin with the comment Mr. Tesche made that we've been proud of the employment standards of Anchorage Police Department. He did not feel that was what this was about. He did not feel it was about how many people were actually employed in the police department, but justice and fairness after you were in. He said he was not proud of the statistics of Anchorage Police Department once hired. He said statistics back to 1921 were clear that over that period of time there was not minority advancement and that was the issue they started fighting. He said they were not talking about black and white people; they were talking about a system that has come together to deprive a portion of the citizens of this community the rights to be equal with others. He said the problem was that in order to get fair justice, they had to fight the Assembly, meaning the system. He said within the community there was a feeling that the administration was paying many people just to squash a few people. He questioned why the Municipality was spending money to bring people in from the outside to fight the case. He said they were not talking about how many minorities were on the police department, but the fact that once they were in there they should be able to move up through the ranks if they are qualified. We are saying we ought to be anything we want to be as a citizen in this community, because we have a right to compete equally with everyone else.

Chairman Meyer announced the public hearing would be continued on February 1, 2000.

- C. Resolution No. AR2000-17, a resolution of the Municipality of Anchorage appropriating \$1,498,010 from the Fund Balances of the four major operating funds **to cover the costs associated with debt service on the January 1999 Tax Anticipation Notes**, Finance Department.
 - 1. Assembly Memorandum No. AM 63-2000.

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

Ms. Von Gemmingen moved, to approve AR 2000-17.
seconded by Ms. Clementson,

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

(Clerk's Note: Ms. Abney was excused and left the meeting.)

- D. Resolution No. AR2000-18, a resolution of the Municipality of Anchorage appropriating \$109,360 from Eagle River-Chugiak Park and Recreational Service Area Fund Balance (162) to the Eagle River-Chugiak Park and Recreational Service Area Capital Improvement Program Fund (483) **for capital improvements to Loretta French Park, Turner Park and Oberg Soccer Field** Cultural and Recreational Services.
1. Assembly Memorandum No. AM 64-2000.

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

Ms. Von Gemmingen moved, to approve AR 2000-18.
seconded by Mr. Wuerch,

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

(Clerk's Note: Ms. Abney had left the meeting at the time of the vote.)

- E. Resolution No. AR2000-13, a resolution of the Municipality of Anchorage appropriating \$4,243,926 from various sources to the Equipment Maintenance Internal Service Capital Fund (606) for the purposes of **purchasing vehicles and equipment**, Property and Facility Management.
1. Assembly Memorandum No. AM 46-2000.

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

TOM McGRATH referred to his testimony two weeks ago about the fire inspection tax. He said tonight the Municipality suggested spending ten times that amount to buy vehicles. He pointed out the number of expensive vehicles proposed for purchase, some replacing much lessor vehicles. He drew the Assembly's attention to a sports utility vehicle for administration and extended cab vehicles for building inspectors. He said in all his years in Anchorage, he had never seen more than one person arrive at a job site in an inspection vehicle. He said that usually the only thing they carry with them is a roll of plans. He said there were vehicles that could be replaced by the lowest maintenance type vehicles. He said industry in the last ten years has decided that company vehicles are not the most cost productive avenues, preferring to pay mileage to employees to drive their own vehicles. Except for special use vehicles, he encouraged downsizing the Municipal fleet. He suggested the ordinance be set aside until a comprehensive vehicle policy could be established. He also suggested that in looking at mileage figures on the replaced vehicles, that each be closely examined to determine if they should be replaced. He referenced the memorandum in the ordinance and pointed out some of the vehicles did not have very many miles on them. He felt this should be looked at before they wasted a portion of \$4,000,000, because that's his money and he thought it could be better spent on things like fire inspections and other things.

In response to Mr. Tesche, Mr. McGrath said company owned vehicles do not get the best care in the world. He pointed out that 4-wheel drive vehicles were much more expensive to operate and maintain than a two-wheel drive vehicle. He felt they could compare vehicle usage with any delivery company around town. He questioned why a zoning enforcement officer needed a four-wheel drive vehicle for zoning enforcement. He pointed out that his company had never driven anything other than two-wheel drive vehicles and they make deliveries all around Anchorage and Hillside.

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

Ms. Fairclough moved, to approve AR 2000-13.
Seconded by Mr. Wuerch,

Mr. Tremaine said he did not know enough to reject all or part of the appropriation, but he felt Mr. McGrath's statement held a lot of truth. He said he was undecided.

Ms. Fairclough said she has learned what was the Assembly's privy and what is not. She said their job was to make good policies and if that was what Mr. McGrath was challenging them to do, then they should. She related an experience she had with an enforcement officer in which a four-wheel drive was needed. She said there were instances inside the Municipality where those types of vehicles were required. She felt the type of vehicle requested was a department head decision. She said she would be supporting the appropriation, because their job was to make sure the policies were in place. She asked how low mileage vehicles were being disposed.

In response to Ms. Fairclough, Municipal Manager George Vakalis said the vehicles were auctioned off. In some cases, a vehicle may be used for a certain purpose until its life for that purpose was exceeded, but there could be other needs for it elsewhere which would preclude them from purchasing a new vehicle for other departments.

In response to Ms. Fairclough, Jim Przeczewski, Service Contract Inspector, said the Municipality had a contract with Grubstake Auction to auction off excess vehicles that exceeded their mileage standards and maintenance repair costs, factors

determining when vehicles were surplus. He said no fair market value was set on vehicles; the selling price depended on what the auction received. Last time police vehicles were sold, the price was about \$4,000 to \$5,000, which went into the capital fund for purchase of new vehicles.

In response to Mr. Tesche, Mr. Przeczewski said the Municipality specifies vehicles for purchase in fleet operation. The guidelines are dictated by the needs of their customers. The majority of these vehicles are equipment. He said vehicles purchased for various departments are specified by talking to the departments about requirements. He said he had not seen a policy specifying what situations require four-wheel drive vehicles opposed to two-wheel vehicles. He did not believe there was such a written policy. He said he did believe they had policies, but they were not written down.

In response to Chairman Meyer, Municipal Manager George Vakalis said he would be able to provide information on the policy for vehicle acquisitions that Mr. Tesche requested.

Ms. Fairclough said she had confidence that the purchasing department used criteria for making management decisions. She said she told Mr. McGrath that she was sure and very confident that if he wanted to challenge any individual purchase, that the department head would be able to give an explanation of that purchase. She said she felt there needed to be a policy in place, because she wanted to use taxpayer money wisely and the Assembly's position was to make the policy.

Municipal Manager George Vakalis said when a department head determines that a vehicle is needed, even though it may not be in written format, the Administration uses criteria to determine which vehicles are need. The decision to replace a vehicle is made by relying on the fleet manager and the maintenance expenses. He said even though there may not be a written policy, there is a process that takes place to determine what is needed. On a couple of occasions, the Administration formed a committee consisting of the Executive Manager and Mr. Vakalis to make sure needs were addressed. He assured the Assembly that there were checks and balances.

Mr. Sullivan said he would still like written justification for some of these upgrades. He said it caught his attention when he saw a compact car going up to a three-quarter ton pickup. He felt the upgrades would have to have a pretty strong justification. He requested Mr. Vakalis provide written documentation showing the justification that the department gave for these upgrades.

Mr. Tremaine pointed out they were headed toward a change in administration and the knowledge the purchasing department had was going to be hard to replace. He said in November they would be facing some stiff questions by the public and they needed to be prepared for that. He pointed out that Mr. Vakalis might not be there to help the Assembly at that point, so his knowledge would be valuable.

Mr. Wuerch pointed out that there were still 20 more public hearings scheduled for tonight with limited time.

Question was called on the motion to approve AR 2000-13 and it passed:

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

NAYS: Clementson.

(Clerk's Note: Ms. Abney had left the meeting at the time of the vote.)

- F. **Ordinance No. AO 2000-7**, an ordinance **authorizing the first renewal option of the lease of an area in the southern portion of the Transit Shed Warehouse at the Port of Anchorage**, totaling approximately 6,909 square feet, to Totem Ocean Trailer Express, Inc., Port of Anchorage.
1. Assembly Memorandum No. AM 6-2000.

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

Mr. Wuerch moved, _____ to adopt AO 2000-7.
seconded by Ms. Clementson,

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

NAYS: None.

(Clerk's Note: Ms. Abney had left the meeting at the time of the vote.)

- G. **Ordinance No. AO 2000-8**, an ordinance amending Title 23, Section 23.10.102.9.F.1.d of the Anchorage Municipal Code and **providing for a change in the use of unit heaters that comply with American National Standards Institute to be used in mobile aircraft shelters**, Public Works.
1. Assembly Memorandum No. AM 7-2000.

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

Mr. Wuerch moved, _____ to adopt AO 2000-8.
seconded by Ms. Fairclough,

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

NAYS: None.

(Clerk's Note: Ms. Abney had left the meeting at the time of the vote.)

- H. Ordinance No. AO 2000-9, an ordinance **providing for the sale of Lots 1 through 5, Block 7, Galatea Estates; Lots 4 through 6, Block 4, Abbott Loop Manor; Lot 25A, Block 6, Lakehurst; and Lot 75, Section 18, T15N, R1W, S.M.,** Heritage Land Bank/Real Estate Services.
1. Assembly Memorandum No. AM 8-2000.
 2. Information Memorandum No. AIM 9-2000.

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

Mr. Wuerch moved, to adopt AO 2000-9.
seconded by Ms. Fairclough,

Mr. Wuerch moved, to divide the three Abbott Loop Manor lots from the others.
seconded by Ms. Fairclough,
and it passed without
objection,

Question was called on the motion to adopt AO 2000-9, excluding the Abbott Loop Properties, and it passed:

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

NAYS: None.

(Clerk's Note: Ms. Taylor was out of the room and Ms. Abney had left the meeting at the time of the vote.)

Mr. Wuerch moved, to postpone action on the Abbott Loop Manor lots
seconded by Ms. Clementson, 4, 5 and 6 portion of AO 2000-9 until March 7, 2000.

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

NAYS: None.

(Clerk's Note: Ms. Taylor was out of the room and Ms. Abney had left the meeting at the time of the vote.)

- I. Ordinance No. AO 2000-23, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code provision 1.15.170 **to require disclosure of financial interest by certain municipal employees**, Legal Department.
1. Assembly Memorandum No. AM 43-2000.

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

AL BRAMSTEDT said he was Chair of the Ethics Board for the Municipality of Anchorage. He said Jean Sagan, Vice Chair of the Board, was also present. He said he was speaking on behalf of all four of the board members. As they indicated in their January 21, 2000, memorandum to the Assembly, the board wishes to go on record as favoring the addition of the code of ethics that is contained in the proposed ordinance. The Board believes it is a step in the right direction. The Board strongly encourages the Assembly to take the next step, which would be to appoint a committee or a task force to revise the current code language and add new language to create a comprehensive, cohesive and consistent ethics code for the Assembly's consideration and implementation. The Board of Ethics has pointed out some of the specific concerns with the current language with the recent memorandum. They have also noted that the city's code of ethics has been revised at least ten times in its 23-year existence. The result is that the document has grown in fits and starts on a situation by situation basis and it is not internally consistent. The proposal fills one gap, but there are numerous others. Rather than continue to amend the code on a reactive basis, the Board feels the new millennium presents an ideal opportunity to look to the municipal code of ethics anew and as a whole. The Board members are available to the Assembly as resources to consider revisions to the code of ethics and encourage the Assembly to do so.

In response to Ms. Von Gemmingen, Mr. Bramstedt said about two years ago the Board communicated a need to the Municipal Attorney to revise the code of ethics. His understanding was that it had not been acted upon. He indicated the code of ethics had been patched with a lot of little changes over the last 23 years and it was time to take a look at the entire code as a whole.

In response to Mr. Tesche, Mr. Bramstedt said as a board they have taken a look at codes from other areas, states and municipalities. He said he would be in favor of taking a look at other ideas to focus on the goal of positive change. He said he would not throw out the idea of dismissing the whole code, but the Anchorage code could be compared with other jurisdictions.

Chairman Meyer said if any Assemblymembers were interested in forming a subcommittee, he would like to know. He said Mr. Moyer could get copies of other cities' ordinances dealing with ethics.

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

Mr. Wuerch moved, to adopt AO 2000-23.
seconded by Mr. Sullivan,

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

NAYS: None.

(Clerk's Note: Ms. Clementson was out of the room and Ms. Abney had left the meeting at the time of the vote.)

- J. Ordinance No. AO 2000-13, an ordinance amending Anchorage Municipal Code Sections 14.60.030 and 15.70.060 to **increase the range of fines possible for noise disturbances** and to allow the Anchorage Police Department to give citations for violations of the Anchorage Noise Control Ordinance, Assemblymembers Meyer and Wuerch.
1. Assembly Memorandum No. AM 22-2000.

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

ANDREE McCLEOD thanked Assemblymember Wuerch and Meyer for bringing the ordinance forward. She said it was this time last year that her quality of life was negatively impacted by a hockey rink being built by her neighbors just 15 feet away from the lot line. She said she it was hard to call the police. She said the hockey pucks had been hitting the side of her house, which had many windows. She indicated that code enforcement had not helped, because it was hard to get them to respond. The police responded, but their hands were tied. She said the ordinance would help police officers.

In response to Mr. Tremaine, Ms. McCleod said police officers were very concerned and knew there was a problem, but they could not do anything. They had to go to the Municipal Prosecutor's office. Even though they told the neighbors they could get fined and arrested, the incentive was not there for the neighbor to stop the behavior she said.

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

Mr. Wuerch moved, to adopt AO 2000-13.
seconded by Ms. Von Gemmingen,

In response to Municipal Manager George Vakalis, Anchorage Police Chief Udland spoke about things that troubled him about this ordinance. He said there were a lot of permitted noises and he did not want the police department to get drawn into handling all complaints. Secondly, he said he was uncomfortable when there were two sets of offenses for the same elements of a crime. He did not feel this was a real serious equal protection issue, but this behavior could be a civil offense or a criminal offense. He said that would be left up to the discretion of the police department and that would set them up for a criticism that they are applying the law either unequally or unfairly. He said people do have the right to demand prosecution and there is a mechanism in Alaska for people to criminally prosecute other people themselves. He felt this could be setting up a whole other host of problems, particularly the fairness issue.

Mr. Wuerch moved, to postpone action on AO 2000-13 until March 21, 2000.
seconded by Mr. Sullivan,
and it passed without
objection,

Ms. Fairclough said in other states ordinances were passed using creative penalties for offenses. For example, if a boombox was the noise violator, the offender was sentenced to listen to classic music for a set period of time. This let the disturber know what it felt like to listen to something they did not necessarily like.

- K Resolution No. AR 2000-1, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Package Store Liquor License) located on Huffman Business Park Subdivision, Tract N-1, generally located on the north side of East Huffman Road and west of New Seward Highway (Tesoro Northstore Co., Inc. d.b.a. **Tesoro 2 Go**) (Case 00-009), Community Planning and Development.
1. Assembly Memorandum No. AM 4-2000.

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

Mr. Wuerch moved, to continue the public hearing for AR 2000-1 to February 1, 2000.
seconded by Ms. Von Gemmingen,
and it passed without
objection,

- L Resolution No. AR 2000-2, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Restaurant and Eating Place Liquor License) located on Modern Age Estates, Block 2, Lot 1A, generally located on the south side of West 36th Avenue and west of "C" Street (Sawaddi Midtown Thai Restaurant d.b.a. **Sawaddi Midtown Thai Restaurant**) (Case 99-208), Community Planning and Development.
1. Assembly Memorandum No. AM 5-2000.
 2. Information Memorandum No. AIM 14-2000, Municipal Clerk. (**addendum**)

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

ROBERT AUTH, Chair of the Spenard Community Council, said he would like to have this matter postponed until after the Council's February 2, 2000 meeting. He said he has not had an opportunity to bring this matter before the council, even though it had been pending for a number of months. It had been on their November and December agendas, but it had been postponed both times. There seemed to be some litigation going on within the corporation and some changes in the corporate structure since that time. He said he was approached by someone representing to be the new person controlling the corporation and he wanted it put back on the agenda, but it was too late for January so it was scheduled for February.

SAM TESS said he was the secretary of the Sawaddi Midtown Thai Restaurant. The postponement was due to internal problems within the corporation, but that had been resolved. He related that a Mr. Chay tried to damage the company by calling Mr. Auth and postponing the meeting while he was in Seattle. He said this was not the first time it had been postponed and they had not received any letters explaining the reason for the postponement. He said they were located on

36th Street by the old Natural Pantry. They provide Thai cuisine and have a buffet at lunchtime. He said they do about 67 percent of their business during lunchtime. He felt it should not be postponed, because they had been waiting for a long time. He said Mr. Chay had no right to ask for a postponement. Their representative, Mr. Hudson, had been unable to attend the Assembly meeting.

In response to Mr. Sullivan, Mr. Tess acknowledged that this was the same as the restaurant on Dimond Boulevard.

In response to Mr. Wuerch, Mr. Tess said his sister, Sam Abbott, assumed the duties of Mr. and Mrs. Chay when they stepped down. She lives and resides in Anchorage. He said Mr. Chay had hidden the letters about the August 17th meeting. They tried to put it on the Spenard Community Council's schedule. The Spenard Community Council said they kept postponing due to internal problems with Mr. Chay. They told the council why he was removed from the office and they contacted the Deputy Director of Community Planning and Zoning, but were told to talk to someone else.

Mr. Wuerch moved,
seconded by Mr. Tesche,

to continue the public hearing for AR 2000-2 until
February 15, 2000.

Ms. Fairclough said it seemed like this had been on the community council's agenda for quite a while. She said the council could still make a decision without the owner. She did not see any bar violations or misuse. She said it seemed like there was a disgruntled employee who caused some hardship to the corporation. She understands the community council wanted to comment, but they could have taken a position by now.

Mr. Sullivan said he was opposed to the motion to delay. He said he personally knew this establishment and felt they were tremendous business people who have done a great job in this town. He said he could not see that there would be an objection to them starting proper service in their restaurant. He said that was hurting them economically and he did not feel it was the Assembly's duty to be obstructionists. He pointed out this had been on their docket for a long time and it was time to move it forward.

Ms. Clementson pointed out this was not a transfer of a license, but a conditional use. She said the subject of the conditional use could have been discussed at any time and it was given fair notice that the conditional use was up. She felt it would be sad to get too tangled up in government bureaucracy.

In response to Ms. Fairclough, Robert Auth said there had been a big concern about liquor licenses in the midtown area. He said he wanted to have the opportunity for the public to comment. Secondly, there had been a complete changeover in the corporation and its structure since this matter was on the agenda. He pointed out that Mr. Chay was listed on the application as the petitioner's representative, but now they are saying that he had no right to speak for the corporation. He said he tried to have this on the agenda and it was postponed both times by Mr. Chay for various reasons. He believed there was still some litigation going on and there was some confusion about who could even speak for this corporation. He felt the community council should address it before the liquor license was handed out.

In response to Mr. Tesche, Robert Auth said they would like the community council to discuss whether there was a land use issue. He said the restaurant was in a mall with another restaurant that had a liquor license and he did not know how the two restaurants were going to interact. He said that from the standpoint of a land use matter, two liquor licenses in the same mall might be too many licenses. He said the council should be able to discuss it.

Ms. Clementson said if there were issues regarding whether or not the corporation should have a license, that would come up for discussion during the actual transfer of the license. This is a land use issue as to whether this is an appropriate location for the sale of beer and wine within a restaurant setting. There is already a restaurant in that location and the Assembly has already determined that that was an appropriate setting. She said this was a public hearing on the issue and it had been advertised. People did have the ability to appear and discuss the issue if they had concerns.

Mr. Tesche said the fact that the council had articulated a clear land use issue suggested that while the Assembly would normally want to give every deference to a community council, it appeared there could be issues with respect to the transfer of ownership, but not necessarily the land use. In the absence of an articulated land use issue, he would be voting against the motion to postpone.

Question was called on the motion to continue the public hearing for AR 2000-2 until February 15, 2000 and it failed:

AYES: Meyer, Wuerch.

NAYS: Sullivan, Tremaine, Tesche, Taylor, Fairclough, Von Gemmingen, Clementson.

(Clerk's Note: Ms. Abney had left the meeting at the time of the vote. The public hearing closed by failure of above motion.)

Mr. Sullivan moved,
seconded by Ms. Taylor,

to approve AR 2000-2.

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

to clarify that staff recommendations are included in the
resolution.

Question was called on the motion to approve AR 2000-2 and it passed:

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

NAYS: None.

(Clerk's Note: Mr. Wuerch was out of the room and Ms. Abney had left the meeting at the time of the vote.)

- Q. Ordinance No. AO 2000-5, an ordinance submitting to the qualified voters residing in the **Upper O'Malley Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.130 and 27.30.210. Assemblymembers Abney and Tremaine.
1. Assembly Memorandum No. AM 3-2000.

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

Ms. Clementson moved, to adopt AO 2000-5.
seconded by Mr. Tremaine,

AYES: Sullivan, Tremaine, Tesche, Taylor, Fairclough, Clementson.

NAYS: Von Gemmingen.

(Clerk's Note: Mr. Wuerch and Mr. Meyer were out of the room and Ms. Abney had left the meeting at the time of the vote.)

- R. Ordinance No. AO 2000-6, an ordinance submitting to the qualified voters residing in the **Villages Scenic Parkway Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.310 and 27.30.390. Assemblymembers Abney and Tremaine.
1. Assembly Memorandum No. AM 3-2000.

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

Ms. Clementson moved, to adopt AO 2000-6.
seconded by Mr. Tremaine,

AYES: Sullivan, Tremaine, Tesche, Taylor, Fairclough, Clementson.

NAYS: Von Gemmingen.

(Clerk's Note: Mr. Wuerch and Mr. Meyer were out of the room and Ms. Abney had left the meeting at the time of the vote.)

- S. Ordinance No. AO 2000-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,145,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of ambulances, emergency/areawide communications systems, Anchorage Cemetery, Anchorage Senior Center expansion, and related capital improvements in the Municipality of Anchorage** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
1. Assembly Memorandum No. AM 30-2000.
 2. Information Memorandum No. AIM 6-2000, April 2000 Municipal General Government Bond Propositions Fact Sheets, Office of Management and Budget.

Vice Chair Taylor opened the public hearing and asked if anyone wished to speak.

Municipal Manager George Vakalis said the Administration was passing around changes required as a result of interest rate changes and Mr. Tim Rogers would address the Assembly.

Tim Rogers, Capital/ Utility Budget Officer, Office of Management and Budget, said that a program error happened when the Administration revised the estimated interest rate on the bonds and a miscalculation occurred. The revised sheet distributed to members contained two pages. Page two listed the necessary amendments needed to five of the eight bond proposals. The changes were rather minor, but necessary for full and fair disclosure.

In response to Ms. Clementson, Municipal Manager George Vakalis said the Assembly would receive a revised packet.

In response to Deputy Municipal Clerk Vickie Cantrell, Mr. Rogers said that the changes were to the amount of property tax on \$100,000 evaluation, which is listed generally on page 2 of each of the bond ordinances. He said the Administration would make appropriate changes to the summary of economic effect statement and to the accompanying bond fact sheets.

In response to Mr. Tremaine, Mr. Rogers said the interest rate used is an estimate based on what is known now.

TOM MCGRATH speaking in general about bond issues supported public safety as a primary function of government. He spoke to a possible backlash of voters in relation to the proposed 10-mill tax cap initiative to be voted on in the November State election. Since the Assembly, in conjunction with the Administration, places bonds on the ballot for citizen approval, he felt that opposition to a bond issue is difficult while proponents of a bond issue are powerful. He questioned whether money spent for bond advertising was for informational purposes. From a public policy standpoint, he felt it was up to the Assembly to dictate whether constant bond issues and subsequent mill rates are appropriate. He felt the possible 10-mill tax cap could be a backlash not only in November, but now.

(Clerk's note: Chairman Meyer returned to the Chair at 10:10 p.m.)

Mr. Sullivan said that although public perception is that property taxes were accelerating at an incredible rate, the Municipality was not getting the word out that bonds are being retired every year as new bonds are passed. Statistically, property taxes have only increased \$26 on a \$100,000 home in the last decade because of bond issues, which is not a significant increase.

Mr. McGrath replied that in the Public Works budget \$25,000,000 was going toward debt retirement whereas seven or eight years ago it was not anywhere near that number. He felt that there were real increases in the amount of taxes paid for bonds.

In response to Mr. Wuerch, Mr. McGrath said significant tax increases were due to reduced Municipal revenue sharing by the legislature. However the Assembly spent a billion dollars every year through the municipal, school and utility budgets.

STUART HALL, a Government Hill resident, testified as a private citizen, not as president of Government Hill Community Council. As a strong supporter of emergency medical service (EMS), the bond issue disappointed him. He related his experience as a patient while in Los Angeles with that area's fire department. The response in Los Angeles to his emergency was within three minutes; he felt that such a speedy response was not available in Anchorage. He objected to the bond proposal for replacement life support equipment instead of new equipment, particularly for stations south of Tudor Road. He objected that EMS equipment was bracketed with area-wide communication, cemetery and senior citizen expansion. He asked why we did not have a public safety bond. He recalled the Mayor's statement about his veto of the Municipal budget that a needs assessment would be forthcoming next spring. Mr. Hall felt that a more appropriate bond package could be planned then. He felt that the Municipality was vastly underserved in EMS, fire, and police for a city of this size. He suggested an August ballot; he recognized that even though service areas have unique boundaries and are not area-wide, all voters must pledge the full faith and credit of the Municipality. He said Anchorage needs significant improvements for a city about the size of Fresno, California. He was still proud of the EMS staff in Anchorage.

Ms. Taylor thanked Mr. Tesche for work on a public safety package several months ago. In response to Ms. Taylor, Municipal Manager George Vakalis referred to bond counsel regarding questions of putting different service area bonds into one.

Mr. Tesche summarized Mr. Hall's testimony. Mr. Hall would like to see the Assembly take a more aggressive role in packaging bond issues with topics that people can more easily understand and vote on. The grouping of several different purposes in this bond troubled him. The Municipality would be served better by public safety bonds that address issues of public safety.

Mr. Hall responded that the Alaska Supreme Court has taken a liberal view of bond issues. He related a State Supreme Court opinion on a bond involving harbors and water conservation that ruled that the bond was all related to water and, therefore, upheld by the Court when challenged on the single subject rule.

Mr. Tesche brought up the need to have proper personnel for the proposed public safety equipment.

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

Ms. Von Gemmingen moved, to adopt AO 2000-14.
seconded by Ms. Fairclough,

(Clerk's Note: See vote after public hearing on items 12.T. through 12.Z.)

Ms. Von Gemmingen moved, to continue public hearing through item 12.Z, AO 2000-21,
seconded by Mr. Sullivan, the remaining bond issues.

Mr. Tremaine said the Assembly was faced with two more meetings with a lot of public testimony. He said the Assembly needed to push on to clear all the testimony that was here and then clear as much as possible in preparation for the 1st and 15th of February. He felt that the Assembly should move on to midnight and hope to be done before then.

Chairman Meyer said the Assembly could meet another night if needed, on February 8th.

Mr. Wuerch was not enthusiastic about working past 11:00 p.m. on these issues because midnight sojourns frequently are not done well. He moved to substitute to 11:00 p.m.

Mr. Wuerch moved, to continue public hearings until 11:00 p.m.
seconded by Ms. Clementson,

Ms. Taylor was concerned about how many people remained to testify on the Hilltop lease issue, AO 2000-22.

Ms. Fairclough urged the Assembly to vote.

Ms. Von Gemmingen cautioned that nine votes would be needed to extend after 11:00 and Ms. Clementson intended to leave the meeting at 11:00.

Mr. Tremaine said that members were abused for the lack of respect that this Assembly shows the public. He felt that citizens had been waiting since 5:00 p.m. to testify. He was willing to give up an hour now even though he doubted that the Assembly would take action on the Hilltop lease tonight. He said he would vote against the motion to continue to 11:00 and substitute another motion to extend to midnight.

Question was called on Mr. Wuerch's motion to continue public hearings to 11:00 and it failed for lack of sufficient votes:

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

(Clerk's note: Ms. Abney had left the meeting at the time of the.)

Mr. Tremaine moved, to extend public hearings until midnight.
seconded by Ms. Taylor,

Mr. Wuerch felt the Assembly was passing up the issue of how to use its time usefully. Two members were absent; another was expected to leave soon and the message was that the Assembly should manage its time better throughout the entire meeting not just the last thirty minutes. He opposed the extension.

Question was called on the Mr. Tremaine’s motion to continue public hearings to midnight and it failed for lack of eight votes:

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Question was called on Ms. Von Gemmingen’s motion to continue public hearings through 12.Z and it failed for lack of eight votes:

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Tremaine moved, to reconsider Ms. Von Gemmingen’s motion to continue
seconded by Ms. Fairclough public hearings through 12.Z.

Ms. Fairclough urged Mr. Tremaine to vote to reconsider because there were not enough votes to extend otherwise.

Question was called on the Mr. Tremaine’s motion to reconsider the motion to continue public hearings and it passed:

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Fairclough urged public hearings be continued to 11:00 p.m. as well in order to accommodate time to hear the Hilltop lease if possible.

Question was called on the motion to continue public hearings through 12.Z.and/or to 11:00 p.m. and it passed:

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Sullivan moved, to combine public hearings on the bond propositions,
seconded by Ms. Fairclough 12.S. through 12.Z.
and it passed without
objection,

- T. Ordinance No. AO 2000-15, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$2,370,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of fire protection and related capital improvements in the Anchorage Fire Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 31-2000.
 - 2. Information Memorandum No. AIM 6-2000.
- U. Ordinance No. AO 2000-16, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$750,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of public safety (police protection) and related capital improvements in the Anchorage Metropolitan Police Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 31-2000.
 - 2. Information Memorandum No. AIM 6-2000.
- V. Ordinance No. AO 2000-17, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,930,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of public transportation and related capital improvements** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 31-2000.
 - 2. Information Memorandum No. AIM 6-2000.
- W. Ordinance No. AO 2000-18, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$325,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of administrative offices, a community meeting room and related capital improvements in the Girdwood Valley Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 31-2000.

2. Information Memorandum No. AIM 6-2000.
- X. Ordinance No. AO 2000-19, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,525,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of parks and recreation and related capital improvements in the Eagle River-Chugiak Parks and Recreation Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 1. Assembly Memorandum No. AM 31-2000.
 2. Information Memorandum No. AIM 6-2000.
- Y. Ordinance No. AO 2000-20, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$6,515,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 1. Assembly Memorandum No. AM 31-2000.
 2. Information Memorandum No. AIM 6-2000.
- Z. Ordinance No. AO 2000-21, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$28,770,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of road, storm drainage and related capital improvements in the Anchorage Roads and Drainage Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
 1. Assembly Memorandum No. AM 31-2000.
 2. Information Memorandum No. AIM 6-2000.

Chairman Meyer opened the public hearing for AO 2000-14, AO 2000-15, AO 2000-16, AO 2000-17, AO 2000-18, AO 2000-19, AO 2000-20 and AO 2000-21 and asked if anyone wished to speak.

STUART HALL, president of the Government Hill Community Council, said that the proposition was a timid presentation for fire safety. Anchorage needs to expand its public safety services which he had heard repeatedly from Fire Department staff and elsewhere and that the city is several fire stations short. Fire stations are needed at Abbott Loop, Klatt, Southport, and Muldoon-Tudor at the curve. He said the Government Hill fire station should be opened now; there are more flammable liquids and hazardous materials going through the Alaska Railroad yard and into the Port of Anchorage than ever before the fire station was closed. He was aware of the additional operating costs; he felt that the additional stations and equipment and the Government Hill fire station should be in this bond. It should be included in a comprehensive, public safety bond issue. He said public safety is preeminently the responsibility of local government. He asked if the replacement of a fire crash rescue unit was in last year's fire bond for Merrill Field and the Port. He reiterated that these safety issues were overdue.

In response to Mr. Tesche, Mr. Hall said the cost was estimated formerly to be \$135,000 to re-open the Government Hill fire station. More recently, he thought the administration now estimated half a million dollars. He pointed out road conditions that can isolate Government Hill.

Ms. Clementson explained to Mr. Hall that a comprehensive plan, so-to-speak, exists as the Capital Improvement Plan in which a 2001 bond is slated for the Muldoon and Klatt Road stations.

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

In response to Ms. Taylor, Municipal Bond Counsel Kenneth Vassar, said that, as a general idea, combining a public safety bond together is conceivable, but there are snags in the present case. First, the notice for the ordinances has been published. To change the substance of the ordinances at this point would require re-noticing for which there was not enough time. He pointed out the need to recognize what services were needed, for service areas or a general ballot. He verified that the entire city would vote on all bonds for AO 2000-14, but some ordinances are for service areas, which require a service area and area-wide majority vote. He said it was necessary to keep service area proposition votes separate from non-service area votes because you have to have a dual count. But within a single service area, it is feasible.

Mr. Tesche clarified that the problem of amending the bond package by changing items around, among the propositions to fashion a new package, would require re-notice. He felt that if the Assembly had received the proposition ordinances sooner, it would have had a timely opportunity to refashion the bonds.

In response to Mr. Tesche, Mr. Vassar outlined election notice time mandates. He verified that there were no prohibitions against the Assembly repackaging the bond propositions as long as the service area questions were maintained.

In response to Mr. Tremaine, Deputy Municipal Attorney Bill Greene said the last day to introduce ordinances for the election would be February 1 with action taken by February 15. The notice of election is mandated to be published 45 days before the election. Public hearing notices require seven days advance notice.

Mr. Wuerch suggested the Assembly proceed to address the bonds that have had public hearings tonight, before discussing additional ballot issues, leaving unresolved the bonds before the Assembly.

Municipal Manager George Vakalis agreed with Mr. Wuerch, but questioned whether bond counsel would have enough time to repackaging bond propositions with the correct title over the weekend. He questioned administratively how you could package bonds mixing service areas.

In response to Mr. Tesche, Bond Counsel staff said that ordinances in general require time limits for introduction and action. But when the election is involved there are additional notice requirements that Mr. Greene mentioned earlier.

Ms. Clementson urged that the Assembly should vote in order to see if six members are interested in repackaging bonds.

Mr. Tesche moved, to amend AO 2000-14 to include \$500,000 to re-open
and it died for lack of a second, Government Hill Fire Station.

Ms. Fairclough stated a point of order against increasing the amount of a bond after it has been noticed. A separate ordinance would be required to do so.

Chairman Kevin Meyer verified that a bond amount could only be reduced after public notice, not increased.

Mr. Tesche accepted the ruling of the Chair, but expressed his utter frustration at the process. He wondered why the Assembly was even there.

Ms. Clementson referred to her earlier suggestion for a work session on bonds for new members because the bond process begins with the Capital Improvement Plan and Budget. It is a difficult process to fully understand without prior experience. Bond propositions are laid out by passage of the CIP/CIB.

Question was called on the earlier motion to adopt AO 2000-14 and it passed:

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

(Clerk’s Note: Ms Abney had left the meeting at the time of the vote.)

Mr. Wuerch moved, to adopt AO 2000-15.
seconded by Mr. Tremaine,

Ms Fairclough moved, to amend AO 2000-15 at page 2, line 21 by deleting
seconded by Ms. Clementson, \$1.41 and inserting \$1.51.
and it passed without
objection,

Question was called on the motion to adopt AO 2000-15 as amended and it passed:

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

(Clerk’s Note: Ms Abney had left the meeting at the time of the vote.)

Ms. Fairclough moved, to adopt AO 2000-16.
seconded by Ms. Taylor,

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Wuerch moved, to adopt AO 2000-17.
seconded by Mr. Tremaine,

Ms Fairclough moved, to amend AO 2000-17 at page 2, line 15 by deleting
seconded by Mr. Tremaine, \$1.82 and inserting \$1.85.
and it passed without
objection,

Question was called on the motion to adopt AO 2000-17 as amended and it passed.

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Wuerch moved, to adopt AO 2000-18.
seconded by Mr. Tremaine,

Mr. Tremaine moved, to amend AO 2000-18 at page 2, line 10 by inserting a
seconded by Ms. Taylor, sentence to the ballot language to read: “If passed the cost of
this bond will be paid for only by the property owners in
Girdwood.” And amend the proposition fact sheet inserting
one sentence as the first paragraph to read: “The cost of this
bond will be paid only by the property owners in Girdwood.”

Deputy Municipal Attorney Bill Greene asked for a few minutes to check the language as proposed. He thought the correct language would be “Girdwood Valley Service Area.”

Mr. Tremaine accepted the correct service area title in both amended sentences. He said he would allow the Administration to make the appropriate, grammatical changes.

Deputy Municipal Attorney Bill Greene asked Mr. Tremaine for clarification where he proposed the amendment sentences to appear.

Mr. Tremaine said his amendment was intended to appear under the title as the first paragraph of the ballot question text. He explained his intent was to clarify to voters that only Girdwood residents would pay for the bond.

Ms. Clementson suggested the sentence appear in bold type. Mr. Tremaine encouraged that format.

Deputy Municipal Attorney Bill Greene asked that he, Mr. Tremaine, and Bond Counsel concur for a few minutes on the proposed amendment.

(Clerk’s Note: See vote on this item after action on item 12.X. and 12.Y.)

Chairman Kevin Meyer asked the Assembly to move on to 12.X in the meantime.

- | | |
|---|---|
| Mr. Wuerch moved,
seconded by Ms. Taylor, | to adopt AO 2000-19. |
| Ms Fairclough moved,
seconded by Mr. Wuerch
and it passed without
objection, | to amend AO 2000-19 at page 2, line 18 by deleting
\$7.61 and inserting \$8.20 |
| Ms. Fairclough moved
seconded by Ms. Taylor, | to amend AO 2000-19 with the same relative words for
Eagle-River Chugiak as amended in AO 2000-18 regarding
Girdwood residents. |

Chairman Meyer set this amendment aside for the concurrence of Bond Counsel.

- | | |
|--|--|
| Mr. Wuerch moved,
seconded by Mr. Taylor, | to adopt AO 2000-20. |
| Ms Fairclough moved,
seconded by Mr. Wuerch,
and it passed without
objection, | to amend AO 2000-20 at page 2, line 18 by deleting
\$4.38 and inserting \$4.42. |

Question was called on the motion to adopt AO 2000-20 as amended and it passed.

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Ms. Clementson said that item 12.Z, AO 2000-21, should be postponed for a legal question regarding a limited road service area boundary.

- | | |
|---|--|
| Mr. Tesche moved,
seconded by Ms. Taylor,
and it passed without
objection, | to postpone action on AO 2000-21 until February 1, 2000. |
|---|--|

The Assembly then returned to item 12.W, AO 2000-18, and 12.X, AO 2000-19.

Mr. Tremaine wished to modify his earlier motion.

- | | |
|---|---|
| Mr. Tremaine moved,
seconded by Ms. Taylor, | to amend both AO 2000-18 and 2000-19 in the ballot
language to move the third paragraph above the first
paragraph, and to read: “The debt shall be paid for only by the
property owners in Girdwood.” or “...Eagle River-Chugiak.”
respectively. And to amend the proposition fact sheets by
inserting a sentence above the first paragraph to read: “The
cost of this bond will be paid only by the property owners in
Girdwood.” or “...Eagle River-Chugiak” respectively. |
| Ms. Von Gemmingen moved
seconded by Ms. Taylor,
and it passed without
objection, | to extend the meeting for 5 minutes. |

Mr. Tremaine continued changes to his earlier amendment.

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

to amend AO 2000-18 and 2000-19 in the ballot language to read: “The debt on these bonds shall be paid...” and that the text appear bolded and two font sizes larger. And wording changes to the proposition fact sheet, “The cost of this bond will be paid for only by property in the Girdwood Service Area.” and add the same relative language to the Eagle River-Chugiak Bond, and to instruct the Administration to make any technical changes as appropriate.

Question was called on the motion to adopt AO 2000-18 as amended and it passed:

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

Mr. Wuerch moved, to adopt AO 2000-19 as amended.
seconded by Ms. Fairclough,

Ms. Fairclough wished to verify that the amendment changing the dollar amount at line 18, page 2, to \$8.20 was included to other amendments on AO 2000-19.

Question was called on the motion to adopt AO 2000-19 as amended and it passed.

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

(Clerk’s Note: Ms. Abney had left the meeting at the time of the vote.)

- aa. Ordinance No. AO 2000-22, an ordinance **approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc.**, a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department.
 - 1. Assembly Memorandum No. AM 42-2000.
 - 2. Ordinance No. AO 2000-22(S), an ordinance approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc., a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease, Legal Department. (**addendum**)
 - 3. Assembly Memorandum No. AM 126-2000.

(Clerk’s Note: Public hearing was opened earlier in the meeting on AO 2000-22 and continued until later in the meeting. It was subsequently continued to February 1, 2000 due to lack of time.)

- bb. Resolution No. AR2000-14, a **resolution revising the approved 2000 General Government Capital Improvement Budget (CIB) and the approved 2000-2005 General Government Capital Improvement Program (CIP)**, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 47-2000.

This item was continued to February 1, 2000 due to lack of time.

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

14. **SPECIAL ORDERS:**

- A. Ordinance No. AO 99-135, an ordinance of the Anchorage Assembly enacting a new AMC Chapter 25.80, relating to the **George M. Sullivan Arena**, and a new Section 25.80.010 relating to the booking of events in the Sullivan Arena, Assemblymembers Tesche, Sullivan, Taylor, and Meyer.
 - 1. Assembly Memorandum No. AM 944-99.
 - 2. Ordinance No. AO 99-135(S), an ordinance of the Anchorage Assembly enacting a new AMC Chapter 25.80, relating to the George M. Sullivan Arena, and a new Section 25.80.010 relating to the booking of events in the Sullivan Arena, Assemblymember Tesche.
 - 3. Assembly Memorandum No. AM 1198-99.(CONTINUED FROM 12-14-99)

Mr. Tesche moved, to reschedule the continued public hearing on AO 99-135 from
seconded by Ms. Clementson, February 1, 2000 to March 7, 2000 to allow negotiations to
and it passed without continue between the Administration and the Facilities
objection, Management Group as well as user groups of the Sullivan Arena.

15. **ASSEMBLY COMMENTS:** None

16. **UNFINISHED AGENDA:** None.

- 17. AUDIENCE PARTICIPATION: None.
- 18. EXECUTIVE SESSIONS: None.
- 19. ADJOURNMENT:

The meeting adjourned at 11:05 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: March 7, 2000

VC/kron

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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of February 1, 2000
continued to February 8, 2000

1. CALL TO ORDER:

The meeting was convened at 5:10 p.m. by Assembly Chairman Kevin Meyer in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE:

Chairman Meyer asked for a moment of silence to remember and support Alaskans involved in several recent tragedies. He noted Alaska Airlines flight 261 crashed in the ocean off the coast of California on January 31, 2000 killing everyone aboard including five Alaskans. Also, several avalanches in southcentral Alaska caused injuries, major problems with power outages and closure of the Seward Highway.

The pledge was led by Mr. Wuerch.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - November 23, 1999
- B. Regular Meeting - December 14, 1999

Mr. Sullivan moved, to approve the minutes of the regular meetings of November 23 and December 14, 1999.
seconded by Ms. Taylor,
and it passed without
objection,

5. MAYOR'S REPORT

Mayor Mystrom expressed sympathy to the families and friends of the victims of Alaska Airlines flight 261. He noted Municipal flags would fly at half-staff until next Monday. Secondly, he reported on his trip to Juneau to lobby Legislators. He was accompanied by Ms. Fairclough, Municipal Attorney Mary Hughes and Sherman Ernouf of his office. They all made many contacts and he felt there was more understanding that cuts to State revenue sharing would result in increased property taxes. He stressed that some legislators are working hard on property tax relief. Mayor Mystrom also spoke to the subject of outside legal services contracts in the Legal Department. He asked Municipal Attorney Mary Hughes to distribute a chart comparing funds spent for outside counsel since 1988. Mayor Mystrom noted the chart showed during this administration, the amount spent on outside legal counsel has decreased. This decrease has been accomplished without increasing internal employees. He felt the Department has become more efficient than ever before, and under the leadership of Ms. Hughes has realized a lot of savings for the Municipality. He thanked the employees of the Department for a job well done. He felt recent criticisms of the Department were unfair. Lastly, Mayor Mystrom discussed a Pledge of Mutual Respect, a concept that originated in the Bridge Builders program. He explained the goal was to get at least 50,000 Anchorage citizens to sign the Pledge. The Pledge included disclosures of respect for peoples of different races and cultures. He felt the impact of many people signing the Pledge could have long-term positive impacts on Anchorage. The kick-off event for the Pledge is scheduled for February 26, 2000 at the 4th Avenue Theatre. He encouraged everyone to participate.

Municipal Manager George Vakalis updated the Assembly on the status of the recent avalanche activities. He said while Alaska Department of Transportation workers were working to clear the road of snow, another avalanche occurred in the vicinity of Bird Point, and the employees were caught in the slide. Two people were rescued and had only minor injuries; a third person was evacuated to Anchorage and is in critical condition. Currently, there have been eleven slides between Bird and Portage. The road is blocked and will remain so indefinitely. He said high winds, warm temperatures and additional snowfall expected in the next few days will increase the avalanche danger considerably. Mr. Vakalis said the Municipality's emergency response plans are in motion. Officials have met with State officials and designated a crisis action team. Shelters have been designated in Girdwood, the Anchorage bowl and Eagle River. There is concern about slide activity in the Eagle River and Eklutna areas. A slide recently occurred in Eklutna, covering the Eklutna road.

(Clerk's Note: The third injured man, an Alaska Railroad employee, died of his injuries.)

6. ADDENDUM TO AGENDA

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

Chairman Meyer read the addendum items.

Ms. Clementson moved, to amend the addendum to include item B.8, AO 2000-46.
seconded by Mr. Kendall,
and it passed without
objection,

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

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:**

1. Assembly Memorandum No. AM 127-2000, recommendation of award to Alaska Waste Transfer, Inc. for furnishing **dumpsters** to the Municipality of Anchorage, Solid Waste Services (ITB 99-B115), Purchasing.

B. **ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:**

1. Ordinance No. AO 2000-40, an ordinance of the Municipality of Anchorage authorizing a **sale by Anchorage Water and Wastewater Utility (AWWU) of Tract 4, International East Subdivision**, Plat No. 87-28, generally located east of Minnesota Boulevard and south of 56th Avenue in the Anchorage Recording District and the acquisition of 2.04+/- acres of land generally located on the west side of Arctic Boulevard at West 32nd Avenue in the Anchorage Recording District, owned by the Horrell Family Partnership, Water and Wastewater Utility/Heritage Land Bank. public hearing 2-15-00.
 - a. Assembly Memorandum No. AM 128-2000.
 - b. Ordinance No. AO 2000-40(S), an ordinance of the Municipality of Anchorage authorizing a sale by Anchorage Water and Wastewater Utility (AWWU) of Tract 4, International East Subdivision, Plat No. 87-28, generally located east of Minnesota Boulevard and south of 56th Avenue in the Anchorage Recording District and the acquisition of 2.04+/- acres of land generally located on the west side of Arctic Boulevard at West 32nd Avenue in the Anchorage Recording District, owned by the Horrell Family Partnership, Water and Wastewater Utility/Heritage Land Bank. public hearing 2-15-00. (**addendum**)
 - c. Assembly Memorandum No. AM 177-2000.

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

2. Ordinance No. AO 2000-41, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 7.20.060, **Competitive Sealed Proposals, Negotiated Procurement**, to add a new subsection relating to liability for payment of legal services rendered before contracts for such services are awarded and funds are appropriated, Assemblymember Tesche. public hearing 3-7-00.
 - a. Assembly Memorandum No. AM 136-2000.

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

3. Assembly Memorandum No. AM 138-2000, **Employee Relations Board reappointment** (Ernie Hall), Mayor's Office. public hearing 2-15-00.
4. Ordinance No. AO 2000-42, an ordinance approving the **conveyance of lands in the Municipality's Beach Lake Park to the Alaska Railroad Corporation** in exchange for existing Alaska Railroad right-of-way lands in Beach Lake Park to accommodate straightening of railroad track curves and submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said conveyances, Legal Department/Heritage Land Bank. public hearing 2-15-00. (**addendum**)
 - a. Assembly Memorandum No. AM 174-2000.
5. Ordinance No. AO 2000-43, an ordinance **approving a long-term (not exceeding 30 years) lease of the Hilltop Ski Area with modified boundaries (approximately 160 acres) in the Municipality's Far North Bicentennial Park** to Youth Exploring Adventure, Inc., a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department/Cultural and Recreational Services. public hearing 2-15-00. (**addendum**)
 - a. Assembly Memorandum No. AM 175-2000.

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

6. Ordinance No. AO 2000-44, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, the **question of amending the Anchorage Home Rule Charter Section 5.02(C) relating to exercise of veto power by the Mayor** at an election in and for the Municipality of Anchorage on April 4, 2000, Assemblymember Tesche. public hearing 2-15-00. (**addendum**)
 - a. Assembly Memorandum No. AM 176-2000.

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

7. Ordinance No. AO 2000-45, an ordinance of the Anchorage Municipal Assembly enacting an ordinance to **levy an eight percent rental tax on the retail rental of certain motor vehicles within the tax cap** for the purpose of reducing other taxes and **submitting the question of whether or not to approve said rental tax to the qualified voters of the Municipality at its next Regular Election on April 4, 2000**, Assemblymembers Sullivan, Abney, Clementson, Fairclough, Kendall, Meyer, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. public hearing 2-15-00. **(addendum)**

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

8. Ordinance No. AO 2000-46, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000, a ballot proposition asking whether the Assembly or the State of Alaska should grant **real property tax relief to low income housing projects** receiving low income housing tax credits from the federal government or below market interest rate mortgage loans to finance said projects in exchange for limitations on rental rates, Assemblymember Clementson. public hearing 2-15-00. **(LAID ON THE TABLE)**

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-31, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Robert M. Gray, Jr. for his 21 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

2. Resolution No. AR 2000-32, a resolution of the Anchorage Municipal Assembly **recognizing and commending the team effort of municipal employees for their work and commitment to the Y2K Readiness Program**, Assemblymember Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

3. Resolution No. AR 2000-29, a resolution of the Municipality of Anchorage providing for the appropriation of \$927 donated from numerous citizens to the Miscellaneous Operational Grants Fund (261) for the **purchase of library books and materials**, Cultural and Recreational Services/Library.
 - a. Assembly Memorandum No. AM 116-2000.
4. Resolution No. AR 2000-30, a resolution of the Municipality of Anchorage appropriating \$26,000 to the Federal Categorical Grants Fund (241) from the U.S. Department of the Interior, U.S. Geological Survey to fund **development and implementation of a GIS Data Clearinghouse Node**, Management Information Systems Department.
 - a. Assembly Memorandum No. AM 117-2000.
5. Resolution No. AR 2000-33, a resolution of the Municipality of Anchorage appropriating \$7,245 to the Miscellaneous Operational Grants Fund (261) from the International Association of Mayors of Northern Cities for **Winter Cities activities**, Mayor's Office.
 - a. Assembly Memorandum No. AM 129-2000.
6. Resolution No. AR 2000-34, a resolution of the Anchorage Municipal Assembly appropriating \$5,600 from Areawide General Fund (101) Balance to the Department of Assembly to provide an **increase in the 2000 grant to the Federation of Community Councils**, Assemblymember Meyer.
 - a. Assembly Memorandum No. AM 137-2000.

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

7. Resolution No. AR 2000-36, a resolution of the Municipality of Anchorage appropriating \$44,500 from Areawide General Fund Balance (101) to Non-Departmental for **indigent defense services**, Office of Management and Budget. **(addendum)**
 - a. Assembly Memorandum No. AM 173-2000.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 139-2000, **Planning and Zoning Commission reappointments** (Dwayne Adams, Daphne Brown), Mayor's Office.

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

2. Assembly Memorandum No. AM 140-2000, **Platting Board appointments** (Don Poulton, Rick Richter), Mayor's Office.

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

3. Assembly Memorandum No. AM 141-2000, Urban Design Commission reappointment (Kerry Pritchett), Mayor's Office.

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

4. Assembly Memorandum No. AM 142-2000, Zoning Board of Examiners & Appeals reappointments (Bernd Guetschow, Mike Marsh, Barry Shennum), Mayor's Office.

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

5. Assembly Memorandum No. AM 130-2000, appointment to Pre-Funding Investment Board (Donald Smith), Employee Relations.
6. Assembly Memorandum No. AM 146-2000, Airport Aviation Advisory Commission reappointment (Earl Korynta), Mayor's Office.
7. Assembly Memorandum No. AM 147-2000, Animal Control Advisory Board reappointment (Christy Shelton), Mayor's Office.
8. Assembly Memorandum No. AM 148-2000, Bidding Review Board reappointment (Jason Dinneen), Mayor's Office.

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

9. Assembly Memorandum No. AM 149-2000, Budget Advisory Commission reappointments (Roger Shaw, Thomas Wilson), Mayor's Office.
10. Assembly Memorandum No. AM 150-2000, Building Board reappointments (Dave Gardner, Greg Johnson), Mayor's Office.
11. Assembly Memorandum No. AM 151-2000, Equal Rights Commission reappointment (Valorie Moore), Mayor's Office.
12. Assembly Memorandum No. AM 152-2000, Geotechnical Advisory Commission reappointment (Howard Thomas), Mayor's Office.
13. Assembly Memorandum No. AM 153-2000, Health and Human Services Commission reappointments (Corinne Eilo, Marjorie Feldberg, Chad Morse), Mayor's Office.
14. Assembly Memorandum No. AM 154-2000, Historical and Fine Arts Commission reappointments (Jeffrey Barnes, Patricia Partnow, Patricia Petrivelli), Mayor's Office.
15. Assembly Memorandum No. AM 155-2000, Housing and Neighborhood Development Commission reappointments (Mac Carey, Sam Combs, Jean Wall, Gail West), Mayor's Office.
16. Assembly Memorandum No. AM 156-2000, Human Resources Advisory Board reappointment (Kristi Acuff), Mayor's Office.
17. Assembly Memorandum No. AM 157-2000, Investment Advisory Commission reappointments (Jerry Anderson, Stephen Tolton), Mayor's Office.
18. Assembly Memorandum No. AM 158-2000, Library Advisory Board reappointment (Jan Timmons), Mayor's Office.
19. Assembly Memorandum No. AM 159-2000, Light and Power Commission reappointment (David Eberle), Mayor's Office.
20. Assembly Memorandum No. AM 160-2000, Memorial Park Cemetery Advisory Commission reappointment (Ernie Hall), Mayor's Office.
21. Assembly Memorandum No. AM 161-2000, Mt. View Community Recreation Center Advisory Commission reappointments (James Allen, Niki Burrows), Mayor's Office.
22. Assembly Memorandum No. AM 162-2000, On-Site Wastewater System Technical Review Board reappointments (Sharon Minsch, Craig Woolard), Mayor's Office.
23. Assembly Memorandum No. AM 163-2000, Parks and Recreation Commission reappointment (Cynthia George), Mayor's Office.
24. Assembly Memorandum No. AM 164-2000, Port Commission reappointment (Brad Kroon), Mayor's Office.
25. Assembly Memorandum No. AM 165-2000, Public Facilities Advisory Commission reappointment (John Floyd), Mayor's Office.
26. Assembly Memorandum No. AM 166-2000, Public Transit Advisory Board reappointment (Dawnia Clements, Russell Cusack, Steve Kalmes).
27. Assembly Memorandum No. AM 167-2000, Senior Citizens Advisory Commission reappointments (Robert Bezek, Marylou Cacy, Thelma Langdon, Stuart Rader, Marilyn Stewart), Mayor's Office.

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

28. Assembly Memorandum No. AM 168-2000, Sister City Commission reappointments (Susan Churchill, Dianne Courtney, Soon Myong Chung), Mayor's Office.
29. Assembly Memorandum No. AM 169-2000, Transportation Commission reappointments (John Alexander, Michael White), Mayor's Office.
30. Assembly Memorandum No. AM 170-2000, Water and Wastewater Commission reappointment (Eric Marchegiani, William Stokes), Mayor's Office.
31. Assembly Memorandum No. AM 171-2000, Women's Commission reappointments (Marjorie Kaiser, Michelle Miller), Mayor's Office.

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

- 32. Assembly Memorandum No. AM 118-2000, change order No. 2 to purchase order 80376 to exercise the final option period with Purcell Services, Ltd. for providing **security services** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.
- 33. Assembly Memorandum No. AM 119-2000, contract change order No. 2 to TAM Construction, Inc. for the **construction of Lake Otis Parkway/East 80th Avenue Signalization**, DPW File #98-27, Public Works.
- 34. Assembly Memorandum No. AM 120-2000, approval to exercise a renewal option to enter into a contract with Anchor-Age, Inc. for **management and operation of the Anchorage Senior Center**, Health and Human Services.
- 35. Assembly Memorandum No. AM 121-2000, 2000 grant agreement with Alaskans for Litter Prevention and Recycling to **decrease backhaul wharfage shipping fees**, Municipal Manager's Office.

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

- 36. Assembly Memorandum No. AM 122-2000, approval of 2000 **grants to non-profits parks and recreation service providers**, Cultural and Recreational Services.
- 37. Assembly Memorandum No. AM 131-2000, grant agreement with Anchorage Youth Court to provide **funding for the 2000 Juvenile Offender Program**, Municipal Manager's Office.
- 38. Assembly Memorandum No. AM 132-2000, recommendation of award to Callan Associates, Inc. for providing **professional investment advisory services** to the Municipality of Anchorage, Police and Fire Retirement System (P&FRS) (RFP 99-P035), Purchasing.
- 39. Assembly Memorandum No. AM 133-2000, proprietary purchase to West Group, Inc. for a **subscription for Westlaw Computer Assisted Legal Research Services** for the Municipality of Anchorage, Office of the Municipal Attorney/Purchasing.

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

- 40. Assembly Memorandum No. AM 134-2000, recommendation of award to the Office of Ronald L. Baird, Attorney at Law for providing **legal services** to the Municipality of Anchorage, Office of the Municipal Attorney (RFP 99-P051), Purchasing.

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

- 41. Assembly Memorandum No. AM 143-2000, proprietary purchase to Jim Hill Architects for **design services for improvements to the Kincaid Ski Chalet** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.

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

- 42. Assembly Memorandum No. AM 144-2000, proprietary **purchase of refurbishment of turbine blades and the purchase of new turbine blades** from Liburdi Engineering, Ltd. for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
- 43. Assembly Memorandum No. AM 145-2000, change order No. 2 to purchase order 71364 to exercise the final option year with Alaska Financial Services for providing **delinquent collection services** to the Municipality of Anchorage, Finance/Purchasing.

E. INFORMATION AND REPORTS:

- 1. Appeal S-10485, Wild Iris Subdivision, has been scheduled for hearing before the Board of Adjustment on March 7, 2000, Clerk's Office.

Mr. Wuerch requested this item be considered on the Regular Agenda. See item 8.F.

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

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

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

8. REGULAR AGENDA:

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2000-40, an ordinance of the Municipality of Anchorage authorizing a **sale by Anchorage Water and Wastewater Utility (AWWU) of Tract 4, International East Subdivision**, Plat No. 87-28, generally located east of Minnesota Boulevard and south of 56th Avenue in the Anchorage Recording District and the acquisition of 2.04+/- acres of land generally located on the west side of Arctic Boulevard at West 32nd Avenue in the Anchorage Recording District, owned by the Horrell Family Partnership, Water and Wastewater Utility/Heritage Land Bank public hearing 2-15-00.

- a. Assembly Memorandum No. AM 128-2000.
- b. Ordinance No. AO 2000-40(S), an ordinance of the Municipality of Anchorage authorizing a sale by Anchorage Water and Wastewater Utility (AWWU) of Tract 4, International East Subdivision, Plat No. 87-28, generally located east of Minnesota Boulevard and south of 56th Avenue in the Anchorage Recording District and the acquisition of 2.04+/- acres of land generally located on the west side of Arctic Boulevard at West 32nd Avenue in the Anchorage Recording District, owned by the Horrell Family Partnership, Water and Wastewater Utility/Heritage Land Bank. public hearing 2-15-00. (**addendum**)
- c. Assembly Memorandum No. AM 177-2000.

Mr. Tremaine, Ms. Fairclough and Mr. Sullivan joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

In response to Mr. Tremaine, Heritage Land Bank Director Larry Houle explained the substitute version included a fund certification which was omitted from the original document.

- 2. Ordinance No. AO 2000-41, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 7.20.060, **Competitive Sealed Proposals, Negotiated Procurement**, to add a new subsection relating to liability for payment of legal services rendered before contracts for such services are awarded and funds are appropriated, Assemblymember Tesche. public hearing 3-7-00.
 - a. Assembly Memorandum No. AM 136-2000.

Mr. Tesche, Ms. Taylor and Mr. Sullivan joined in introducing this ordinance. The public hearing was scheduled for March 7, 2000.

- 3. Ordinance No. AO 2000-43, an ordinance **approving a long-term (not exceeding 30 years) lease of the Hilltop Ski Area with modified boundaries (approximately 160 acres) in the Municipality's Far North Bicentennial Park** to Youth Exploring Adventure, Inc., a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department/Cultural and Recreational Services. public hearing 2-15-00. (**addendum**)
 - a. Assembly Memorandum No. AM 175-2000.

Mr. Wuerch, Ms. Fairclough and Mr. Kendall joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

In response to Mr. Wuerch, Deputy Municipal Attorney Bill Greene explained the difference between this ordinance and item 11.B, AO 2000-22. The title of this ordinance identifies the that the proposed area is a change from the existing area of Hilltop. The addition was intended to provide more comprehensive public notice. Also in this ordinance, the list of the lease terms includes more detail. He said AO 2000-22 could proceed, but the new ordinance was more clear.

In response to Ms. Clementson, Mr. Greene explained AO 2000-22 provided for a lease term of 20 years with an option to renew for an additional 10 years, while the proposed ordinance provided for a lease not to exceed 30 years.

In response to Mr. Tesche, Mr. Greene said the proposed ordinance does not provide for the lease to return to the Assembly for approval. He noted the Municipal Charter requires the substantive terms and conditions of the lease to be published in the Notice of Election. He felt the terms in the original ordinance were acceptable. However, the new ordinance provides additional details prompted by complaints from members of the Assembly and citizens, that not enough details were available.

Mr. Tesche said he intended to reiterate a recommendation that the entire lease, including all terms and conditions, when negotiated, return to the Assembly for approval.

Mr. Greene added that once the Notice of Election is published, including the terms and conditions of the lease, the Assembly would be bound to include those terms in the lease if approved by the voters.

In response to Mr. Wuerch, CHRIS BIRCH, president of the board for Hilltop Youth and Youth Exploring Adventure addressed the Assembly. Mr. Birch said he did not know about the proposed ordinance. His understanding was the area of the lease was the same that was presented at the worksession over a week ago. He said the original submittal, due to an administrative oversight, did not include the Parks and Recreation Commission-approved map. The map is included in the substitute to AO 2000-22. His understanding was the proposed ordinance, AO 2000-43 included technical modifications to clarify the reduction and change in the footprint of the facility.

Mr. Wuerch moved, and it died for lack of a second,	to continue the public hearing for item 11.B, AO 2000-22, until February 15, 2000 to coincide with the hearing for AO 2000-43.
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Municipal Manager George Vakalis said he did not oppose the motion. However, he clarified the executive director of the organization was contacted about tonight’s proposed change, when it was known.

In response to Mr. Tremaine, Mr. Greene said changes to the text of both ordinances could be made by amendment, but the titles may not be changed.

Mr. Wuerch moved,
seconded by Ms. Clementson,

to change the orders of the day to consider item 11.B,
AO 2000-22 for the purpose of continuing the public hearing
until February 15, 2000.

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

(Clerk’s Note: This motion failed for lack of eight affirmatives votes required to change the orders of the day.)

4. Ordinance No. AO 2000-44, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, the **question of amending the Anchorage Home Rule Charter Section 5.02(C) relating to exercise of veto power by the Mayor** at an election in and for the Municipality of Anchorage on April 4, 2000, Assemblymember Tesche. public hearing 2-15-00. **(addendum)**
a. Assembly Memorandum No. AM 176-2000.

Mr. Tesche, Ms. Taylor and Mr. Tremaine joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

5. Ordinance No. AO 2000-45, an ordinance of the Anchorage Municipal Assembly enacting an ordinance to **levy an eight percent rental tax on the retail rental of certain motor vehicles within the tax cap** for the purpose of reducing other taxes and **submitting the question of whether or not to approve said rental tax to the qualified voters of the Municipality at its next Regular Election on April 4, 2000**, Assemblymembers Sullivan, Abney, Clementson, Fairclough, Kendall, Meyer, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. public hearing 2-15-00. **(addendum)**

Ms. Fairclough, Ms. Clementson and Mr. Sullivan joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

6. Ordinance No. AO 2000-46, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000, a ballot proposition asking whether the Assembly or the State of Alaska should grant **real property tax relief to low income housing projects** receiving low income housing tax credits from the federal government or below market interest rate mortgage loans to finance said projects in exchange for limitations on rental rates, Assemblymember Clementson. public hearing 2-15-00. **(LAID ON THE TABLE)**

Ms. Clementson, Ms. Fairclough and Mr. Sullivan joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

Mr. Tesche said he was disappointed with this example of the legislative process. He was aggravated that this ordinance was brought forward without advance notice to him, since he had previously introduced another ordinance on this topic.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR2000-31, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Robert M. Gray, Jr. for his 21 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

to approve AR 2000-31.

Mr. Tremaine read the resolution while Mr. Sullivan presented it to Officer Gray.

Officer Gray thanked the Assembly. He said he had enjoyed working for the Police Department.

2. Resolution No. AR2000-32, a resolution of the Anchorage Municipal Assembly **recognizing and commending the team effort of municipal employees for their work and commitment to the Y2K Readiness Program**, Assemblymember Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

to approve AR 2000-32.

Ms. Taylor read the resolution while Mr. Tesche presented it to Doug Robinson.

Mr. Robinson, on behalf of the Y2K team, thanked the various Municipal departments for their support and efforts to make sure Municipal functions were Y2K-ready. He thanked Municipal Manager George Vakalis for the opportunity to oversee the program, and the Municipal Y2K steering committee.

3. Resolution No. AR2000-34, a resolution of the Anchorage Municipal Assembly appropriating \$5,600 from Areawide General Fund (101) Balance to the Department of Assembly to provide an **increase in the 2000 grant to the Federation of Community Councils**, Assemblymember Meyer.
 - a. Assembly Memorandum No. AM 137-2000.

Mr. Tremaine moved, to approve AR 2000-34.
seconded by Mr. Tesche.

Mr. Tremaine said his intent was that this item be funded from the Assembly budget, but he would not delay the appropriation.

Question was called on the motion to approve AR 2000-34 and it passed without objection.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 139-2000, Planning and Zoning Commission reappointments (Dwayne Adams, Daphne Brown), Mayor's Office.
2. Assembly Memorandum No. AM 140-2000, Platting Board appointments (Don Poulton, Rick Richter), Mayor's Office.
3. Assembly Memorandum No. AM 141-2000, Urban Design Commission reappointment (Kerry Pritchett), Mayor's Office.
4. Assembly Memorandum No. AM 142-2000, Zoning Board of Examiners & Appeals reappointments (Bernd Guetschow, Mike Marsh, Barry Shennum), Mayor's Office.

Mr. Wuerch moved, seconded by Ms. Clementson, and it passed without objection, to postpone action on AM 139-2000, AM 140-2000, AM 141-2000 and AM 142-2000 until February 15, 2000 to comply with the Code requirement to provide a 10-day public comment period.

5. Assembly Memorandum No. AM 148-2000, Bidding Review Board reappointment
(Jason Dinneen), Mayor's Office.

Mr. Tremaine moved, to approve AM 148-2000.
seconded by Mr. Tesche,

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

to postpone action on AM 148-2000 until the February 8,
2000 continuation of this meeting, pending more information
on Mr. Dinneen's attendance record.

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

6. Assembly Memorandum No. AM 167-2000, Senior Citizens Advisory Commission reappointments (Robert Bezek, Marylou Cacy, Thelma Langdon, Stuart Rader, Marilyn Stewart), Mayor's Office.

Ms. Fairclough moved, to approve AM 167-2000.
seconded by Ms. Clementson,

Ms. Fairclough moved, seconded by Ms. Clementson, and it passed without objection. to postpone action on AM 167-2000 until March 7, 2000.

7. Assembly Memorandum No. AM 171-2000, Women's Commission reappointments
(Marjorie Kaiser, Michelle Miller), Mayor's Office.

Municipal Manager George Vakalis requested this item be postponed indefinitely.

Mr. Kendall moved, to postpone action on AM 171-2000 indefinitely, seconded by Ms. Clementson, and it passed without objection.

8. Assembly Memorandum No. AM 121-2000, 2000 grant agreement with Alaskans for Litter Prevention and Recycling to **decrease backhaul wharfage shipping fees**, Municipal Manager's Office.

Mr. Tremaine moved,
seconded by Ms. Fairclough,

to approve AM 121-2000.

Mr. Tremaine moved,
seconded by Mr. Tesche,

to amend AM 121-2000 on line 6 to read: “In January 2000,
the 2000 General Government Budget took effect, which
included...”

Mayor Mystrom pointed out six Assembly members, a majority, voted to sustain his veto of the budget. He felt this meant the budget was approved, and in place.

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

AYES: Sullivan, Tremaine, Tesche, Taylor, Meyer, Clementson.

NAYS: Kendall, Wuerch, Fairclough, Von Gemmingen.

Question was called on the motion to approve AM 121-2000 as amended and it passed:

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

NAYS: None.

9. Assembly Memorandum No. AM 133-2000, proprietary purchase to West Group, Inc. for a **subscription for Westlaw Computer Assisted Legal Research Services** for the Municipality of Anchorage, Office of the Municipal Attorney/Purchasing.

Mr. Tesche moved,
seconded by Ms. Taylor,

to approve AM 133-2000.

In response to Mr. Tesche, Acting Purchasing Director Bart Mauldin explained the proposed purchase was reasonably proprietary, and not competitively bid. The renewal has been approved for several years. The Department staff have become familiar with the service, which is a subscription on an annual basis. To change the service would have some associated negative costs.

In response to Mr. Tesche, Municipal Attorney Mary Hughes discussed the methods used to evaluate the legal research services. She said evaluations were done prior to choosing Westlaw, and are also done on a continual basis. She said her staff has continual discussions with another company, Lexis, about these services.

Mr. Tesche questioned whether the item was a proprietary procurement under Municipal Code Title 7 requirements or whether there was a competitive bid.

Ms. Hughes said there was no competitive bid.

Question was called on the motion to approve AM 133-2000 and it passed without objection.

10. Assembly Memorandum No. AM 134-2000, recommendation of award to the Office of Ronald L. Baird, Attorney at Law for providing **legal services** to the Municipality of Anchorage, Office of the Municipal Attorney (RFP 99-P051), Purchasing.

Ms. Fairclough moved,
seconded by Ms. Clementson,

to approve AM 134-2000.

Ms. Fairclough requested the status of the condemnation proceedings. She felt it was better to settle with property owners than incur legal fees in excess of the amount of settlement costs.

Municipal Attorney Mary Hughes agreed to provide an analysis.

In response to Mr. Tesche, Ms. Hughes confirmed this item for \$200,000 would be included in the total amount of outside counsel fees spent by the Department.

Question was called on the motion to approve AM 134-2000 and it passed without objection.

11. Assembly Memorandum No. AM 143-2000, proprietary purchase to Jim Hill Architects for **design services for improvements to the Kincaid Ski Chalet** for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.

Mr. Tremaine moved,
seconded by Mr. Tesche,

to approve AM 143-2000.

In response to Mr. Tremaine, Don Simmons of Property and Facility Management explained this purchase would pay for design of the project. The construction work will be bid separately; the designers will not be able to bid on the construction portion of the project.

Question was called on the motion to approve AM 143-2000 and it passed without objection.

F. INFORMATION AND REPORTS:

1. Appeal S-10485, Wild Iris Subdivision, has been scheduled for hearing before the Board of Adjustment on March 7, 2000, Clerk's Office.

Mr. Wuerch moved, to accept this information, begin the March 7, 2000
seconded by Ms. Clementson, meeting at 4:00 p.m., and consider the appeal at the
and it passed without beginning of the meeting.
objection,

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

- A. Ordinance No. AO 2000-21, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$28,770,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs road, storm drainage and related capital improvements in the Anchorage Roads and Drainage Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget.
1. Assembly Memorandum No. AM 37-2000.
 2. Information Memorandum No. AIM 6-2000.
(POSTPONED FROM 1-25-00)

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

Ms. Clementson moved, to adopt AO 2000-21.
seconded by Mr. Kendall,

Ms. Clementson explained a legal opinion was necessary because Elmore Road is on the boundary of the Anchorage Roads and Drainage Service Area (ARDSA) and it was uncertain whether ARDSA included all of the road's right-of-way. The legal opinion, and that of Public Works staff, was that all of the right-of-way was included.

Ms. Fairclough moved, to amend AO 2000-21 on page 2, line 20.5 to read:
seconded by Mr. Tremaine, "...\$23.12."
and it passed without
objection,

Ms. Fairclough explained the dollar amount adjustment was necessary so the ballot language would reflect the correct interest rate and correspond with bond fact sheets and summaries of economic effects.

Question was called on the motion to adopt AO 2000-21 as amended and it passed:

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

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

- B. Assembly Memorandum No. AM 99-2000, approval of 2000 funding and to amend the **professional services agreement with the Anchorage Convention and Visitors Bureau (ACVB)**, Property and Facility Management.
(POSTPONED FROM 1-25-00)

Chairman Meyer gave the history of the memorandum and noted no motions were pending.

Mr. Kendall moved, to approve AM 99-2000.
seconded by Mr. Tesche,

Mr. Kendall thanked ACVB officials for their services in 1999. He wished them as much success in 2000.

Mr. Tremaine commended ACVB. However, he objected to giving 50 percent of the hotel/motel taxes to this organization without considering other tourism-promoting organizations.

In response to Mr. Tesche, ACVB president Bill Elander addressed the Assembly. He said he reviewed the memorandum, and had no objections. He was satisfied with the contract that has been negotiated with the Administration.

Mr. Tesche felt it might be worthy to discuss the hotel/motel tax and its utilization sometime in the future. However, in light of the long-standing relationship with ACVB, he would not support changing this relationship without discussions in advance.

Question was called on the motion to approve AM 99-2000 and it passed:

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

- C. Information Memorandum No. AIM 13-2000, Bar Violations/Quarterly Report (**Cusack's Brewpub**), Anchorage Police Department.
(POSTPONED FROM 1-25-00)

Chairman Meyer gave the history of the memorandum and noted a motion to accept was on the floor. He asked the Clerk to contact Mr. Cusack and schedule his appearance for another date.

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

to postpone action on AIM 13-2000 until March 7, 2000.

The meeting recessed at 6:50 p.m. and reconvened at 7:00 p.m.

10. APPEARANCE REQUESTS: None.

11. CONTINUED PUBLIC HEARINGS:

- A. Resolution No. AR 2000-16, a resolution of the Municipality of Anchorage appropriating \$225,000 from the Anchorage Metropolitan Police Service Area (151) Fund Balance to the Anchorage Police Department for **professional legal services in support of labor relations activities in pending litigation regarding Messrs. Guillory and Nelson**, Employee Relations Department.
1. Assembly Memorandum No. AM 61-2000.
 2. Assembly Memorandum No. AM 105-2000, Employee Relations Department/Purchasing.
- (CONTINUED FROM 1-25-00)

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

PAUL HONEMAN, an Anchorage Police Department (APD) employee, disclosed he has litigation pending against the Municipality regarding APD's promotion policy. Officer Honeman spoke against the proposed appropriation. He felt the promotion system at APD is flawed, and does not meet professional industry standards. He pointed out a Department of Justice (DOJ) report states the system is highly subjective and highly susceptible to challenge and litigation. Although this DOJ report states that statistically the racial makeup of APD employees shows no discrimination, he pointed out there are many forms of discrimination, including race, sex, religion and amount of education. He said the beginning of the promotion system is fair, but the remaining subjective criteria is flawed and manipulated. He felt the system should be fixed, so costs from further litigation can be reduced.

KENNETH WELCH, a former APD employee, spoke against the appropriation. He felt there were problems with discrimination at APD, and they should be addressed.

APRIL FERGUSON, of the Bristol Bay Native Corporation, spoke in opposition to the appropriation. She expressed concern about the subject litigation and the message it sends to the community. She pointed out from the public's perspective, spending large amounts of money to fight action by two black officers enhances an atmosphere of intolerance rampant in the State. Ms. Ferguson added she has not seen any Alaska Native police officers on duty. She suggested spending the money proposed for this litigation on recruitment of more minority police officers. She questioned the current recruiting practices of APD, specifically the geographic areas she heard are the focus of recruiting activities. Ms. Ferguson questioned why the proposed funds would pay an outside firm rather than a local company.

In response to Ms. Taylor, Ms. Ferguson said she felt the issue was one of perception. She suggested recruitment be focused in areas other than northern Idaho, northern Michigan and northern Wisconsin.

JERRY PHILLIPS, a long-time resident of the State, spoke in opposition to the appropriation. He felt it was foolish to spend \$250,000 to save \$30,000. He felt it was a waste, and that the point was to send a message to other black officers that they dare not sue the Municipality. Mr. Phillips felt the focus should be on fixing the system.

BILL RICHARDSON said he worked with both officers Nelson and Guillory, and felt they were fully qualified for the promotions they received. As a taxpayer, he objected to the money that has already been spent on this suit, and the amount proposed to be spent. He was proud of APD, and was bothered that there is a perception among minority officers that there is a problem with racism.

ROBERT HAYES spoke against the appropriation. He said one reason why he liked Alaska was because there is less prejudice than in other areas of the country. He did not want racism to become an issue here. He felt the issue should be negotiated and settled without any more money on legal fees.

DEBBIE GUILLORY opposed the appropriation. She explained it was difficult for her husband to file a racial discrimination suit. She felt the issue was not money, but fixing the problems at APD. Ms. Guillory responded to comments that the plaintiffs refused to settle, saying the Administration changed the agreement after it was mediated so the officers chose not to sign the altered agreement.

In response to Mr. Tesche, Ms. Guillory felt the case could be settled this year. She said it would be no problem if the Administration could admit there are problems and agree to address them.

MARCY GENTEMANN felt the focus should be on the fact that we are Americans. If this is remembered, it is likely racism problems would disappear.

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

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

to approve AR 2000-16.

Ms. Clementson distributed information and outlined the progression of the Anchorage Equal Rights Commission (ERC) complaint. Both cases were dropped before the ERC, and a finding before that body was never determined. Lawsuits were

filed and the DOJ complaints were initiated. She pointed out a settlement agreement was signed by all parties, but when the Administration formalized the agreement with formal language, arguments began again. Ms. Clementson noted the DOJ issued a finding that there was no discrimination, but the lawsuit must be defended. She felt the choices were to either defend against the lawsuit or to pay a settlement that is more than the amount of the attorney's costs. In the beginning, the suit was being handled in-house, but it was transferred to Perkins Coie when the internal attorney became a witness in the case. She added there is still the opportunity to settle; appropriating the funds does not mean they will necessarily be spent. She urged approval.

In response to Mr. Kendall, Municipal Attorney Mary Hughes said there has been no contact from the plaintiffs' attorneys as of yesterday. She said discovery will close in March, and depositions are continuing. Funds are needed to pay counsel. She said the last settlement discussion was in November of 1998. She said it could be done again if the plaintiffs are willing.

Ms. Taylor noted there is potential to settle the case without further expenditures. She suggested a postponement to allow time for discussing the issue in a worksession.

Mr. Tesche said he had many questions, which might be appropriate for a worksession.

In response to Mr. Wuerch, Employee Relations Director Tom Tierney said if the case was settled, the total cost would probably be only a little more than the \$145,000 that has already been billed.

Ms. Taylor moved, seconded by Mr. Tesche,	to postpone action on AR 2000-16 until the February 8 continuation of this meeting, and hold a worksession on that date.
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Mr. Tierney suggested the Assembly approve at least \$160,000 of the proposed appropriation, to allow payment of counsel.

Ms. Fairclough questioned whether one week was adequate time, especially since some parties would be unavailable on February 8. She added there were time-critical ballot issues on the agenda for the February 8 and 15 meetings.

Ms. Von Gemmingen pointed out the appropriation, not settlement of this case, is the Assembly's business. She felt the attorneys should be paid for the work they have already done. She opposed holding a worksession because the issue is still in litigation.

Ms. Clementson moved, seconded by Ms. Von Gemmingen,	to substitute a motion to approve \$160,000 of the appropriation, and postpone the remaining \$65,000 until February 15, 2000 at a 4:00 p.m. early start to that meeting, and that for the purposes of pursuing settlement, the case return to control of the Municipal Attorney.
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Mr. Tesche felt the attorneys should be paid for work already done, and the services returned to in-house attorneys.

Mr. Tremaine said he had a number of questions, which could be addressed either in a worksession or tonight.

Mr. Kendall felt a two-week postponement would be a more appropriate delay, because it would allow time for the parties to meet and talk. He felt the Assembly should discuss APD policies with the Administration at some point in the future. He also wanted to discuss procurement policies.

Mr. Sullivan spoke in support of the motion.

Ms. Taylor spoke against the motion. She pointed out there were some questions about the procurement process.

Mr. Wuerch moved, seconded by Mr. Kendall,	to call the previous question.
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AYES: Kendall, Sullivan, Meyer, Wuerch, Fairclough, Von Gemmingen, Clementson.
NAYS: Tremaine, Tesche, Taylor.

(Clerk's Note: This motion failed for lack of eight affirmative votes required to call the previous question.)

Ms. Clementson clarified the \$160,000 was appropriated for fees and costs now owing, plus extra funds necessary to transfer the file back to the Municipal Attorney for purposes of settlement.

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

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

Mr. Tremaine said he would not support the appropriation. He read a portion of Municipal Code Title 7. He pointed out the Municipality was not liable for the bill from the attorneys, because the Assembly had not approved the contract.

Question was called on Ms. Clementson's motion to approve \$160,000 and postpone \$65,000 of AR 2000-16 and it passed:

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

Ms. Clementson moved,
seconded by Ms. Fairclough,

to approve AM 105-2000.

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

to amend AM 105-2000 on line 32 to read: "...not to exceed
\$160,000."

Question was called on the motion to approve AM 105-2000 as amended and it passed:

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

- B. Ordinance No. AO 2000-22, an ordinance **approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc.**, a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department.
1. Assembly Memorandum No. AM 42-2000.
 2. Ordinance No. AO 2000-22(S), an ordinance approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc., a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease, Legal Department.
 3. Assembly Memorandum No. AM 126-2000.
- (CONTINUED FROM 1-25-00)

Deputy Municipal Attorney Bill Greene explained a second ordinance on this topic, AO 2000-43 introduced earlier in the meeting, was drafted because of concerns that there was inadequate notice and description of the lease boundaries. AO 2000-43 also includes additional language describing the terms of the lease.

Chairman Meyer opened the public hearing on AO 2000-22 and asked if anyone wished to speak.

CHRIS BIRCH, president of the board for Youth Exploring Adventure, said the organization has operated Hilltop ski area since construction in 1984. He spoke in support of placing the question of a 20-year lease on the April, 2000 ballot. He said he reviewed AO 2000-43 and it seemed acceptable. Mr. Birch noted many people have appeared on several occasions to speak in support of this issue. He noted they have complied with all Parks and Recreation Commission conditions required in 1995 and will comply with the additional conditions under which final approval is granted. Mr. Birch felt quality planning and management have enabled the facility to operate successfully without taxpayer support for nearly 20 years.

In response to Mr. Tesche, Mr. Birch said he supported AO 2000-43. He said he would oppose a requirement that the lease be approved by the Assembly again after the measure is approved by the voters.

CARL TOBIN expressed concern about the footprint of the facility. He pointed out the existing footprint is much less than 160 acres, because Hilltop has not expanded despite approval of an expansion. He felt ballot language or ballot information should compare the current footprint and proposed footprint in the proposed lease extension. He felt the 200-acre proposal would actually be preferable to the 160-acre proposal, because the smaller area extends much further north, and would impact existing vegetation and critical habitat more. He pointed out rare wildlife species are dependent on the habitat that would have to be cleared to expand the facility.

JESSICA HOMESTEAD, a ski instructor at Hilltop, said the facility caters to many families and people who want to learn. The majority of people attending the facility are teen-agers; she felt it was important they have a positive activity to occupy their time. As a member of Anchorage Youth Court, Ms. Homestead said the majority of defendants cite boredom as a reason they committed a crime. She pointed out the facility is close to most residents, and relatively inexpensive. Also, the facility provides employment for young people as instructors. Most of these young people cannot commute to Alyeska resort for employment.

In response to Mr. Tremaine, Ms. Homestead said on weekends, the lift lines are very long, and ski classes are usually full.

CHRISTY ROSENBERG opposed the lease extension. She pointed out Hilltop can host the Special Olympics snowboarding events as desired without a twenty-year lease. She felt the Special Olympics, a lease extension and expansion of the facility are three separate issues, and a lease extension is not necessary for the organization to continue. She did not trust the existing Hilltop management with a twenty-year claim on public parkland. She related some unpleasant personal experiences with the facility's management, including being locked in the parking lot long before the posted closing hours.

GREG BROWN, representing the Alaska Wildlife Alliance, felt the issue was one of public trust. He pointed out the Assembly is obligated to manage parklands for the public's benefit. As trustees, the Assembly cannot allow public trust lands to be destroyed or despoiled, cannot sell them to a private concern, and cannot divert lands to limited public uses. Mr. Brown questioned whether the proposed use of this land was a diversion for a more limited public use. He pointed out many people currently use the land, including hikers, bird watchers and nordic skiers. Also, the land is pristine wildlife habitat and valuable open space. He said these broad uses must be compared to the benefit of potentially-shorter lift lines. Mr. Brown added last week, there was testimony the lift lines were only five to ten minutes long. He felt the proposed ballot language was insufficient, and it did not include information that the area of the Hilltop facility would be expanded.

In response to Mr. Tesche and Mr. Tremaine, Mr. Brown said he felt the issue should not be placed before the voters until the broader public uses are more equally balanced with the proposed limited public use.

JOHN KUNISH, a long-time Anchorage resident, said he has used the Spencer Loop for about 15 years. He pointed out the area is used year-round by many groups such as nordic skiers, mountain bikers, hikers, snow-shoers, horseback riders and skijorers. He said the proposal would result in an additional 30 acres of clear-cut, with the accompanying light pollution. Mr. Kunish added that about 80 percent of the people who testified at the Parks and Recreation Commission hearing on this issue were opposed to the proposal. He added a better way to reduce lift lines would be to speed up the very slow lift. He felt Hilltop should be allowed to construct a shelter and improve the parking lot, but not allowed to clear-cut 30 acres for one user group's use for only four months out of the year.

ANDY SUIS, Hilltop Ski Patrol director, acknowledged the fact that there is a lot of wildlife in the area of the facility, as well as night lighting and long lift lines. He felt the issue was the use of the park for the next 20 years. He pointed out the area has been used as a ski area for 17 years, and it is a safe place for children to spend their time constructively. Mr. Suis said the expansion would allow more people to use the facility and provide a broader range of skiing terrain. He supported the lease extension.

ANN GABLER, a long-time multi-user of trails in Far North Bicentennial Park, supported the existing Hilltop program and the Spencer Loop. However, she did not support expansion of Hilltop. The further intrusion of the commercial, mechanized use would effectively squeeze out other users. The proposed expansion will obliterate a very scenic area of the park used by recreationists who do not need or want lighted trails. She felt the proposal would not be an enhancement.

ERIC HUGHES, a volunteer ski patrol member at Hilltop, said the facility is a great asset to the community. It provides children and adults a healthy recreational option. He felt the benefits to children must be including when weighing the benefits of the facility against the disadvantages.

KURT NEWLESS, an instructor at Hilltop, spoke in support of the expansion and the lease extension. He felt there was plenty of natural habitat in the area and wildlife would not suffer. Also, he pointed out there is so much light pollution in Anchorage that a little more will not make a difference.

LISA CHURCH pointed out the Bureau of Land Management transferred the Far North Bicentennial Park land to the Municipality for the express purpose of public recreation. She supported the proposed ordinance.

JIM BURKHOLDER, an Anchorage resident since 1956, noted trails are very important to the community and contribute to the quality of life. He pointed out nordic skiing is very popular; the proposed expansion will have a huge impact on nordic skiing and other-use trails in the area. He felt it was sad that summer recreation facilities are constructed and maintained by the Municipality, but winter recreation facilities do not receive equal investment. He felt Hilltop had a good youth program and he supported its continuance. However, he felt other areas, such as Arctic Valley ski resort, should be expanded.

TOM MEACHAM, a resident near Hilltop ski area, discussed the transfer of Far North Bicentennial Park to the Municipality. He explained the transfer included designations of various parts of the parcel for various uses. The area where Hilltop is located is not designated for developed recreation or intensive recreation. Mr. Meacham suggested the Assembly obtain an analysis of the Parks and Recreation Commission testimony on this topic. He noted the expansion plans have always been constantly changing, which causes confusion. He added if a shelter is built with public funds, ownership should be held by a public body rather than being vested in a private entity.

In response to Mr. Tesche, Mr. Meacham felt a requirement that the lease be approved by the Assembly again after the measure is approved by the voters would be advisable.

K.P. TARGE, a board member of the Hilltop organization, stressed the organization and board members are also interested in preserving the environment. She questioned allegations that the expansion will exclude other users, because Spencer Loop was developed after Hilltop was in existence. She pointed out pristine land will not be lost, because it has already been impacted. She added tree clearing from the expansion will not affect the Three-Toed Woodpecker as some people have alleged; the woodpecker is impacted because of Spruce Bark Beetles. Ms. Targe responded to complaints that the issue is constantly changing. She felt people might not remember that in 1973 when City officials were approached with the idea recreation opportunities for children, they said they could not take on the task, and recommended private industry pursue the project. At that time, the Hilltop organization outlined its future plans, which have not changed. She did not mind if the shelter structure was owned by the Municipality, as long as Hilltop pays for maintenance.

In response to Ms. Fairclough, Ms. Targe said the second chair lift was part of the facilities long-range plan, and was not related to the Special Olympics.

SCOTT BRENT, an instructor at Hilltop, said he would not like to see the facility lose its lease. He felt it should be extended. He felt the expansion was necessary to meet the demand. Also, there is still plenty of untouched land in Alaska.

ROSEMARY AUSTIN supported the proposed facility at Hilltop, but not the proposed 20-year lease because it would include destruction of 30 acres of wooded area. She explained this area also currently supports multi-use trails. The wooded area is used by citizens all year round, and is inhabited by many species of wildlife. The park was set aside to provide a respite from developed areas. Ms. Austin acknowledged many people benefit from Hilltop programs, but to expand the area at the expense of other users would be a mistake. She noted the draft Comprehensive Plan calls for preservation of natural features that give Anchorage its distinctive sense of place; protection of native forest and vegetation in stream corridors, parks and greenways; and restoration of their natural condition wherever possible.

CLINT HOMESTEAD, a frequent user of the Hilltop facility, praised the staff and ski patrol. He said he was training to be a ski instructor.

JIM REEVES, a member of the Hilltop Board, said he generally opposed the plans for expansion. However, he felt the issue should be placed on the ballot so debate can continue among the community.

TERRY PAULS felt no one opposed the Hilltop programs. The question was what kind of park was desired. She pointed out although wild lands are plentiful in the State, they are very rare in the Anchorage bowl. Ms. Pauls recommended plans to improve the road, parking lot and lodge be allowed. However, she opposed an expansion involving a 30-acre clear-cut. She pointed out a forest can survive with a few trees cut down for trails, but not with a clear-cut. She also felt ballot language, if approved, should be very clear.

ADAM SIDOWSKI, a Hilltop user, felt the young adults who have spoken and are users of the facility had valid opinions. He encouraged the Assembly to consider their views.

Chairman Meyer asked if anyone else wished to speak. There was no one.

Mr. Wuerch moved, to continue the public hearing for AO 2000-22 until
seconded by Mr. Tesche, February 15, 2000.

Ms. Clementson moved, to close the public hearing on AO 2000-22 and
seconded by Mr. Tesche, AO 2000-22(S).
and it passed without
objection,

Chairman Meyer noted action would be postponed until February 15, 2000.

Mr. Wuerch moved, to change the orders of the day to consider items 12.A, B, C
seconded by Mr. Kendall, and D, AO 2000-12, AO 2000-27, AO 2000-28 and
AO 2000-29, and combine the public hearings.

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

- C. Resolution No. AR2000-1, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Package Store Liquor License) located on Huffman Business Park Subdivision, Tract N-1, generally located on the north side of East Huffman Road and west of New Seward Highway (Tesoro Northstore Co., Inc. d.b.a. **Tesoro 2 Go**) (Case 00-009), Community Planning and Development.
1. Assembly Memorandum No. AM 4-2000.
(CONTINUED FROM 1-25-00)

This item was considered at the February 8 continuation of the meeting. See after item 12.D.

- D. Resolution No. AR2000-14, a **resolution revising the approved 2000 General Government Capital Improvement Budget (CIB) and the approved 2000-2005 General Government Capital Improvement Program (CIP)**, Office of Management and Budget.
1. Assembly Memorandum No. AM 47-2000.
(CARRIED OVER FROM 1-25-00)

This item was considered at the February 8 continuation of the meeting. See after item 12.D.

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-12, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$57,095,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 4, 2000, Anchorage School District.
1. Assembly Memorandum No. AM 11-2000.
- B. Ordinance No. AO 2000-27, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$107,900,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage at an election in and for 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 4, 2000, Assemblymembers Kendall and Fairclough.
1. Assembly Memorandum No. AM 66-2000.
- C. Ordinance No. AO 2000-28, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$77,900,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 4, 2000, Assemblymembers Fairclough and Kendall.
1. Assembly Memorandum No. AM 67-2000.
- D. Ordinance No. AO 2000-29, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the **question of the issuance of not to exceed \$42,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements** in the Municipality of Anchorage at an election in and for 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 4, 2000, Assemblymembers Fairclough and Kendall.

1. Assembly Memorandum No. AM 68-2000.

Chairman Meyer opened the public hearing for AO 2000-12, AO 2000-27, AO 2000-28 and AO 2000-29 and asked if anyone wished to speak.

BOB CHRISTAL, Anchorage School District (ASD) Superintendent, outlined the various projects that would be funded by the proposed bonds. He thanked the community for their support of almost a half billion dollars in school construction projects since 1993. He added most of the work in the last ten years has been directed at elementary schools and two new middle schools. Now, the needs for major renovations at all high schools except West will be addressed. He felt the ASD bond proposal was reasonable. It is smaller than those in recent years, but addresses the District's most critical needs.

In response to Ms. Clementson, Mr. Christal confirmed Bowman Elementary, a prototype school, was about eight years old. The repairs necessary at the school were for portions of the roof, rather than the entire roof. He said he would provide specific details at a later date.

In response to Ms. Fairclough, Chief Fiscal Officer Soren Orley explained the State reimbursement policy.

PEGGY ROBINSON, School Board president, reiterated the focus of the proposed bonds is on high schools. She pointed out the renovations would be done in phases. Ms. Robinson noted a survey of the public showed that support for school projects is waning, and support decreased as the amount of the bond increased.

In response to Ms. Von Gemmingen, Ms. Robinson noted the proposed electrical upgrades for Denali Elementary school would not be part of the bond.

KAREN RIGG, principal of Denali Elementary, noted the proposed bond included funds for replacement of Denali. She pointed out Denali Elementary has three special programs: a neighborhood attendance program; a special education intensive service site; and a Montessori alternative program. The programs focus on diversity, excellence and unity. However, the 50-year-old building is showing its age. There are major structural problems with the building that are affecting students' learning environment. Also, the heating and ventilation system malfunctions cause regular disruption of classes. There are plumbing problems, and there is no place for students to eat lunch other than classrooms. Ms. Rigg added the electrical system is frequently overloaded, causing breakers to trip. She said the parking lot is hazardous for parents, students and staff. The traffic flow should be redesigned for the safety of the Denali community. There are two incompatible phone systems in the building, making it difficult for parents to reach teachers or the school office. The 20-year-old roof is in disrepair and there are frequent leaks. She requested support for the bond.

MARGIE MCNEIL, parent of Denali students for eleven years, praised the school staff, teachers, students and parents. She said over the years, the structure has declined from a sub-standard condition to being an impediment to education. She supported approval of the District's bond proposal.

MARK ITEM, past president of the Chugiak Eagle River Chamber of Commerce, noted the Chamber strongly supported an amendment to the bond which would fund phases II and III of Chugiak High school renovation. The Chamber also supports a new high school in the area. He noted the current phase I renovations at Chugiak High will result in eight new classrooms, but will simultaneously remove the band room and the upper gymnasium. Mr. Item said the community does not want the school to remain this unbalanced. He noted Chugiak enrollment is currently 2,000 students, more than the school will be able to accommodate even after completion of phase I renovations. He pointed out the population is increasing in the area, and there are many new residential developments being built which will bring even more new families.

TOM MCGRATH felt the Municipality's and State's financial picture in the near future was a good reason not to approve the proposed bonds. Although it can be argued it is best to let the public decide, he pointed out it was difficult for citizens to vote "no" in the face of a well-organized advertising campaign. Mr. McGrath felt the Assembly should protect citizens by withholding the bonds from the ballot, and wait to see how financial issues are resolved later in the year.

BOB BELL recalled last year, when a four-year bond was discussed, it included a new high school in Eagle River in year #2, after schools in south Anchorage. He was surprised the District did not include a north Anchorage high school in this year's bond, since the south Anchorage schools have been addressed. He urged the Assembly to place a larger bond on the ballot which would include a new north Anchorage high school. He felt if there is a need, the voters will recognize it and vote in support.

NANCY DAVIS spoke representing the Eagle River Elementary PTA. She said the Association's top priority is to promote and secure a second high school in north Anchorage. She recited the capacity statistics for Anchorage high schools, which indicate Dimond, East and West are the only schools slightly below 100 percent capacity. Projections show Chugiak will be at 135 percent capacity in 2004.

VERONICA KEANAAINA, a teacher's aid at Eagle River Elementary, spoke in support of including funding for a new north Anchorage high school in the bond package. She discussed overcrowding problems at Chugiak High, including the need for three lunch shifts, and some students starting their classes at 6:30 a.m. She pointed out smaller school populations lead to enhancement of student achievement and a sense of community. Also, research shows smaller schools have fewer discipline problems. Ms. Keanaaina also asked the Assembly to include funding for phases II and III of Chugiak High renovations.

DEVON VECEE, a senior and student body president at Bartlett High, pointed out she would not benefit from renovations at Bartlett. However, she was concerned about her community, and felt the renovations were important. She pointed out the school hosts many community activities, such as practice sessions for the Anchorage Youth Symphony, the recent Miss Anchorage Pageant and the Boy and Girl Scout activities.

KATHLEEN STEVENSON, parent of a Bartlett student, pointed out the school is twenty years old. She felt renovations should allow for growth, so a new east Anchorage high school would not be necessary in ten years. The renovations have been divided into various phases; Phase I will include a new entrance and remodeling of the library to add new classrooms. Ms. Stevenson felt security was important, and the current entrance leads straight to classrooms; the administrative offices are not located in a position where staff can view people coming into the school. The new entrance and other items in Phase I will be a good start toward addressing various goals for the school. She pointed out the many people in the audience present in support of Bartlett renovation funding.

Ms. Clementson moved, to extend the public hearing portion of the meeting until
seconded by Ms. Von Gemmingen, 11:00 p.m.

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

Mr. Tremaine moved, to extend the public hearing portion of the meeting
seconded by Mr. Kendall, until midnight.

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

(Clerk's Note: This motion failed for lack of nine affirmative votes required to extend the meeting past 11:00 p.m.)

HANS BERNARD, a student advisor to the School Board and a Chugiak student, felt the District's proposed bond addressed the needs of the District and was fiscally responsible. However, he felt funding for phases II and III of Chugiak High renovations was very important. He asked the Assembly to add funding for these phases, only if members feel the addition would not jeopardize voter approval of the bond.

SARAH GANT spoke representing the Service High PTSA executive board. She supported the District's bond proposal, AO 2000-12. Board members felt in light of fiscal uncertainties facing the Municipality, this bond package addressed most equitably the needs of the majority of the students in the Anchorage bowl area. Ms. Gant pointed out unlike some previous years, the proposed bond would be funded 100 percent by local taxes. She was concerned if the bond is too large, the risk of rejection by voters would increase. If the bond fails, many students will have to wait another year for much needed improvements to their schools. In light of a 10-mill cap on property taxes which may be approved by the voters in the fall, bonds in future years may be seriously impacted.

SARAH WRIGHT, an Eagle River resident, read a letter from the Eagle River/Chugiak Legislative delegation. The letter indicated support for a second high school in north Anchorage. Ms. Wright also supported adding funding for a second high school to the bond package. She pointed out based on current overcrowding at Chugiak, when her daughter is of high school age she will have to be bussed to Bartlett. Although Bartlett is a fine facility, she would prefer her daughter attend school closer to home.

JODY METCALF said she planned to raise a family in Chugiak. She wanted her children to have the opportunity to attend a school designed for fewer students. She felt a new north Anchorage high school and renovations at Chugiak were necessary. She discussed the benefits of smaller schools.

MARCY GENTEMANN, an Eagle River resident, spoke in support of a new north Anchorage high school. She suggested the possibility of changing ballots so only the citizens affected would vote on certain measures. She also suggested using prototype designs for schools rather than paying for a new design for each school.

REX SHATTUCK spoke as an individual. He felt north Anchorage needed a new high school. He was willing to pay more in taxes to support funding for the school, and he felt the general public would also be willing.

CHRISTY GENTEMANN, a student at Ravenwood Elementary, spoke in support for a new north Anchorage high school. She said her brother attends the overcrowded Chugiak High, and she has observed the negative effect on him and his friends. She noted the population of north Anchorage is growing, and a new school was needed to serve the community's children.

ALAN STRAW, a long time Eagle River/Chugiak resident, pointed out most of the remaining developable land in Anchorage is in his community. The population in the area has doubled since 1982, and is likely to increase indefinitely. He noted overcrowding at Chugiak will reach critical mass soon.

PATTY MALLICA urged support for a new north Anchorage high school. She discussed problems with overcrowding at Chugiak, and also supported funding for phases II and III renovations at Chugiak.

Ms. Taylor moved, to extend the public hearing until 11:30 p.m.
seconded by Mr. Tremaine,

Mr. Wuerch moved, to substitute a motion to extend the meeting for the purpose of
seconded by Ms. Clementson, considering some special orders, introduction of three
ordinances by Mr. Tremaine.

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

Question was called on Ms. Taylor’s motion to extend until 11:30 p.m. and it failed:

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

(Clerk’s Note: This motion failed for lack of nine affirmative votes required to extend the meeting past 11:00 p.m.)

Ms. Fairclough moved, to extend the meeting until 11:15 p.m. to continue the public
seconded by Ms. Taylor, hearing and introduce three ordinances by Mr. Tremaine.

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

The Assembly then considered item 14, Special Orders.

Ordinance No. AO 2000-47, an ordinance submitting to the qualified voters residing in the Upper O'Malley Limited Road Service Area of the Municipality at the Regular Municipal Election April 4, 2000, a **ballot proposition to change the boundaries of said service area by including in the Upper O'Malley Limited Road Service Area all of the Rockridge Road right-of-way between O'Malley Road and East 112th Avenue**, Assemblymembers Tremaine, Abney, and Tesche. **(LAID ON THE TABLE)**

Mr. Tremaine, Ms. Taylor and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

Ordinance No. AO 2000-48, an ordinance submitting to the qualified voters residing in the Lakehill Limited Road Service Area of the Municipality at the Regular Municipal Election April 4, 2000, a **ballot proposition to approve changing the boundaries of the Lakehill Limited Road Service Area to include the area between O'Malley Road and the southern boundary of the Lakehill Limited Road Service Area immediately to the west of Lakehill Road Service Area including all of the Rockridge Road right-of-way**, Assemblymembers Tremaine, Abney, and Tesche. **(LAID ON THE TABLE)**

Mr. Tremaine, Ms. Taylor and Ms. Von Gemmingen joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

Ordinance No. AO 2000-49, an ordinance submitting to the qualified voters residing in the proposed Rockridge Road Limited Road Service Area of the Municipality at the Regular Municipal Election April 4, 2000, a **ballot proposition to approve creating a new limited road service area containing the area between O'Malley Road and the southern boundary of the Lakehill Limited Road Service Area immediately to the west of the Lakehill Limited Road Service Area to and including all of the Rockridge Road right-of-way**, Assemblymembers Tremaine, Abney, and Tesche. **(LAID ON THE TABLE)**

Mr. Tremaine, Ms. Taylor and Mr. Tesche joined in introducing this ordinance. The public hearing was scheduled for February 15, 2000.

The Assembly then returned to the public hearing on items 12.A. through 12.D.

JOSE VICENTE spoke in favor of including funds in the bond for a new north Anchorage high school. As a developer of Eagle Point in Eagle River, he felt single family housing development in the area would accelerate in the north Anchorage area. He felt in five years there will be a serious need for a new high school, and it will take longer than that to build the school.

KATHLEEN ADAMS said she moved to Alaska because of the quality of education here. She asked the Assembly to include funding in the bond package for a new high school in north Anchorage.

ROBIN HAMELIN, an Eagle River resident and parent of an elementary student, supported adding funding for a new high school and phases II and III renovations at Chugiak to the bond. He supported the items in the District’s bond proposal, but felt that proposal was inadequate in that it did not address needs for north Anchorage schools. He felt Anchorage voters would support a slightly larger bond that included north Anchorage needs.

ALLAN KENIMORE spoke in support of the proposal to add funding for Chugiak renovations phases II and III and a new north Anchorage high school to the bond package. He acknowledged that audience applause takes up valuable time, but pointed out this issue is very emotional, and applause is appropriate.

The meeting recessed at 11:15 p.m.

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of February 1, 2000
continued to February 8, 2000

CALL TO ORDER:

The meeting was reconvened at 5:05 p.m. on February 8, 2000 by Assembly Chairman Kevin Meyer in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

ROLL CALL:

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

The Assembly continued with the public hearings for items 12.A. through 12.D, AO 2000-12, AO 2000-27, AO 2000-28 and AO 2000-29. Chairman Meyer asked if anyone wished to speak.

CHRIS SADDLER read a letter from her son, a 1988 graduate of Chugiak High School. The letter conveyed his support for including funding for a new school in north Anchorage on the bond proposition. He felt Anchorage schools were too crowded, and students did not have adequate opportunities for quality education and good relationships with teachers.

RICK LICHENS supported funding for a new north Anchorage high school. He noted Chugiak high is overcrowded, and there is little hope it will be at or less than proper capacity. He felt action should commence now on a new school, because it will be many years between initial approval and final construction.

CASEY BLAINEY, parent of Chugiak students, spoke in support of a new high school in north Anchorage. She discussed overcrowding problems at Chugiak, and mentioned the parking lot probably cannot be expanded any more. She pointed out when overcrowding at Gruening Middle school was relieved by construction of a second middle school, problems at Gruening decreased. She expected the same results if Chugiak overcrowding is likewise relieved.

THERESA TAYLOR supported funding for phase II and III renovations at Chugiak high, and funding for a new high school in the area. She felt overcrowding at Chugiak must be relieved without adding another addition or increasing the building's capacity. Ms. Taylor pointed out the Anchorage School District (ASD) currently supports the concepts of smaller high schools that serve up to 1,600 students. She pointed out when Chugiak was built over 35 years ago, it was designed to hold 400 students. It has been added on to six times, and the structure and the land cannot support any further additions. The infrastructure was not designed for the current demand. By the time phase II and III renovations are complete, projected enrollment will be such that a new 800-student capacity school could be filled.

NATALIE BURNETT, a teacher at Chugiak high, clarified some points of testimony on February 1. She noted several rooms will be unavailable during phase I renovations, including the orchestra room, the wrestling room, the yearbook room and the activities complex. She added some students do attend classes at 6:30 a.m. by choice. This flexibility is very valuable to the students and teachers who participate. There is a seven classes/three lunch schedule to offer more educational opportunities to students, rather than because of overcrowding.

BURTA GARDNER, parent of East and Romig students, was not previously aware of the needs in north Anchorage. However, she felt there was a limit to what voters will approve, especially in light of the future financial picture for the Municipality. She pointed out if the bond is rejected by voters, no schools in Anchorage will receive needed repairs. Ms. Gardner pointed out Bartlett can be used to house overflow students from Chugiak. She stressed equity is an issue, and felt East and Wendler should receive phase I renovations before Chugiak receives phases II and III.

CLIFFTON DERRICK, a midtown resident and parent of East high students, noted East was built 40 years ago. In later years, the Benson building, pool and gymnasium were added. He discussed the deficiencies at the school, including an inadequate sprinkler system, classroom physical size, and traffic access. He urged the Assembly to approve the bond that would allow renovations at East.

CRYSTAL KENNEDY, the Eagle River Valley Community Council education representative, spoke in support of bonds to fund phases II and III for Chugiak High and a new high school in the area. She pointed out these issues are supported by the community and area Legislators who consider these issues to be their top legislative priority. Ms. Kennedy reminded everyone that Eagle River/Chugiak was part of the Municipality; she resented citizens' fears that adding funding for north Anchorage's needs might jeopardize the bond package. She added that north Anchorage has over 10 percent of the District's student population, yet rarely receives that ratio of funding in bond propositions.

TERESE LESMAN-VOLE, a north Anchorage resident for 20 years, urged support for funding for phases II and III for Chugiak, and for a new north Anchorage high school. She reminded the Assembly Eagle River/Chugiak is part of the Municipality, and should be equally represented in the bond funding distributions.

ROBERT HAYES felt any money spent should be used wisely and efficiently.

HARRIET DRUMMOND, a member of the School Board, felt a bond for a high school without an established site or design was not likely to be approved. She urged the Assembly and the public to support the School Bonds Yes organization, and work actively to promote passage of whichever school bond is placed on the ballot.

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

Ms. Fairclough moved, to adopt AO 2000-29.
seconded by Mr. Kendall,

Ms. Fairclough said the bonds in this ordinance would provide funding for a new secondary school in north Anchorage. She acknowledged a site has not been selected for the proposed school. She felt there was not enough funding for north Anchorage projects in the Anchorage School District (ASD) bond proposal. Chugiak has about 400 more students than it should. If the bonds are approved this year, debt service will not be affected by adoption of a mill rate cap. However, there is a danger the 10 mill cap will be approved by voters this fall, and bonds in the future may not be possible. Ms. Fairclough pointed out north Anchorage is the area with the remaining developable land in the Municipality, and the residential population is increasing. Future student population growth must be addressed now, so a school can be built by the time there is critical mass at Chugiak. She promised to lobby legislators for matching State funds for the bonds.

Mr. Kendall added this ordinance would be a separate bond, and require a 50 percent match from the State in order to be sold. He pointed out historically, schools have been built in Anchorage to meet the needs of population growth. Mr. Kendall recalled last year's four-year bond proposal was a bold step, which addressed overcrowding at various high schools. Also, education specifications were changed to recommend high schools be built to hold up to 1,600 students. However, overcrowding at Chugiak was overlooked. He discussed population growth statistics for the Chugiak area, which show much higher growth than in the Anchorage bowl area. Mr. Kendall pointed out there is a significant need; he felt it was time to allow the public to vote on the issue.

In response to Mr. Tesche, Ms. Fairclough acknowledged the proposed 10 mill cap was on her mind, but not the primary motivation for introducing this ordinance. She reiterated the need is great, and student populations will continue to grow. She added the State formula for calculating need is flawed, and she is working to alter that system.

In response to Mr. Tesche, Mayor Mystrom said he intended to work with Ms. Fairclough and Mr. Kendall to lobby for State matching funds for the bonds, and will work to encourage voter approval if the question is placed on the ballot.

In response to Mr. Tesche, Ms. Fairclough discussed the possibility that placing more bonds on the ballot would result in voter rejection. She felt if north Anchorage needs were omitted from the bond package, voters from that area would reject the bond. She pointed out there is a high percentage of "super voters" in north Anchorage.

In response to Mr. Tesche, Mayor Mystrom said the draft Comprehensive Plan identifies north Anchorage as the fastest-growing part of the Municipality, and identifies a significant lack of developable land in the bowl.

Mr. Tremaine felt the proposed ordinance represented a significant gamble but it deserved a chance to go before the voters.

In response to Ms. Clementson, Ms. Fairclough explained the difference between the amount for a new school in this ordinance, and the amount for a new school in AO 2000-27. She explained the \$42 million estimate was based on actual costs of construction of a middle school.

In response to Ms. Clementson, ASD Superintendent Bob Christal confirmed \$30 million was the estimate for a small high school. However, to build a small school with the required infrastructure to expand the school in the future, the estimate was about \$42 million.

Ms. Clementson supported funding of phases II and III renovations for Chugiak. She felt a geographically-balanced bond was imperative. She expressed concern the proposed bond was the only one that required State matching funds; matching funds are not available. Also, since the bond was for a project in only one area of town, she felt it did not have a good chance of passage. She added there has not been a site selected for the new high school.

Ms. Abney spoke in support of this ordinance. She will also support bond funds for phases II and III of Chugiak renovations. She pointed out if the bonds are approved, they do not have to be sold until they are needed. Approval would give a mandate for ASD and the Municipality to pursue the site selection process.

Question was called on the motion to adopt AO 2000-29 and it passed:

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

(Clerk's Note: A motion to reconsider this action failed later in the meeting.)

Mr. Wuerch moved, to adopt AO 2000-28.
seconded by Ms. Clementson,

Mr. Wuerch felt this bond, including phases II and III of Chugiak renovations, was well balanced.

Ms. Fairclough moved, to amend AO 2000-28 on page 2 to delete Denali Elementary
seconded by Mr. Wuerch, under "Districtwide Electrical Upgrades in Support of
and it passed without objection, Computers."

Mr. Christal agreed Denali should be deleted from the electrical upgrade portion of the bond.

Mr. Tremaine moved, to amend AO 2000-28 on page 4 to delete Denali Elementary
seconded by Mr. Wuerch, under “Districtwide Electrical Upgrades in Support of
and it passed without objection, Computers.”

In response to Mr. Tesche, Mr. Christal confirmed that bond funds would not be used for demolition of the damaged Russian Jack Elementary school. Funds for that project are in the ASD operating budget.

In response to Ms. Clementson, Mr. Christal explained why electrical upgrades are needed at Williwaw Elementary. He said since Williwaw was built in the early 1990’s, technology specifications have changed, and advances require more electrical work.

Ms. Von Gemmingen supported the ordinance. She pointed out the 10 mill cap is a very real danger, and hoped the Chugiak/Eagle River community would vote “no” on that proposition on the State ballot this fall.

Ms. Fairclough spoke in support of the ordinance. She felt it represented geographic balance for the Municipality.

Question was called on the motion to adopt AO 2000-28 as amended and it passed:

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

(Clerk’s Note: A motion to reconsider this action failed later in the meeting.)

Ms. Clementson moved, to postpone action on AO 2000-12 indefinitely.
seconded by Ms. Fairclough,

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

Mr. Kendall moved, to postpone action on AO 2000-27 indefinitely.
seconded by Ms. Clementson,

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

Mr. Kendall moved, immediate reconsideration of action on item 12.D,
seconded by Ms. Fairclough, AO 2000-28.

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

Mr. Kendall moved, immediate reconsideration of action on item 12.D,
seconded by Ms. Fairclough, AO 2000-29.

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

The meeting recessed at 6:25 p.m. and reconvened at 6:40 p.m. Ms. Clementson was excused and left the meeting.

- E. 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.
1. Assembly Memorandum No. AM 1140-99.

This item was considered after item 12.F.

The Assembly then returned to items 11.C. and 11.D, AR 2000-1 and AR 2000-14.

Resolution No. AR2000-1, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Package Store Liquor License) located on Huffman Business Park Subdivision, Tract N-1, generally located on the north side of East Huffman Road and west of New Seward Highway (Tesoro Northstore Co., Inc. d.b.a. **Tesoro 2 Go**) (Case 00-009), Community Planning and Development.

1. Assembly Memorandum No. AM 4-2000.
(CONTINUED FROM 1-25-00)

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

DAN COFFEY introduced WALTER CRAWFORD from Tesoro. Mr. Coffey noted the Bayshore/Klatt Community Council considered this issue on January 6, 2000. The Council took no action. He offered to answer questions.

In response to Ms. Fairclough, Mr. Crawford said he planned to have window banners viewable from the exterior of the store, to advertise alcohol sales. He said there might be other types of advertising, as appropriate.

In response to Mr. Tremaine, Mr. Crawford said he did not intend to have neon-lighted advertisements.

In response to Mr. Tesche, Mr. Crawford explained the license which will be placed in this location is owned by Tesoro, and will be transferred from a location in the Oceanview area about ½ mile away.

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

Ms. Fairclough moved, to approve AR 2000-1.
seconded by Mr. Sullivan,

Mr. Tremaine noted he and other Assembly members are concerned about sale of alcohol and gasoline at the same location. In this case, however, he noted the license being transferred is currently used in the same way. He supported approval.

Question was called on the motion to approve AR 2000-1 and it passed:

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

(Clerk's Note: Ms. Clementson had left the meeting at the time of the vote.)

Resolution No. AR 2000-14, a **resolution revising the approved 2000 General Government Capital Improvement Budget (CIB) and the approved 2000-2005 General Government Capital Improvement Program (CIP)**, Office of Management and Budget.
1. Assembly Memorandum No. AM 47-2000.
(CARRIED OVER FROM 1-25-00)

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

Mr. Kendall moved, to approve AR 2000-14.
seconded by Mr. Tesche,

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

(Clerk's Note: Ms. Clementson had left the meeting at the time of the vote.)

- F. Ordinance No. AO 2000-26, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.20.040, **exempting federally-licensed wholesale and retail gun dealers from the Municipality's secondhand merchant's license requirement**, Assemblymember Kendall.
1. Assembly Memorandum No. AM 62-2000.
 2. Ordinance No. AO 2000-26(S-1), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.20.040, exempting federally-licensed wholesale and retail gun dealers from the Municipality's secondhand merchant's license requirement Assemblymember Kendall.
 3. Assembly Memorandum No. AM 135-2000.

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

KEN EGGERS, an attorney representing Great Guns Inc., spoke in support of the ordinance. He noted Great Guns was licensed and regulated by the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF). He felt the existing secondhand merchant license requirements were unnecessary, duplicative regulations. He said there were several impacts from the Municipality's requirements: the license fee, a fire inspection, additional record keeping and a 30-day holding period. Mr. Eggers said he was not aware of any opposition to the ordinance, including the Chief of Police. The ordinance has not been enforced until lately, and the Chief has stated there have been no problems as a result of non-enforcement.

In response to Mr. Tremaine, Mr. Eggers said gun dealers are facing delays in obtaining their ATF licenses, because ATF is now aware of the local law, and has regulations that require them to ensure compliance with all local laws before issuing the Federal license.

In response to Mr. Kendall, Mr. Eggers clarified the Federal Gun Control Act was passed in 1968. He discussed Federal regulations for tracking gun sales. He noted local gun dealers have a good relationship with Anchorage police.

In response to Mr. Tesche, Mr. Eggers thought it was not possible for someone to sell used or new firearms without a Federal ATF permit.

CHRISTI WEST, owner of Wild West Guns, spoke in support of the ordinance. She stressed the care she takes to comply with Federal laws and regulations. She felt all gun dealers want to reduce the traffic of stolen merchandise; she wanted to

assist law enforcement officials with tracking and recovery of stolen firearms. Ms. West felt additional or duplicative regulations without providing any benefits was pointless.

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

Mr. Kendall moved,	to adopt AO 2000-26(S-1), with a correction on line 27 to
seconded by Ms. Taylor,	read: "...Act of 1968,..."

Mr. Kendall noted the law has been in place since before unification of the Municipality in 1975. He said the Police Department had never utilized this part of the secondhand law, and there have been no problems, so he felt it was not needed. He felt other changes to the remainder of the secondhand laws were needed, but he brought this portion forward as gun dealers have a timeliness issue with receiving ATF permits.

Mr. Wuerch agreed redundant regulations do not achieve anything. He felt the Federal regulations were adequate. The police do not seem to need the law, and can access Federal records whenever necessary. He urged support of the ordinance.

Ms. Abney also supported the ordinance. She felt duplicative laws were onerous.

Ms. Von Gemmingen applauded the Clerk's Office for diligently applying the law.

Ms. Fairclough explained she intended to chair a committee to review the remainder of the secondhand merchant provisions in the Code. She said she would contact interested parties after the beginning of March, when bond issues are complete.

Question was called on the motion to adopt AO 2000-26(S-1) as amended and it passed:

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

(Clerk's Note: Ms. Clementson had left the meeting at the time of the vote.)

The Assembly then returned to item 12.E, AO 99-148.

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.

1. Assembly Memorandum No. AM 1140-99.

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

Ms. Fairclough explained this issue was very important to her constituents. The developer has requested the public hearing be continued to February 15, but she was concerned bond issues would take precedence on that evening's agenda.

Mr. Wuerch pointed out delay to March 7, the next meeting after February 15, might pose a problem to the developer because of the construction season.

Chairman Meyer noted the February 15 meeting will begin at 4:00 p.m.

Ms. Fairclough said she would prefer continuation to March 7, to allow a vote on the same night as public hearing.

Mr. Wuerch moved,	to continue the public hearing for AO 99-148 until
seconded by Ms. Fairclough,	February 15, 2000.
and it passed without	
objection,	

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS: Some other special orders were considered earlier in the meeting, during public hearing on items 12.A. through 12.D.

A. Resolution No. AR 2000-39, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 203, "An Act relating to metropolitan planning organizations and to designation of a metropolitan planning organization area for the Anchorage metropolitan area; and providing for an effective date."**, Assemblymembers, Abney, Tesche, Taylor, Von Gemmingen. **(LAID ON THE TABLE)**

Ms. Abney moved,	to approve AR-2000-39.
seconded by Ms. Taylor,	

Ms. Abney stated the subject legislation would change the composition of the AMATS Committee, to include two non-voting members from the State Legislature. She asked for support of the resolution.

Ms. Taylor and Ms. Von Gemmingen asked to be added as co-sponsors of the resolution.

Ms. Von Gemmingen felt the Municipal lobbyist and Municipal Attorney Mary Hughes were made aware of the Assembly's position on this issue.

Mr. Wuerch pointed out the proposed State legislation would include the legislators as non-voting members to AMATS. He noted there has been a problem in the past with Anchorage delegates not being well-informed about AMATS Committee activities. He felt it would be positive to improve communications between Legislators and the AMATS Committee. He urged careful consideration of defending a status quo that has provided a few disadvantages.

Ms. Sullivan concurred that non-voting members would be positive. Communication was important.

In response to Mr. Wuerch, Deputy Municipal Attorney Bill Greene said Federal legislation permits State legislation on these matters. However, there is also a requirement that the agreement be cooperative between the metropolitan planning organization and the Governor.

Mr. Kendall felt improvement of communication with the Legislature was an important goal. He felt the fact the legislative members would have non-voting status was a good compromise.

Mr. Tremaine saw the merit in both sides of this issue. He felt a resolution was not far away. He felt communication with legislators should be encouraged, but did not see the need to add them as non-voting members of the AMATS Committee.

Mr. Tesche felt a legal opinion would be required to determine whether the addition of non-voting members would be in compliance with Federal regulations on the composition of the Committee. He pointed out there is an opportunity for anyone to be heard at AMATS Committee meetings. Legislators have attended meetings and made comments in the past. He did not see the need to increase the membership of the Committee by adding legislators.

Ms. Taylor concurred with Mr. Tremaine, Ms. Abney and Mr. Tesche.

Ms. Hughes said she reviewed Senate Bill 203, and felt it was significant in that it redesignates the AMATS grouping. Also, the bill would add a duty for the Committee, to forward their plan to the Legislature. She suggested her staff analyze the bill before the Assembly takes action, as the Senate legislation is irreversible.

Ms. Taylor moved, to call the previous question.
seconded by Ms. Von Gemmingen,

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

(Clerk's Note: Ms. Clementson had left the meeting at the time of the vote.)

Mr. Sullivan moved, to postpone action on AR 2000-39 until March 21, 2000
seconded by Mr. Wuerch, to allow time for a legal opinion from the Municipal
Attorney's office.

Chairman Meyer did not recognize Mr. Sullivan's motion. He explained the motion to call the previous question passed, and the question must be called.

Question was called on the motion to approve AR 2000-39 and it passed:

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

(Clerk's Note: Ms. Clementson had left the meeting at the time of the vote.)

Mr. Kendall moved, to enter reconsideration of AR 2000-39 on the minutes.
seconded by Mr. Wuerch,

(Clerk's Note: See minutes of February 15, 2000 for further action.)

- B. Ordinance No. AO 2000-53, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.040, **Appearance Request**, to change the deadline requirement for placement before Assembly after acceptance from 14 days to seven days, Assemblymember Taylor.
(LAID ON THE TABLE)

Ms. Taylor, Mr. Tesche and Ms. Abney joined in introducing this ordinance. The public hearing was scheduled for March 7, 2000.

- C. Ordinance No. AO 2000-54, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.080, **Conduct of Debate and Discussion**, to change the time limit on remarks from individuals from three minutes to five minutes, Assemblymember Taylor.
(LAID ON THE TABLE)

Ms. Taylor, Mr. Tesche and Mr. Tremaine joined in introducing this ordinance. The public hearing was scheduled for March 21, 2000.

- D. Resolution No. AR 2000-40, a resolution of the Anchorage Municipal Assembly **recommending joint public hearings between the Assembly and Planning & Zoning Commission on the Anchorage Comprehensive Plan**, Assemblymembers Taylor and Tesche. (**LAI**D ON THE TABLE)

Ms. Taylor introduced this resolution. She asked it be scheduled for action on March 7, 2000.

Mr. Wuerch requested a legal opinion on whether Assembly members can be required to attend the proposed Planning and Zoning Commission meetings.

- E. Chairman Meyer announced the Ethics Board issued a finding on Case 99-5 and reported those findings to the Assembly. The Assembly is now required to act. He asked for volunteers to serve on a subcommittee and meet with Deputy Municipal Attorney Bill Greene. Mr. Tremaine and Mr. Tesche volunteered.
- F. Chairman Meyer noted the Assembly would meet with the Anchorage Legislative Caucus on February 12, 2000. He invited everyone to attend.

15. ASSEMBLY COMMENTS:

Ms. Taylor encouraged everyone to contact the Lieutenant Governor's Office, regarding the Let's Vote Alaska program, a project to encourage young people to participate in the electoral process.

Ms. Abney thanked the Municipal Manager George Vakalis and the Administration for their work in coordinating emergency responses to recent avalanche problems in the Turnagain Arm and Girdwood areas.

16. UNFINISHED AGENDA:

- A. Assembly Memorandum No. AM 148-2000, **Bidding Review Board reappointment** (Jason Dinneen), Mayor's Office.

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

Mr. Tremaine said his questions on this item had been answered. He recommended approval.

Question was called on the motion to approve AM 148-2000 and it passed without objection.

17. AUDIENCE PARTICIPATION:

TOM MCGRATH reminded everyone of the Spirit of Youth awards banquet on February 19, 2000. He encouraged everyone to attend. Spirit of Youth is a Statewide program to recognize exceptional young people.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 8:20 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: March 7, 2000

LF/db

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