

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of May 16, 2000

1. CALL TO ORDER:

The meeting was convened at 5:00 p.m. by Assembly Chair 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, Pat Abney, Fay Von Gemmingen, Cheryl Clementson.
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Fairclough.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - March 7, 2000
- B. Regular Meeting - March 21, 2000

Ms. Abney moved, to approve the regular meeting minutes of March 7 and
seconded by Mr. Kendall, March 21, 2000.
and it passed without
objection,

5. MAYOR'S REPORT:

Mayor Mystrom reported on the efforts to reach an agreement on distribution of the \$40,000,000 refund from police and fire retirement program. In spite of everyone's best efforts, no agreement could be reached. Mayor Mystrom withdrew his veto of AR 2000-106 which meant the resolution became effective as passed by the Assembly. Further, Mayor Mystrom stated the related items on this agenda were moot.

In response to Ms. Clementson, Municipal Attorney Mary Hughes advised research on the question of veto withdrawal uncovered an opinion from former Municipal Attorney Ted Burns dated April 15, 1980 which pointed out the legislative nature of a veto and that since there is no prohibition, a veto maybe withdrawn anytime prior to Assembly action on it.

Chairman Meyer announced the only public hearing item left on this topic was AR 2000-120 which appropriated money from the municipal general fund to the School District.

In response to Ms. Fairclough, Mayor Mystrom advised a budget version had been prepared which deletes the appropriation from the police and fire settlement (\$20,000,000), the revenue sharing reduction (\$1,400,000) and miscellaneous reductions. Without further changes, tax collection will be reduced about \$8,400,000.

6. ADDENDUM TO AGENDA:

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

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

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 507-2000, recommendation of award to Alaska Mechanical, Inc. for the **Asplund Wastewater Treatment Facility Solids Improvement Project**, for the Municipality of Anchorage, Water and Wastewater Utility (ITB 20-C009), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2000-83, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential) to PLI (Public Lands and Institutions) for **Georgeville**

- Estates Subdivision, Block 1, Tract A**, generally located on the northeast corner of West 88th Avenue and Jewel Lake Road (Sand Lake Community Council) (Planning and Zoning Commission Case 2000-012), Community Planning and Development. public hearing 6-13-00.
- a. Assembly Memorandum No. AM 475-2000.
 2. Ordinance No. AO 2000-84, an ordinance repealing Ordinance 92-12 and amending the zoning map and providing for the rezoning of approximately 0.98 acres from I-1/SL (Light Industrial District) with Special Limitations to I-1/SL (Light Industrial District) with Special Limitations for **Schroeder Subdivision East, Block 6, Lots 1 and 2**, generally located on the west side of Spring Brook Drive and east of Prince of Peace Drive (Eagle River Community Council) (Planning and Zoning Commission Case 99-230), Community Planning and Development. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 476-2000.
 3. Ordinance No. AO 2000-85, an ordinance amending the zoning map and providing for the rezoning of approximately 17 acres from PC (Planned Community) to I-2 SL (Heavy Industrial) with Special Limitations for **Chugiak Industrial Park Subdivision, Tracts G & H**, and removing said Tracts from the Chugiak Industrial Park Master Plan as set forth in AO 89-160, generally located southeast of New Glenn Highway and south of Jewel Street (Chugiak Community Council) (Planning and Zoning Commission Case 99-229), Community Planning and Development. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 477-2000.
 4. Ordinance No. AO 2000-86, an ordinance amending the zoning map and providing for the rezoning from R-O/SL (Residential Office District with Special Limitations) to B-3/SL (General Business District with Special Limitations) for the **west 273+/- feet of Tract B-8, Australaska Subdivision**, generally located on the north side of DeBarr Road and west of Delasala Place (Russian Jack Springs Community Council) (Planning and Zoning Commission Case 2000-014), Community Planning and Development. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 478-2000.
 5. Ordinance No. AO 2000-87, an ordinance of the Anchorage Municipal Assembly authorizing the long term lease between the Municipality of Anchorage as lessor and Aircraft Corporate Enterprises L.L.C. as lessee of **Lot 1, Block 4, Merrill Field Replat**, located on the south side of Runway 6-24, Merrill Field Airport. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 487-2000.
 6. Ordinance No. AO 2000-88, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 3 by enacting a new Chapter 3.98 regarding **municipal publications**, Assemblymembers Taylor, Meyer, and Tesche. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 525-2000.
 7. Ordinance No. AO 2000-89, an ordinance amending Anchorage Municipal Code Section 6.50.060 to **further define the ownership concentration allowed for individual, publicly traded companies held by the MOA Trust Fund**, Finance. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 526-2000.
 8. Ordinance No. AO 2000-90, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 26 by enacting a new Chapter 26.75 regarding **recycling**, Assemblymember Abney. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 536-2000.
 9. Resolution No. AR 2000-121, a resolution of the Municipality of Anchorage appropriating \$145,730 of unappropriated prior year operating budget contributions and \$270,000 received from the U.S. Department of Justice to the Girdwood Fire Apparatus Capital Improvement Fund (406) for the **purchase of new fire apparatus**, Anchorage Fire Department. public hearing 5-23-00.
 - a. Assembly Memorandum No. AM 479-2000.
 10. Resolution No. AR 2000-125, a resolution of the Municipality of Anchorage reappropriating \$259,211 from the Alaska Department of Labor and Workforce Development for **PY98 Title III Dislocated Worker Program** Carry-in Funds within the State Categorical Grants Fund (231) from Health and Human Services Department to Community Planning and Development Department. public hearing 5-23-00.
 - a. Assembly Memorandum No. AM 488-2000.
 11. Resolution No. AR 2000-130, a resolution **confirming and levying special assessments for Special Assessment District No. 2SR96**, which reconstructed public streets within the Foxridge Subdivision Area, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works Department. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 508-2000.
 12. Resolution No. AR 2000-131, a resolution **confirming and levying special assessments for Special Assessment District No. 4SR96**, which reconstructed North Point Drive, North Point Circle, and Mere Circle, and setting the date of assessment, installment, payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Public Works Department. public hearing 6-13-00.
 - a. Assembly Memorandum No. AM 509-2000.
 13. Ordinance No. AO 2000-91, an ordinance of the Anchorage Assembly amending Title 16 of the Anchorage Municipal Code to add a new Chapter 16.65 to provide for the **control and elimination of smoking in work places and enclosed public places**, Assemblymembers Tesche, Abney, Taylor, Tremaine, and Von Gemmingen. public hearing 6-13-00. (**addendum**)
 - a. Assembly Memorandum No. AM 540-2000.
 14. Ordinance No. AO 2000-92, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 15.80, Vehicle Inspection and Maintenance Program, to **change the requirement for a windshield sticker to a front-plate sticker**, Assemblymember Kendall. public hearing 6-13-00. (**addendum**)
 - a. Assembly Memorandum No. AM 541-2000.

15. Resolution No. AR 2000-140, a resolution of the Municipality of Anchorage endorsing an agreement between Municipal Light & Power, the IBEW, and the Administration regarding the **transfer of pension plan participation for certain employees from the State of Alaska Public Employee's Retirement System (PERS) to the IBEW's Pension Trust Plan**, Employee Relations. public hearing 6-13-00. (addendum)
 - a. Assembly Memorandum No. AM 553-2000.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-129, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Dwayne Aldridge for his 31 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

2. Resolution No. AR 2000-122, a resolution of the Municipality of Anchorage appropriating \$5,000 from the Allstate Foundation as a contribution to the Federal Categorical Grants (241) Fund to **support the FEMA sponsored Project Impact Program initiative**, Anchorage Fire Department.
 - a. Assembly Memorandum No. AM 480-2000.
3. Resolution No. AR 2000-123, a resolution of the Municipality of Anchorage appropriating \$11,760 of unappropriated prior year operating budget contributions to the Chugiak Fire Apparatus Capital Improvement Fund (404) for the **purchase of new fire apparatus**, Anchorage Fire Department.
 - a. Assembly Memorandum No. AM 481-2000.
4. Resolution No. AR 2000-124, a resolution of the Municipality of Anchorage appropriating \$1,075 in donations for Fire and \$1,393 in donations for Emergency Medical Services to the Miscellaneous Grants (261) Fund for **fire, rescue, and EMS operations**, Anchorage Fire Department.
 - a. Assembly Memorandum No. 484-2000.
5. Resolution No. AR 2000-126, a resolution authorizing the **granting of tax reduction as a result of manifest clerical error on Real Property Account 051-511-20**, Finance/Property Appraisal.
 - a. Assembly Memorandum No. AM 489-2000.
6. Resolution No. AR 2000-127, a resolution appropriating \$43,000 as a contribution from the Areawide Capital Improvement Program Fund (401) for the 1999 Sullivan Arena Reserve Projects to the Equipment Maintenance Fund (606) for the **purchase of a flatbed truck**, Property and Facility Management.
 - a. Assembly Memo randum No. AM 490-2000.
7. Resolution No. AR 2000-128, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$15,000 with the State of Alaska, Department of Transportation and Public Facilities, for **financing the Year 2000 Alaska Bus and Van Roadeo** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department.
 - a. Assembly Memorandum No. AM 491-2000.
8. Resolution No. AR 2000-132, a resolution authorizing the Municipality to grant a revocable use permit for relocation of electric and telecommunications facilities across a portion of the NE 1/4 of Section 12, T12N, R4W, S.M., Tax #012-211-03 and Tax #012-302-01 for the **Arctic Boulevard Improvement Project, Dimond Boulevard to Raspberry Road**, DPW #93-07, Public Works Department.
 - a. Assembly Memorandum No. AM 510-2000.
9. Resolution No. AR 2000-133, a resolution authorizing the Municipality to grant a revocable use permit for relocation of natural gas line across a portion of Lot 79, Campbell Creek Greenbelt Subdivision, Addition No. 11, Tax #013-073-03 for the **Arctic Boulevard Improvement Project, Dimond Boulevard to Raspberry Road**, DPW #93-07, Public Works Department.
 - a. Assembly Memorandum No. AM 511-2000.
10. Resolution No. AR 2000-134, a resolution of the Municipality of Anchorage **accepting and appropriating State of Alaska Legislative Grants per Senate Bill 192**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 527-2000.

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

11. Resolution No. AR 2000-135, a resolution of the Anchorage Municipal Assembly accepting the sum of forty million dollars (\$40,000,000) from the Police and Fire Retirement System as a contribution of \$18,000,000 to the Areawide General Fund (Fund 101) designated for **\$12,000,000 of immediate property tax relief, \$1,000,000 for future emergency medical services improvements** and a loan of \$5,000,000 to the Anchorage School District for its FY 2000--2001 Budget; a contribution of \$2,000,000 to the Anchorage Fire Service Area Fund (Fund 131) for future fire service improvements; and a contribution of \$20,000,000 to the MOA Trust Fund Reserve (Fund 731), Office of Management and Budget.
 - a. Assembly Memorandum No. AM 528-2000.

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

12. Resolution No. AR 2000-136, a resolution **establishing delinquent dates for the first and second half of yearly real property tax payments** for tax year 2000, Finance. (addendum)
 - a. Assembly Memorandum No. AM 539-2000.

13. Resolution No. AR 2000-137, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Vivian Dietz-Clark for her 23 years of service** to the Municipality of Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. (**addendum**)

Ms. Abney asked this item be considered on the regular agenda. See item 8 D.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 486-2000, **Sister City Commission appointment** (Yolanda Clary), Mayor's Office.
2. Assembly Memorandum No. AM 500-2000, **The Crow's Nest** - Application for a Restaurant Designation Permit for an Establishment with a Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.
3. Assembly Memorandum No. AM 501-2000, **Harry's Restaurant** - Transfer of Ownership for a Beverage Dispensary Liquor License and Application for a Restaurant Designation Permit (Spenard Community Council), Clerk's Office.
4. Assembly Memorandum No. AM 502-2000, **Homestead Lounge/Sourdough Bowl** - Transfer of Ownership for a Beverage Dispensary Liquor License (Eagle River Community Council), Clerk's Office.
5. Assembly Memorandum No. AM 503-2000, **Hooters Restaurant** - Transfer of Ownership for a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Spenard Community Council), Clerk's Office.
6. Assembly Memorandum No. AM 504-2000, **Marx Bros. at the Museum** - New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Downtown Community Council), Clerk's Office.

Ms. Fairclough asked this item be considered on the regular agenda. See item 8 E.

7. Assembly Memorandum No. AM 505-2000, **Restaurante' Orso** - New Beverage Dispensary Duplicate Liquor License and Application for a Restaurant Designation Permit (Downtown Community Council), Clerk's Office.
8. Assembly Memorandum No. AM 506-2000, **Vallarta's** - Transfer of Ownership for a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Russian Jack Community Council), Clerk's Office.
9. Assembly Memorandum No. AM 517-2000, 2000/2001 Liquor License Renewal: **Anna's Place** - Beverage Dispensary (Spenard Community Council), Clerk's Office.

Ms. Von Gemmingen asked this item be considered on the regular agenda. See item 8 E.

10. Assembly Memorandum No. AM 518-2000, 2000/2001 Liquor License Renewal: **Glacier Grill & Pizza** - Restaurant/Eating Place (Spenard Community Council), Clerk's Office.
11. Assembly Memorandum No. AM 519-2000, 2000/2001 Liquor License Renewal: **Northern Lights Hotel** - Beverage Dispensary-Tourism (Spenard Community Council), Clerk's Office.

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

12. Assembly Memorandum No. AM 520-2000, 2000/2001 Liquor License Renewal: **Pizza Hut #2** - Restaurant/Eating Place (Spenard Community Council), Clerk's Office.
13. Assembly Memorandum No. AM 521-2000, 2000/2001 Liquor License Renewal: **Shanghai-Grand Chinese Restaurant** - Restaurant/Eating Place (Spenard Community Council), Clerk's Office.
14. Assembly Memorandum No. AM 522-2000, 2000/2001 Liquor License Renewal: **Uncle Joe's Pizzeria** - Restaurant/Eating Place (Downtown Community Council), Clerk's Office.
15. Assembly Memorandum No. AM 523-2000, 2000/2001 Liquor License Renewals: **Brown Jug/Bragaw, Brown Jug/Chilkoots, Brown Jug/Dimond & Old Seward, Brown Jug/Mt. View, Oaken Keg Spirit Shops/Hightower Rd.** - Package Store Liquor Licenses; **Alyeska Prince Hotel-Sitzmark Bar, Alyeska Prince Hotel-Seven Glaciers Lounge** - Beverage Dispensary-Duplicate; **Alyeska Prince Hotel-Aurora Lounge** - Beverage Dispensary-Tourism (Mt. View, Russian Jack, Spenard, Girdwood, and Abbott Loop Community Councils), Clerk's Office.
16. Assembly Memorandum No. AM 524-2000, 2000/2001 Liquor License Renewals: **AK Korral, Buckaroo Club, Harry's Restaurant, North Slope Restaurant, Red Robin-Penland Pkwy., Red Robin #2-Dimond, Red Robin #3-B St., Romano's Trattoria, Whaler Bar & Grill** - Beverage Dispensary; **AK Korral** - Beverage Dispensary-Duplicate; **Clarion Suites/Choice Picks, Westcoast International Inn** - Beverage Dispensary-Tourism; **Alaska Salmon Chowder, Fu-Do Restaurant, Korea House Restaurant, Pizza Hut #6, Rose's La Casita Restaurant, Ski & Benny Pizza, Skipper Seafood #316, China Garden, Harley's Old Thyme Cafe, La Scala Restaurant, Pizza Hut #7, Sacks Cafe & Restaurant, Skipper's Seafood #314, Elmers Pancake & Steak Restaurant, Kaze, Pizza Hut #3, Pizza Hut #11, Sawaddi Restaurant, Skipper's Seafood #315** - Restaurant/Eating Place Liquor Licenses; **Brown Jug/Dimond, Brown Jug/Minnesota, Brown Jug/O'Malley, Brown Jug/Warehouse, New Party Time Liquor II, Brown Jug/Fireweed, Brown Jug/Muldoon, Brown Jug/Spenard, Buckaroo Club Liquor, Brown Jug/Independence, Brown Jug/Northern Lts., Brown Jug/Tudor, Downtown Wine & Spirits** - Package Store Liquor Licenses; **Borealis Brewery** - Brewery Liquor License; **Glacial Reflections** - Theater Liquor License; **Anchorage Glacier Pilots** - Recreational Site; **Anchorage Cold Storage, West Coast Distributors** - Wholesale Liquor Licenses; **Regal Eagle Brew Pub** -

- Brew Pub Liquor License; **Theatrical Lounge, Viking Hall, Inc.** - Club Liquor Licenses (Downtown, Fairview, Mt. View, Russian Jack, Airport Heights, Northeast, Eagle River, Spenard, Tudor, University, Rogers Park, Campbell Park, Turnagain, Sand Lake, Taku/Campbell, Abbott Loop, Bayshore/Klatt, and Huffman/O'Malley Community Councils), Clerk's Office.
17. Assembly Memorandum No. AM 482-2000, cooperative purchase of **motor graders** from Construction Machinery, Inc. (CMI) for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
 18. Assembly Memorandum No. AM 483-2000, **Dock Piping Replacement Project**, Contract No. C-991572, Change Order No. 1, Port of Anchorage.

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

19. Assembly Memorandum No. AM 492-2000, change order No. 4 to purchase order 72124 with Holmes Weddle & Barcott for providing **legal services** for the Municipality of Anchorage, Anchorage Equal Rights Commission (AERC), Purchasing.
20. Assembly Memorandum No. AM 493-2000, proprietary purchase from Cisco Systems, Inc. for providing **maintenance and telephone support services on Cisco Systems Local Area Networking hardware and software** to the Municipality of Anchorage, Management Information Systems Department (MISD), Purchasing.
21. Assembly Memorandum No. AM 494-2000, change order No. 5 to purchase order 70766 with KPMG Peat Marwick for providing **financial audit services** to the Municipality of Anchorage, Police and Fire Retirement System (P&FRS), Purchasing.
22. Assembly Memorandum No. AM 495-2000, proprietary purchase from Emulsion Products of Alaska Inc. for furnishing **asphalt emulsion** for the Municipality of Anchorage, Public Works Department/Purchasing.
23. Assembly Memorandum No. AM 496-2000, change order No. 1 to vendor contract 99ASC0455 to exercise the first option period with Speedy Auto and Window Glass for providing **automotive replacement glass** to the Municipality of Anchorage, Purchasing Department.
24. Assembly Memorandum No. AM 497-2000, recommendation of award to Shannon & Wilson, Inc. for providing professional consultant services for a **landfill Water Quality Monitoring Program** for the Municipality of Anchorage, Solid Waste Services (RFP 20-P005), Purchasing.
25. Assembly Memorandum No. AM 498-2000, contract amendment No. 2 to **1999 professional civil engineering services contract** with CRW Engineering Group, RFP 66-98, Public Works.
26. Assembly Memorandum No. AM 512-2000, proprietary purchase of **No Smoke Filter Systems** from Ward Diesel Filter Systems, Inc. for the Municipality of Anchorage, Fire Department/Purchasing.
27. Assembly Memorandum No. AM 513-2000, sole source contract with Motorola, Inc. for providing **radio base stations and dispatch center consoles** for the Municipality of Anchorage, Municipal Manager's Office/Purchasing.
28. Assembly Memorandum No. AM 514-2000, recommendation of award to various firms for providing **professional engineering services for the 2000 Watershed Management Support** for the Municipality of Anchorage, Public Works Department (RFP 99-P050), Purchasing.
29. Assembly Memorandum No. AM 515-2000, change order No. 2 to purchase order 996104 with Great Western Chemical for furnishing **liquid sulfur dioxide** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.

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

30. Assembly Memorandum No. AM 516-2000, **Eagle River Reservoir** - Construction Contract with Alaska Mechanical, Inc.; Change Order No. 4, Water and Wastewater Utility.
31. Assembly Memorandum No. AM 529-2000, **Eagle River Water Improvements** – 1998 – construction contract with Eastwind Division of NORCON, Inc., Change Order No. 7, Water and Wastewater Utility.
32. Assembly Memorandum No. AM 530-2000, change order No. 3 to construction contract with SeaCoast Construction Co., Inc. for **Chugach Foothills Park/Turner Park playground improvements**, Cultural and Recreational Services.
33. Assembly Memorandum No. AM 531-2000, **Community Development Block Grant (CDBG) Public Services Grant Awards** for Fiscal Years 2001 and 2002, Health and Human Services.

Ms. Abney asked this item be considered on the regular agenda. See item 8 E.

34. Assembly Memorandum No. AM 532-2000, **Human Services Matching Grant Awards** for Fiscal Years 2001 and 2002, Health and Human Services.

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

35. Assembly Memorandum No. AM 533-2000, **appointment of a Citizen Facility Naming Panel for the naming of the field located at Peter's Creek**, commonly known as "Oberg Field", Cultural and Recreational Services.
36. Assembly Memorandum No. AM 499-2000, **Assembly Meeting Schedule** (July-December 2000), Assembly Chair Meyer.

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

37. Assembly Memorandum No. AM 537-2000, **Police and Fire Retirement Board of Trustees appointments** (Joseph Caswell, Gary Powell), Mayor's Office. (**addendum**)

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

38. Assembly Memorandum No. AM 538-2000, **appointment of a Citizen Facility Naming Panel for the East/Midtown Softball Complex** at East 48th Avenue and Bragaw Street, Cultural and Recreational Services. (**addendum**)

E. INFORMATION AND REPORTS:

1. Appeal S-10521, BLM Lots 84 & 85, Section 15 Subdivision with Variance has been scheduled for hearing before the Board of Adjustment on June 13, 2000.
2. Appeal S-10518, DeLong Landing Subdivision has been scheduled for hearing before the Board of Adjustment on June 27, 2000.
3. Information Memorandum No. AIM 45-2000, Annual Report of the Prefunding Investment Board, Mayor's Office.
4. Information Memorandum No. AIM 48-2000, 1999 Audit Report for Federation of Community Councils, Municipal Clerk.
5. Information Memorandum No. AIM 49-2000, Sole Source Procurement Report for the month of April 2000, Purchasing.
6. Information Memorandum No. AIM 50-2000, contracts awarded between \$30,000 and \$100, 000 through formal competitive processes for the month of April 2000, Purchasing.
7. Information Memorandum No. AIM 51-2000, Paradise Inn & Lounge - Transfer of Ownership for a Beverage Dispensary Liquor License (Spenard Community Council), Municipal Clerk.

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

AYES: Kendall, Sullivan, Tremaine, Tesche, Taylor, 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: None.
- D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-129, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Dwayne Aldridge for his 31 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

Ms. Clementson moved, to approve AR 2000-129.
seconded by Mr. Tremaine,

Ms. Clementson moved, to postpone action until May 23, 2000
seconded by Ms. Von Gemmingen, so Mr. Aldridge could be present.
and it passed without
objection,

2. Resolution No. AR 2000-134, a resolution of the Municipality of Anchorage **accepting and appropriating State of Alaska Legislative Grants per Senate Bill 192**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 527-2000.

Mr. Tremaine moved, to approve AR 2000-134.
seconded by Mr. Tesche,

Mr. Tremaine moved, to introduce AR 2000-134 for public hearing
seconded by Mr. Kendall, on May 23, 2000.
and it passed without
objection,

3. Resolution No. AR 2000-135, a resolution of the Anchorage Municipal Assembly accepting the sum of forty million dollars (\$40,000,000) from the Police and Fire Retirement System as a contribution of \$18,000,000 to the Areawide General Fund (Fund 101) designated for **\$12,000,000 of immediate property tax relief, \$1,000,000 for future emergency medical services improvements** and a loan of **\$5,000,000 to the Anchorage School District for its FY 2000--2001 Budget; a contribution of \$2,000,000 to the Anchorage Fire Service Area Fund (Fund 131) for future fire service improvements; and a contribution of \$20,000,000 to the MOA Trust Fund Reserve** (Fund 731), Office of Management and Budget.
 - a. Assembly Memorandum No. AM 528-2000.

Ms. Clementson moved, to postpone action on AR 2000-135 indefinitely.
 seconded by Mr. Tesche,
 and it passed without
 objection,

4. Resolution No. AR 2000-137, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Vivian Dietz-Clark for her 23 years of service** to the Municipality of Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. (**addendum**)

Ms. Abney moved, to approve AR 2000-137.
 seconded by Ms. Taylor,
 and it passed without
 objection,

Ms. Taylor read the resolution while Ms. Abney presented it to Ms. Dietz-Clark.

Ms. Dietz-Clark thanked the Assembly for the recognition.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 504-2000, Marx Bros. at the Museum - New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Downtown Community Council), Clerk's Office.

Ms. Fairclough moved, to approve AM 504-2000.
 seconded by Ms. Taylor,

In response to Ms. Fairclough the Clerk advised the license could not be issued or operated until the conditional use was approved. However, the Assembly had only a limited time to exercise its right to protest issuance of the license.

Question was called on the motion to approve AM 504-2000 and it passed:

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

2. Assembly Memorandum No. AM 517-2000, 2000/2001 Liquor License Renewal: Anna's Place - Beverage Dispensary (Spenard Community Council), Clerk's Office.

Ms. Von Gemmingen moved, to approve AM 517-2000.
 seconded by Ms. Fairclough,

Ms. Von Gemmingen stated the letter from the licensee's attorney did not satisfy her concerns. She was upset by the incidents shown on the quarterly bar violations report.

In response to Ms. Clementson, Deputy Municipal Attorney Bill Greene advised that if the Assembly wished to protest the license renewal, it must hold a public hearing and pass a "protesting" resolution within the 60 days allotted for local government protest.

Mr. Wuerch moved, to amend AM 517-2000 on line 33 to read:
 seconded by Ms. Taylor, "...approval of this memorandum will protest..."

Mr. Greene noted the Assembly could set a special meeting prior to June 4 in order to hold a hearing on this license renewal.

Attorney Dan Coffey, representing the licensee, stated the owners planned to be present later in the evening because of questions raised in AIM 40-2000. The letter he submitted to the Assembly was in response to the AIM, not the license renewal.

Ms. Fairclough moved, to postpone action until later in the meeting
 seconded by Mr. Wuerch, following item 9 G, AIM 40-2000.
 and it was withdrawn,

There was discussion of the likelihood the Assembly would be able to return to this item before adjournment this evening.

Mr. Coffey pointed out House Bill 69 allowed the Assembly to deal with matters like this year round. There is no need to rush.

Chairman Meyer called a Special Meeting on May 31, 2000 at noon in the Mayor's Conference Room for the purpose holding a public hearing on a resolution to protest renewal of the liquor license for Anna's Place.

Ms. Von Gemmingen asked the Department of Law to prepare a resolution.

Chairman Meyer announced this item would be postponed until the Special Meeting. There was no objection.

3. Assembly Memorandum No. AM 519-2000, 2000/2001 Liquor License Renewal: Northern Lights Hotel - Beverage Dispensary-Tourism (Spenard Community Council), Clerk's Office.

Ms. Clementson moved, to approve AM 519-2000.
seconded by Ms. Taylor,

Ms. Clementson noted this license shared the same premises as Cusak's Brewpub which is the subject of State Alcoholic Beverage Control (ABC) Board sanctions. She questioned why this license should be treated differently by the Municipality.

Ms. Abney pointed out licensee's are not always held responsible for incidents that occur outside the establishment. She cautioned Assembly members not to mix "incidents" with "violations."

Mr. Sullivan thought the hotel license was separate from the brewpub license and used to serve the restaurant and catered functions.

Ms. Clementson moved, to postpone action on AM 519-2000 until May 23, 2000
seconded by Mr. Wuerch,
and it passed without
objection,

Ms. Clementson asked for clarification on how many licenses operate on this premises and whether taxes have been paid.

4. Assembly Memorandum No. AM 483-2000, Dock Piping Replacement Project, Contract No. C-991572, Change Order No. 1, Port of Anchorage.

Port Director Don Dietz advised the memo should be corrected on line 40 to read "...change order number one to Rockford Corporation..."

Mr. Kendall moved, to approve AM 483-2000 as corrected in line 40.
seconded by Mr. Sullivan,

In response to Ms. Fairclough, Mr. Dietz explained the change order was a result of unknown circumstances at the time the project was bid. The additional work would have been required regardless of what company was awarded the bid.

Question was called on the motion to approve AM 483-2000 as corrected and it passed without objection.

5. Assembly Memorandum No. AM 515-2000, change order No. 2 to purchase order 996104 with Great Western Chemical for furnishing **liquid sulfur dioxide** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility/Purchasing.

Ms. Clementson moved, to approve AM 515-2000.
seconded by Ms. Fairclough,

Ms. Clementson moved, to amend AM 515-2000 on line 22
seconded by Mr. Wuerch, to read: "...first option...."
and it passed without
objection,

Question was called on the motion to approve AM 515-2000 as amended and it passed without objection.

6. Assembly Memorandum No. AM 531-2000, Community Development Block Grant (CDBG) Public Services Grant Awards for Fiscal Years 2001 and 2002, Health and Human Services.

Ms. Abney moved, to approve AM 531-2000.
seconded by Mr. Tremaine,
and it passed without
objection,

Ms. Abney advised her question had been answered.

7. Assembly Memorandum No. AM 532-2000, Human Services Matching Grant Awards for Fiscal Years 2001 and 2002, Health and Human Services.

Ms. Clementson moved, to approve AM 532-2000.
seconded by Mr. Tremaine,

Ms. Clementson moved, to return the list to the committee that did the initial scoring
seconded by Ms. Von Gemmingen, and ask that projects be ranked in accordance with providing
and it passed without money to essential, critical services first and that new,
objection, innovative programs that do not fill a critical need at this point
be ranked after critical services. The revised list to be
returned to the Assembly on June 13, 2000 for final action.

Ms. Clementson commented the proposed priority list funded worthy projects but sacrificed funding for essential programs in favor of expanding "nice to have" or new programs. She felt critical services which are not provided by anyone else and for which no other funding source exists should receive the highest priority regardless of how polished the grant presentation is.

8. Assembly Memorandum No. AM 499-2000, Assembly Meeting Schedule (July-December 2000), Assembly Chair Meyer.

Ms. Clementson moved, to approve AM 499-2000.
seconded by Ms. Fairclough,

Ms. Clementson moved, to amend AM 499-2000 to reflect the meeting
seconded by Ms. Abney, of July 11 is canceled and the meeting of July 18
and it passed without will be held.
objection,

Mr. Sullivan moved, to amend AM 499-2000 to reflect the meeting
seconded by Ms. Taylor, of August 22 is canceled and the meeting of
and it passed with Ms. Clementson August 29 will be held.
objecting,

Ms. Taylor felt the Assembly should consider routinely canceling regular meetings that fall on election days.

Question was called on the motion to approve AM 499-2000 as amended and it passed without objection.

9. Assembly Memorandum No. AM 537-2000, Police and Fire Retirement Board of Trustees appointments (Joseph Caswell, Gary Powell), Mayor's Office. **(addendum)**

Mr. Tesche moved, to approve AM 537-2000.
seconded by Mr. Kendall,
and it passed without
objection,

Mr. Tesche complimented the Mayor and police union members for reappointing Mr. Caswell.

F. INFORMATION AND REPORTS: None.

Ms. Abney moved, to change the orders of the day to consider item 14.A,
seconded by Ms. Taylor, special order AM 247-2000.
and it passed without
objection,

Assembly Memorandum No. AM 247-2000, certification of the May 2, 2000, Municipal Runoff Election,
Clerk's Office.

Election Commission Chair Zane Jones presented the report for Assembly approval.

Mr. Wuerch declared a substantial financial interest in the item and asked that he be excused from voting.

Chairman Meyer ruled Mr. Wuerch had a substantial financial interest and should not vote.

Mr. Sullivan moved, to approve AM 247-2000 and
seconded by Mr. Kendall, certify the election of May 2, 2000.
and it passed without
objection,

Chairman Meyer presented a five year service pin to Mr. Wuerch.

Chairman Meyer announced the Board of Adjustment would take up appeal case S-10433, Shan Gri La on May 23, 2000 at 4:00 p.m. There was no objection.

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

- A. Resolution No. AR 2000-50, a resolution of the Municipality of Anchorage providing for a **revision of the 2000 General Government Operating Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 250-2000.
 2. Resolution No. AR 2000-50(S), a resolution of the Municipality of Anchorage providing for a revision of the 2000 General Government Operating Budget, Office of Management and Budget.
 3. Assembly Memorandum No. AM 534-2000.
 4. Resolution No. AR 2000-50(S-1), a resolution of the Municipality of Anchorage providing for a revision of the 2000 General Government Operating Budget, Office of Management and Budget.
(LAID ON THE TABLE)
 5. Assembly Memorandum No. AM 570-2000.
(POSTPONED FROM 4-25-00)

Chairman Meyer gave the history of the resolution and noted a motion to approve AR 2000-50 was pending.

Mr. Sullivan, chairman of the Assembly budget committee, recommended the body take up amendments with six co-sponsors first and the remaining amendments at random.

In reply to Ms. Fairclough, Municipal Manager Vakalis stated the (S-1) version did not include any of the Assembly amendments that were just distributed.

Mr. Tesche moved, to substitute AR 2000-50(S-1).
seconded by Mr. Wuerch,
and it passed without
objection,

Office of Management and Budget Director Gene Dusek outlined the differences between the original resolution and the (S-1) version. The additional fund balance to be applied is \$9,300,000. With this budget revision, the Municipality will be approximately \$15,000,000 under the tax cap.

Mr. Sullivan moved, to amend AR 2000-50(S-1) to provide \$50,000 for a tank farm relocation/expansion study to address long-term area needs for bulk fuel storage. This amount is contingent upon a private sector match of \$50,000.
seconded by Mr. Wuerch,

Mr. Tesche felt the question of relocating residences on Government Hill should also be included in the study.

Ms. Fairclough noted the Assembly would be considering making additional funds available to the School District this evening. For that reason she would be voting against additions to the municipal budget.

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

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

Mr. Sullivan moved, to amend AR 2000-50(S-1) to increase funding for senior and disabled persons transportation in the amount of \$25,000 to provide for 2,500 additional trips on AnchorRides.
seconded by Mr. Tesche,

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

Mr. Sullivan moved, to amend AR 2000-50(S-1) to add \$50,000 in funding for a Downtown Development Action Plan as part of the Anchorage 2020 Comprehensive Plan. The private sector has pledged an additional \$25,000 for this effort.
seconded by Mr. Tesche,

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

Mr. Sullivan moved, to amend AR 2000-50(S-1) to delete \$51,000 from the community service patrol operation budget.
seconded by Ms. Fairclough,

Mr. Sullivan advised he and Ms. Von Gemmingen were working to implement alternative methods rather than add to the CSP function.

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

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

Mr. Sullivan moved, to amend AR 2000-50(S-1) to add \$48,800 to the Cultural and Recreational Services budget to upgrade the network between the museum and the municipal server.
seconded by Mr. Wuerch,

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

Mr. Sullivan moved, to amend AR 2000-50(S-1) to add \$43,000 to the Non-departmental budget for the juvenile offender program.
seconded by Ms. Taylor,

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

Ms. Taylor moved, to amend AR 2000-50(S-1) to add \$10,000 to the Non-departmental budget for grants to neighborhood community patrols.
seconded by Ms. Abney,

Ms. Clementson opposed the motion because the Municipality has no formal recognition method for community patrols. There are questions of responsibility and liability where these patrols are concerned.

In response to Ms. Taylor, Randy Smith of Mt. View Community Patrol said there are nine patrols that form a community patrol coalition. They have signed an agreement that sets out patrol and coalition membership criteria. However, there are no bylaws for the coalition. He described the services neighborhood patrols provide.

Municipal Manager George Vakalis voiced the administration's support for the appropriation to a non-departmental grant program for community patrols.

Ms. Von Gemmingen felt the controls in place for non-departmental grants were sufficient to ensure only authorized patrols received funds.

Question was called on Ms. Taylor's motion to amend by adding \$10,000 for community patrols and it passed:

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

NAYS: Fairclough, Clementson.

Mr. Tremaine moved, to amend AR 2000-50(S-1) to add \$150,000 to the Fire
seconded by Ms. Abney, Department for chipper service on the hillside and Girdwood.

Mr. Vakalis stated the funds could be used within the fire service area only. Another funding mechanism will have to be found to pay for chipper services in Girdwood and Chugiak/Eagle River that are outside the fire service area.

Question was called on Mr. Tremaine's motion to amend and it passed:

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

NAYS: Fairclough.

Because of the time constraints imposed by the Code, the Assembly laid AR 2000-50(S-1) on the table and took up the following appearance request, item 10.C, and continued public hearing item 11.A.

MacKenna Johns, concerning Four Seasons Mobile Home Park-

Ms. Johns reported negotiations on the rezoning of Alaska Village Mobile Home Park were continuing. Four Seasons Park is in the process of upgrading sewers. However, relocation of some units may be required. A recent Code compliance inspection turned up several violations. The Municipality has agreed not to prosecute the notices until an exemption mechanism is in place.

Ms. Taylor encouraged the Assembly to schedule a work session to discuss concerns of trailer park residents.

Mr. Sullivan asked the Administration to clarify what agency has responsibility for first response to complaints about sewage and who ensures compliance with regulations.

Ordinance No. AO 2000-61, an ordinance amending the zoning map and providing for the rezoning from B-3SL (General Business) with Special Limitations to B-3SL (General Business) with Special Limitations for **Kirchner Addition Subdivision, Lots 22 and 23**, generally located on the west side of Barbara Drive and north of Spenard Road (Spenard Community Council) (Planning and Zoning Commission Case 99-212), Community Planning and Development.

1. Assembly Memorandum No. AM 305-2000.

(CONTINUED FROM 4-25-00)

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

TIM POTTER of Dowl Engineers, representing the owners, stated the hotel and adjacent parcel was purchased by his client to expand the House of Harley. The ordinance has the support of Spenard and Turnagain Community Councils, Planning and Zoning Commission, and conforms with both the proposed and existing Comprehensive Plans. In response to Ms. Von Gemmingen, he said the Polar Bear Inn would be torn down this fall.

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 2000-61.
seconded by Mr. Tesche,

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

NAYS: None.

The Assembly took **AR 2000-50(S-1)** from the table and resumed deliberations.

Mr. Tesche moved, to amend AR 2000-50(S-1) to add \$25,000
seconded by Ms. Abney, for a voting study in the Clerk's Office.

Mr. Tesche commented the voter turn out in the last election was not as high as he thought was possible. He personally believed the Anchorage Assembly, the Clerk's Office and municipal administration could, in the next several years, embark upon a project to improve voter participation. Instead of being a community with an average voter participation, with the help of technology and everyone's cooperation, Anchorage can become a community with one of the highest levels of voter participation in the United States. To achieve that goal, he wanted to commission assistance for the Clerk's Office and for the Assembly to bring in new ideas, concepts and methods of organization in order to help with voter turn out in this town.

Mr. Tremaine agreed with all of Mr. Tesche's comments. He wanted to ensure the scope of what the money could be used for was not restricted in terms of an internal audit.

Mayor Mystrom pointed out the last election had the second highest voter turn out in Anchorage's history. The voting rights act of about 1976 made it more difficult to take people who do not vote off the rolls. Anchorage currently has 193,000 registered voters. There are only 185,000 people in Anchorage who are 18 or over. A typical city of our size would have about 135,000 residents on the voter rolls. So there are probably 50,000 to 60,000 people who are registered to vote in Anchorage who do not live here. As the number of registered voters continues to climb and the roll is not purged, the percentage of voter turn out will decline.

Mr. Tesche agreed the percent of turn out was higher when there was a mayoral race. His particular concern focused on Assembly races where there is no mayoral candidate. In his race last year he was elected by some 1400 votes. He felt Anchorage could do better than average voter turn out.

Mr. Wuerch noted some of the ways to increase voter turn out were policy decisions which rested with the Assembly. He was not sure a consultant was needed to deliberate those issues for them. Additionally, the Assembly Department typically lapses enough money to perform this study so another appropriation is not needed.

Question was called on Mr. Tesche's motion to amend to add \$25,000 and it failed:

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

| | |
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| Ms. Taylor moved, seconded by Ms. Clementson, | to amend AR 2000-50(S-1) to add \$25,000 to reimburse Campbell Airstrip Road Limited Road Service Area (LRSA) for maintenance and repairs. |
|--|--|

Ms. Taylor commented this road was an access to state and municipal park land. As a result, it gets a lot of traffic. While the area residents have maintained the road to date, it has caused them financial hardship.

Ms. Clementson supported the amendment because the road serves as the only access to municipal park land. While the parks and recreation department do contribute to the roads up keep, it is not enough even to repair the pot holes in the stretch of road that goes through the municipal park.

Mr. Sullivan questioned giving this LRSA more money when it lapsed over \$14,000 last year.

Ms. Clementson replied a lapse was required by the Municipality.

Question was called on Ms. Taylor's motion to amend to add \$25,000 and it passed:

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

| | |
|--|---|
| Mr. Tremaine moved, seconded by Mr. Tesche, | to amend AR 2000-50 (S-1) to restore bus service on routes 90, 91 and 92, by adding \$32,000 for operations and \$65,000 for maintenance. |
|--|---|

Ms. Clementson felt a stable funding source should be obtained before routes are reinstated. Riders lose faith in the transit system when service is on and off.

Ms. Abney contended the routes should be reinstated to improve air quality, give young people a source of safe transportation, reduce the need for road improvements and improve traffic safety.

In response to Mr. Tremaine, Public Transportation Department Director Bob Kniefel stated the current bus schedule erroneously states service is provided to the Alaska Zoo.

Question was called on Mr. Tremaine's motion to amend to reinstate bus service and it failed:

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

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|---|--|
| Ms. Abney moved, seconded by Ms. Taylor, | to amend AR 2000-50(S-1) to add \$420,712 to increase grants to agencies through the Health and Human Services matching grant program. |
|---|--|

Ms. Abney urged support of the amendment to provide additional funds to meet the needs of citizens in Anchorage.

It was noted earlier Assembly action returned the matching grant recommendations to the task force for further evaluation. There was discussion of whether additional appropriations for this program should be deferred until the task force replies.

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| Mr. Tremaine moved, and it was accepted as a friendly amendment, | to amend the amendment to reduce the amount to \$220,000. |
|--|---|

It was clarified the amendment would increase the amount available for matching grants for only one year.

Question was called on Ms. Abney's motion to amend to add \$220,000 for matching grants and it failed:

AYES: Tremaine, Tesche, Taylor, Abney, Von Gemmingen.,

NAYS: Kendall, Sullivan, Meyer, Wuerch, Fairclough, Clementson.

Mr. Tesche moved,
seconded by Ms. Clementson,

to amend AR 2000-50(S-1 in the accompanying memorandum
AM 570-2000 by deleting lines 25 through 28.

Mr. Tesche found lines 25 through 28 confusing in that they referred to an unapproved budget submittal.

Mr. Kendall commented the memorandum was the Mayor's explanation of his budget submittal. He felt it was inappropriate for the Assembly to amend it.

Mayor Mystrom stated the memo explained the differences between the budget revision originally submitted and this substitute version. Deleting this language would create a \$20,000,000 gap in the record.

Question was called on Mr. Tesche's motion to amend AM 570-2000 and it passed:

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

NAYS: Kendall, Sullivan, Meyer, Wuerch, Fairclough.

There was discussion of the funding sources for limited road service areas and the effect the decline in state revenue sharing has on those service areas.

Ms. Clementson moved,
seconded by Mr. Tesche,

to amend AM 570-2000 on line 19 to read:
"...mill rates for roads and other special services."

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

NAYS: Wuerch.

Final action was delayed so the mill rates could be recalculated to reflect Assembly amendments to the budget. See after the following three items.

Mayor Mystrom invited members to take a field trip to see the boundaries of the new Midtown Park.

The meeting recessed at 7:25 p.m. and reconvened at 8:00 p.m.

The Assembly then considered items 12.A. and 12.B, AR 2000-118 and AR 2000-119.

Resolution No. AR 2000-118, a resolution of the Anchorage Municipal Assembly **appropriating (not the exceed) the sum of \$10,000,000 from the MOA Trust Fund Reserve (731) to the Areawide General Fund (101)**, Assemblymembers Clementson, Fairclough, and Tremaine.

Resolution No. AR 2000-119, a resolution of the Anchorage Municipal Assembly **appropriating (not the exceed) the sum of \$20,000,000 from the MOA Trust Fund Reserve (731) to the Areawide General Fund (101)**, Assemblymembers Wuerch, Kendall, and Sullivan.

Chairman Meyer announced the Mayor withdrew his veto of the resolutions distributing funds from the police and fire retirement settlement making these resolutions moot. He opened the public hearings on AR 2000-118 and AR 2000-119 and asked if anyone wished to speak.

MIKE TAVELLA supported the veto withdrawal and previous Assembly action.

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

Ms. Clementson moved,
seconded by Mr. Tesche,

to postpone action on AR 2000-118 and AR 2000-119
indefinitely.

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

NAYS: None.

The Assembly then considered a Special Order.

Resolution No. AR 2000-141, a resolution of the Municipality of Anchorage providing for a revision of the Anchorage School District Budget for FY 2000-2001 by **appropriating the sum of \$5,000,000 from the Anchorage School District Fund Balance to the Anchorage School District Budget**, Assemblymembers Sullivan and Kendall. (**LAI**D ON THE TABLE)

Mr. Sullivan, Mr. Kendall and Ms. Fairclough joined in introducing this resolution. The public hearing was scheduled for May 23, 2000.

Mr. Sullivan explained the resolution increases the spending authority of the School District budget and provides for it to be funded by the District's fund balance. This resolution would not affect taxes or municipal fund balances. The resolution reflects conversations with school board members.

In response to Ms. Clementson, School Superintendent Bob Christal stated the District's proposed budget anticipated that twelve of the eighteen million dollar fund balance would be used to settle the teachers' contract. He did request the

expenditure limit be increased in anticipation of receiving more revenue from the Municipality. However, he would not recommend depleting the fund balance to one million dollars.

In response to Ms. Clementson, Deputy Municipal Attorney Bill Greene stated the number on line 19 should be \$418,230,474.

The Assembly then returned to consideration of the first quarter budget revisions, AR 2000-50(S-1).

Gene Dusek of the Office of Management and Budget explained Assembly amendments increased the budget by \$350,800. Exhibit C of the resolution shows the relation between the municipal property tax and the tax cap.

Mayor Mystrom announced that under the present budget, the taxes for municipal services on an average home would decline about \$74 and increase for School District services about \$90. So, overall, there will be a slight tax increase.

Ms. Clementson pointed out the six year fiscal plan set out a level of fund balance to be applied in future years to off-set taxes. Generally, the amount is \$7,500,000. The proposed budget uses \$18 million dollars of applied fund balance, leaving nothing to off-set taxes next year. She was concerned approval of budget revision will reduce the tax cap by \$14,700,000 and eliminate the anticipated applied fund balance in future years. She urged caution.

Mayor Mystrom explained that two thirds of the fund balance being applied came from budget savings. Next year, applied fund balances will come from budget under expenditure and increased construction activity. The city has more money available to it than ever before. In addition to budget savings, the Municipality has \$38,000,000 in a reserve fund and \$132,000,000 in a trust fund. He felt a tax reduction was warranted.

In response to Mr. Tesche, Mr. Dusek indicated the fund balance would be \$17,400,000 in bond reserves and \$5,100,000 available for additional appropriations.

Ms. Clementson agreed the Municipality had gobs of money but it was not readily accessible for expenditure.

Mr. Wuerch noted the Municipality built up its cash reserves over the past five years and now would be an excellent time to use some of those reserves. It is very likely there will be additional spending reductions that will be added to the fund balance to be applied next year.

Mr. Tremaine agreed with Mayor Mystrom's position on the matter. It may require the Assembly "tax to the cap" next year.

Ms. Fairclough suggested the body rescind AR 2000-106, reconsider AR 2000-135, and attempt to reach a compromise that would provide a tax reduction and give more money to the School District.

Mr. Wuerch felt the current plan would leave ample funds, accessible by a majority vote of the Assembly, to apply to next year's budget.

Ms. Fairclough moved,
seconded by Ms. Abney,

to rescind AR 2000-106, regarding a contribution from the
Police and Fire Retirement System, approved on April 25,
2000.

Ms. Fairclough stated her intent would be to supply \$5,000,000 to the School District from the municipal reserve account.

Mr. Kendall expressed his philosophy that government should not hold tax dollars in savings accounts and then "live" off the interest. Rather, the money should be left in the economy so the full multiplier effect is realized.

Mayor Mystrom recalled one of the scenarios divided the \$40,000,000 police and fire retirement settlement into \$12,000,000 for property tax reduction, a \$5,000,000 loan to the School District, \$3,000,000 to implement the fire department management audit and \$20,000,000 to the municipal reserve account. The administration would also contribute \$5,000,000 from existing fund balances to the budget. The issue then became whether the property tax reduction was inside or outside the tax cap. Based on his recent experience, he was reluctant to support rescission of the resolution unless there was a strong indication a compromise could be reached.

Ms. Abney advised the people who contacted her were opposed to tax cuts and lowering the tax cap because of the major impact on next year's budget.

Mr. Tremaine noted he had been found to have a conflict of interest on School District budget matters. He was unsure if he could continue to participate if the subjects were mingled. He asked the body to keep the two issues separate so he could participate in the municipal budget discussion.

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

to recess for 10 minutes.

(Clerk's Note: Action on the motion to rescind AR 2000-106 was taken up following item 12.K., AR 2000-112.)

The meeting recessed at 9:00 p.m. and reconvened at 9:25 p.m.

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

to change to orders of the day to consider item
12.D, AO 2000-75.

- B. Ordinance No. AO 2000-56, an ordinance **setting the rate of tax levy and levying taxes** for the Municipality of Anchorage Areawide General Purposes including municipal schools and all services of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
1. Assembly Memorandum No. AM 251-2000.
 2. Ordinance No. AO 2000-56(S), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Areawide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
 3. Assembly Memorandum No. 535-2000.
 4. Ordinance No. AO 2000-56(S-1), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Areawide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
(LAID ON THE TABLE)
 5. Assembly Memorandum No. AM 571-2000.
(POSTPONED FROM 4-25-00)
- C. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2000-76, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 28.50 by adding a new Section 28.50.085 authorizing the **establishment of additional polling places to receive questioned ballots** voted under AMC 28.50.080, Assemblymembers Tesche and Tremaine.
(APPROVED 4-25-00; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. SULLIVAN 4-26-00)
- D. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 393-2000, Ole's Pub - Transfer of Ownership and Transfer of Location for a Beverage Dispensary Liquor License (NO PREMISE), Clerk's Office.
(AMENDED & APPROVED 4-25-00; RECONSIDERATION WAS ENTERED ON THE MINUTES BY MS. ABNEY 4-25-00)

Items 9.A through 9.D were considered later in the meeting. See item 16, Unfinished Agenda.

- E. Assembly Memorandum No. AM 396-2000, The Raven - Transfer of Ownership and Transfer of Location for a Beverage Dispensary Liquor License (Fairview Community Council), Clerk's Office.
(POSTPONED FROM 4-18-00; CARRIED OVER FROM 4-25-00)
- F. Assembly Memorandum No. AM 453-2000, 2000-01 Liquor License Renewal: **Last Frontier Bar** - Beverage Dispensary Liquor License (Northeast Community Council), Clerk's Office.
(POSTPONED FROM 4-25-00)
- G. Information Memorandum No. AIM 40-2000, Bar Violations/Quarterly Reports (1st Quarter 2000: Alaska Club (E. Tudor Rd. Location); Alyeska Sitzmark Bar and Grill; Anna's Place; Hooters Restaurant; Jen's Restaurant, Bodega, and Gallery; Long Branch Saloon; Oaken Keg Spirit Shop #54 (Huffman Store); Office Lounge; Spenard Paradise Inn and Lounge; Spirits of Alaska #2 (International Airport Rd.); Spirits of Alaska #3 (Old Seward Hwy.); Tesoro Northstore Company (2 Go Mart #007); Value Liquor #3 (Jewel Lake Store)), Anchorage Police Department.
(POSTPONED FROM 4-18-00 AND 4-25-00)
- H. 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.
1. Assembly Memorandum No. AM 248-2000.
(CONTINUED FROM 3-7-00 AND 4-18-00; POSTPONED FROM 4-25-00)

Items 9.E through 9.H were not discussed during this meeting. See the minutes of May 23, 2000.

10. APPEARANCE REQUESTS:

- A. **Cathy Schindler**, regarding MOA Building Safety policy on installation of vinyl windows on new construction - residential homes.
- B. **Barbara Aldeman**, regarding 4th Avenue Parking.

Ms. Schindler and Ms. Aldeman did not appear at this meeting.

- C. **MacKenna Johns**, concerning Four Seasons Mobile Home Park-Recent MOA & Management activity.

Ms. Johns appeared earlier in the meeting.

11. CONTINUED PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-61, an ordinance amending the zoning map and providing for the rezoning from B-3SL (General Business) with Special Limitations to B-3SL (General Business) with Special Limitations for **Kirchner Addition Subdivision, Lots 22 and 23**, generally located on the west side of Barbara Drive and north of Spenard Road (Spenard Community Council) (Planning and Zoning Commission Case 99-212), Community Planning and Development.
1. Assembly Memorandum No. AM 305-2000.
(CONTINUED FROM 4-25-00)

This item was considered earlier in the meeting. See during consideration of item 9.A.

- B. Ordinance No. AO 2000-62, an ordinance **repealing Ordinances 80-156 and 82-201 concerning Tracts D-1, D-2, D-3 and D-4, Tudor Centre Subdivision** and amending the zoning map and providing for the rezoning from R-O/SL (Residential Office with Special Limitations) to R-O/SL (Residential Office with Special Limitations) for Tracts D-1, D-2, D-3 and D-4, Tudor Center Subdivision, generally located north of Tudor Centre Drive and east of Bragaw Street (University Community Council) (Planning and Zoning Commission Case 99-166)), Community Planning and Development.
1. Assembly Memorandum No. AM 306-2000.
(CONTINUED FROM 4-25-00)
- C. Ordinance No. AO 2000-63, an ordinance amending the zoning map and providing for the rezoning from R-1 (One-Family Residential District) to PLI (Public Lands and Institutions) for **Rogers Park Subdivision, Block 35**, generally located on the south side of East Northern Lights Boulevard and east of Redwood Place (Rogers Park Community Council) (Planning and Zoning Commission Case 99-210), Community Planning and Development.
1. Assembly Memorandum No. AM 317-2000.
(CONTINUED FROM 4-25-00)
- D. 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, Assemblymembers Taylor, Tesche, and Tremaine.
1. Assembly Memorandum No. AM 249-2000.
(CARRIED OVER FROM 4-25-00)
- E. Ordinance No. AO 2000-59, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Sections 9.18.030 regarding **stop or yield signs** at through streets, and Section 9.18.040 regarding stop or yield signs at other intersections to allow for placement of signs at the request of community councils in residential zoning districts, Assemblymembers Taylor, Abney, Tesche, and Tremaine.
1. Assembly Memorandum No. AM 358-2000.
 2. Assembly Memorandum No. AM 421-2000, Public Works.
(CARRIED OVER FROM 4-18-00 AND 4-25-00)
- F. Ordinance No. AO 99-137, an ordinance amending Anchorage Municipal Code of Ordinances Title 21 concerning **publicly owned and operated outdoor recreation facilities** such as athletic fields, tennis courts, parks and playgrounds and publicly owned and operated buildings and uses in residential zoning districts, Assemblymember Tesche.
1. Assembly Memorandum No. AM 946-99.
 2. Information Memorandum No. AIM 4-2000, Community Planning and Development.
(CONTINUED FROM 1-11-00)
- G. Ordinance No. AO 2000-68, an ordinance amending Anchorage Municipal Code Title 2 by enacting a new Chapter 2.35 to **regulate lobbying in municipal legislative and administrative actions** by providing for registration of lobbyists and reporting of lobbying activities and finances and prohibiting specified activities and actions, providing penalties for violations thereof and establishing procedures and implementing provisions, Legal Department.
1. Assembly Memorandum No. AM 350-2000.
(CARRIED OVER FROM 4-18-00 AND 4-25-00)

Items 11 B, through 11. G were not discussed during this meeting. See minutes of May 23, 2000.

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 2000-118, a resolution of the Anchorage Municipal Assembly **appropriating (not the exceed) the sum of \$10,000,000 from the MOA Trust Fund Reserve (731) to the Areawide General Fund (101)**, Assemblymembers Clementson, Fairclough, and Tremaine.
- B. Resolution No. AR 2000-119, a resolution of the Anchorage Municipal Assembly **appropriating (not the exceed) the sum of \$20,000,000 from the MOA Trust Fund Reserve (731) to the Areawide General Fund (101)**, Assemblymembers Wuerch, Kendall, and Sullivan.

Action on items 12.A and 12.B was postponed indefinitely earlier in the meeting. See during consideration of item 9.A.

- C. Resolution No. AR 2000-120, a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Budget for FY 2000-2001** by appropriating the sum of \$8,000,000 from the Areawide General Fund to the Anchorage School District, Assemblymembers Abney, Taylor, and Tesche.
1. Assembly Memorandum No. AM 485-2000.

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

- D. Ordinance No. AO 2000-75, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$35,000,000 in aggregate principal amount of General Obligation School Bonds of the Municipality for the purpose of raising funds to **pay the costs of educational capital improvement projects** in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; rescinding Ordinance No. AO 99-17; and related matters, Finance.
1. Assembly Memorandum No. AM 394-2000.

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 2000-75.
seconded by Ms. Taylor,

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

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

- E. Resolution No. AR 2000-116, a resolution of the Municipality of Anchorage appropriating up to \$1,488,235 from the Heritage Land Bank Operating Fund Balance (221) as a contribution to the Heritage Land Bank Capital Fund (421) for the purchase of approximately 9.48 acres of vacant land commonly known as Tract A, Cook Subdivision, Plat No. 82-57, Anchorage Recording District for **public open space and park expansion in Midtown Anchorage**, Heritage Land Bank.
1. Assembly Memorandum No. AM 472-2000.
 2. Information Memorandum No. AIM 52-2000, Heritage Land Bank. (**addendum**)

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

HELEN NIENHUESER, co-chair of Midtown Park and Trail Steering Committee a subcommittee of the Parks and Recreation Advisory Commission, spoke in support of the resolution. She outlined the history of the park's creation and development. In addition to the many volunteers who worked toward making the park a reality, she especially thanked the contributions of the Cuddy and Blackard families.

RANDY VIRGIN, Alaska Center for the Environment, supported the midtown park and its expansion. In a broader view, the Center supports a vision of midtown that balances commercial vitality with quality of life amenities such as pedestrian amenities and mixed use development. The park, in conjunction with the library will become the center of midtown.

JANEL FEIERABEND, Midtown Park and Trail Steering Committee, thanked the Mayor for his efforts to make the park a reality. She urged support of the resolution.

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

Mr. Wuerch moved, to approve AR 2000-116.
seconded by Mr. Tesche,

Mr. Wuerch moved, to amend AR 2000-116 on page 2, lines 20 and 21
seconded by Mr. Tesche, to read: "...one million two hundred thousand
and it passed without (\$1,200,000)..."
objection,

Mr. Sullivan applauded the contributions of the Blackard and Cuddy families to the community as a whole and this project in particular.

Question was called on the motion to approve AR 2000-116 as amended and it passed:

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

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

Mr. Kendall moved, immediate reconsideration of AR 2000-116 as amended.
seconded by Mr. Wuerch,

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

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

- F. Resolution No. AR 2000-117, a resolution of the Municipality appropriating \$43,075,000 of proceeds of General Obligation Bonds to the Areawide CIB Fund (401), Anchorage Fire Service Area CIB Fund (431), Anchorage Roads and Drainage Service Area CIB Fund (441), Anchorage Metropolitan Police Service Area CIB Fund (451), Anchorage Parks and Recreation Service Area CIB Fund (461), and the Eagle River-Chugiak Parks and Recreation Service Area CIB Fund (462) to pay the **costs of public safety, cemetery, Anchorage Senior Center, fire protection, road, storm drainage, police protection, and parks and recreation and related capital improvement projects**; and contributing \$950,000 from the Anchorage Roads and Drainage Service Area CIB Fund (441), and \$237,500 from the Anchorage Parks and Recreation Service Area CIB Fund (461) to the Equipment Maintenance Internal Service Fund (601) for the **purchase of street maintenance vehicles, parks and recreation vehicles and equipment**, Office of Management and Budget.
1. Assembly Memorandum No. AM 473-2000.

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

ANGELA KUENTZEL, president of Anchorage Citizens for Responsible Government, challenged the validity of the \$28,000,000 road bond under Charter section 15.04. She contended the improvement of Elmore Road would require

expenditure of a portion of the funds outside the service area and be contrary to Charter section 15.05. She asked the funds not be appropriated at this time.

Ms. Von Gemmingen commented this question was resolved before the bond issue was placed on the ballot.

In response to Ms. Fairclough, Ms. Kuentzel stated Anchorage Citizens for Responsible Government had about 150 members.

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

Mr. Wuerch moved, to approve AR 2000-117.
seconded by Mr. Tremaine,

Mr. Tremaine moved, to amend AR 2000-117 on page 1, line 38
seconded by Mr. Tesche, to read: "...related capital improvement
and it passed without projects within..."
objection,

Mr. Tremaine clarified the amendment would require that acquisition of additional right-of-way outside the Anchorage Roads and Drainage Service Area (ARDSA) could not come from these bond funds.

In response to Mr. Wuerch, Municipal Manager George Vakalis stated a legal opinion determined that the portion of the Elmore Road right-of-way proposed for improvement lies within ARDSA and therefore expenditure of bond funds is appropriate.

Question was called on the motion to approve AR 2000-117 as amended and it passed:

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

NAYS: None.

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

- G. Ordinance No. AO 2000-79, an ordinance amending Anchorage Municipal Code Subsection 26.70.040.C.2 to **establish services and rates for new refuse containerized services, schedules, and rates**, Solid Waste Services.
1. Assembly Memorandum No. AM 440-2000.

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

Mr. Sullivan moved, to adopt AO 2000-79.
seconded by Mr. Kendall,

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

NAYS: None.

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

- H. Resolution No. AR 2000-111, a resolution **confirming and levying sanitary sewer assessments for Old Girdwood Sanitary Sewer Improvement District 60-9**, including date of payment, penalties and interest in the event of delinquency, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 460-2000.

This item was not discussed at this meeting. See the minutes of May 23, 2000.

- I. Ordinance No. AO 2000-74, an ordinance of the Anchorage Municipal Assembly authorizing **renewal of the lease between the Municipality of Anchorage as lessor and Airparts, Inc. as lessee of Lots 13 and 14, Block 2, Merrill Field Replat**, located between Runway 6-24 and East 5th Avenue, Merrill Field Airport.
1. Assembly Memorandum No. AM 377-2000.

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

Ms. Fairclough moved, to adopt AO 2000-74.
seconded by Ms. Abney,

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

NAYS: None.

(Clerk's Note: Mr. Tesche, Ms. Taylor and Ms. Clementson were out of the room at the time of the vote.)

- J. Ordinance No. AO 2000-81, an ordinance of the Anchorage Assembly amending Anchorage Municipal Code Section 4.60.100, regarding **membership of the Public Transit Advisory Board**, Assemblymembers Taylor, Abney, Tesche, and Tremaine.
1. Assembly Memorandum No. AM 457-2000.

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

Mr. Tremaine moved, to adopt AO 2000-81.
seconded by Ms. Abney,

Mr. Tremaine urged approval of the ordinance to bring parity and equity to the Board's make-up.

Chairman Meyer noted Ms. Corall of the Alaska Independent Blind submitted a letter in support of the ordinance.

Ms. Taylor echoed Mr. Tremaine's statements. She advised that David Maultin of the Governor's Council on Special Education, would help find members for the Board.

In response to Ms. Fairclough, Public Transportation Department Director Bob Kniefel stated three members of the current Board are either disabled or work in the disabled community. He did not oppose adding two more seats to the Board.

Mr. Tremaine added the purpose was to ensure Board seats were allotted to persons who were actually disabled not advocates for the disabled.

Mr. Sullivan suggested the size of the Board remain at nine members but require that two be from the disabled community. He pointed out two of nine was a more powerful voice than two of eleven.

Ms. Fairclough was concerned the ordinance may not accomplish the goal of providing more representation to the disabled community because it does not describe the term. She noted Mr. Kniefel thought the disabled community was already adequately represented on the Board. However, testimony at the work session indicated members of the disabled community did not think they were represented. With larger Boards attendance and quorums can become issues that interfere with getting decisions made.

Ms. Taylor responded that the Americans with Disabilities Act (ADA) had a definition of "disabled." The purpose of the amendment is to empower the disabled to make decisions that affect their lives. She voiced support for Mr. Sullivan's suggestion to maintain the Board at nine members but allot two seats for disabled persons.

Mr. Sullivan moved, to amend AO 2000-81 on lines 19 and 20 by
seconded by Ms. Taylor, deleting "eleven" and removing the brackets
and it passed without from the word "nine".
objection,

Ms. Von Gemmingen indicated she could not support the ordinance because it prevented advocates for the disabled from filling the designated seats.

Mr. Tremaine moved, to amend AO 2000-81 on line 21 to read: "...shall be
and it was accepted as a disabled. The board..."
friendly amendment,

Chairman Meyer indicated the motion before the Assembly provided for a nine member board, two of which must be disabled.

Question was called on the motion to adopt AO 2000-81 as amended and it passed:

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

(Clerk's Note: Ms. Clementson was out of the room at the time of the vote. A motion to reconsider this action was made after the following item.)

- K. Resolution No. AR 2000-112, a resolution of the Municipality of Anchorage increasing authorization to accept and appropriate Federal Transportation Equity Act for the **21st Century (TEA21) funding** (formerly ISTEA) for projects located within the Municipality of Anchorage, Public Works.
 - 1. Assembly Memorandum No. AM 461-2000.

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 2000-112.
seconded by Mr. Tesche,

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

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

Ms. Taylor moved, to reconsider action on item 12.J, AO 2000-81.
seconded by Mr. Tremaine,

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

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

- L. Resolution No. AR 2000-113, a resolution of the Anchorage Assembly adopting recommendations on the Anchorage Metropolitan Area Transportation Study (AMATS) **FFY 2001-2003 Transportation Improvement Program (TIP)**, Community Planning and Development.
 - 1. Assembly Memorandum No. AM 462-2000.
- M. Ordinance No. AO 2000-82, an ordinance of the Anchorage Assembly amending Anchorage Municipal Code Section 2.30.030 I. regarding the **order of business at regular assembly meetings**, Assemblymembers Sullivan, Abney, Fairclough, Meyer, Taylor, Tesche, and Tremaine.
 - 1. Assembly Memorandum No. AM 583-2000.
- N. Ordinance No. AO 2000-72, an ordinance amending Anchorage Municipal Code Chapter 2.30 to provide **procedures for Assembly recommendation of conditions for State imposition on the issuance, renewal, transfer, relocation and continued operation of alcoholic beverage licenses**, and designation of the Anchorage Police Department as the agency responsible for monitoring licensees for compliance with such conditions, Assemblymember Meyer.
 - 1. Assembly Memorandum No. AM 356-2000.

Items 12.L, M and N were carried forward to the meeting of May 23, 2000.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

- A. Assembly Memorandum No. AM 247-2000, **certification of the May 2, 2000, Municipal Runoff Election**, Clerk's Office.

This item was considered earlier in the meeting.

- B. Other special orders were considered later in the meeting. See item 16, Unfinished Agenda.

15. ASSEMBLY COMMENTS: None.

16. UNFINISHED AGENDA:

- A. Resolution No. AR 2000-106, a resolution of the Anchorage Municipal Assembly **accepting the sum of \$40,000,000 from the Police and Fire Retirement System** as a contribution of \$20,000,000 to the MOA Trust Fund (730) and \$20,000,000 to the MOA Trust Fund Reserve (731), Assemblymembers Clementson, Fairclough, Taylor, Tesche, Tremaine, and Von Gemmingen. (APPROVED 4-25-00; VETOED 4-26-00)

Chairman Meyer advised there was a motion on the floor to rescind previous action.

Question was called on the motion to rescind AR 2000-106 and it failed:

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

- B. Resolution No. AR 2000-50, a resolution of the Municipality of Anchorage providing for a **revision of the 2000 General Government Operating Budget**, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 250-2000.
 - 2. Resolution No. AR 2000-50(S), a resolution of the Municipality of Anchorage providing for a revision of the 2000 General Government Operating Budget, Office of Management and Budget.
 - 3. Assembly Memorandum No. AM 534-2000.
 - 4. Resolution No. AR 2000-50(S-1), a resolution of the Municipality of Anchorage providing for a revision of the 2000 General Government Operating Budget, Office of Management and Budget. **(LAID ON THE TABLE)**
 - 5. Assembly Memorandum No. AM 570-2000. **(POSTPONED FROM 4-25-00)**

Mr. Sullivan moved, to reconsider the motion to delete
seconded by Mr. Kendall, lines 25 through 28 of AM 570-2000.

Chairman Meyer ruled the motion out of order because Mr. Sullivan was not on the prevailing side of the motion to amend AM 570-2000.

In response to Mr. Tesche, Municipal Attorney Mary Hughes advised that money in the ATU reserve can only be used for purposes set forth in the Code. If the Assembly wants to loan or grant money to the School District from this source, the Code would have to change first. She recalled that during budget discussions in November, moneys received from the \$9,400,000 designated trust fund were inside the tax cap. Expenditure of these funds would reduce next year's tax cap.

Mr. Tesche questioned whether tax dollars from fund balances were moneys that represented municipal taxes approved by the Assembly for the base year under Charter Section 14.03 and inside the tax cap.

Ms. Hughes responded that fund balances had always been considered to be inside the tax cap. Fund balances come from under expenditure of budgets or unexpected revenues.

Ms. Clementson noted fund balances are influenced by over or under collection of taxes. The \$40 million is money that came to the Municipality from a settlement, not an Assembly approved levy. Since 1993 the Municipality has used unexpected revenues received outside the approved levy to off-set taxes without reducing the tax cap.

Gene Dusek of the Office of Management and Budget stated that in 1992 the Municipality collected about \$9 million more in property taxes than the Assembly authorized. The following year the money was returned to taxpayers. Consistent with an opinion from the Municipal Attorney at the time, the rebate was considered to be outside the tax cap. The same situation has occurred several times since then to a much smaller extent. In the current circumstance, the correct amount of property tax was collected over the years to support the Municipality's obligation to the Police and Fire Retirement Fund. However, it has been determined those moneys were not required for that purpose and therefore available to reduce taxes.

Ms. Clementson pointed out over the years the employees and Municipality had contributed about \$100 million to the fund but because the fund was well managed, it is able to meet an obligation several times that amount and have excess earnings. She questioned why, when determining whether the money was inside or outside the tax cap, this money was treated differently than money collected from taxpayers in excess of the authorized amount. Both are unexpected revenues.

Mayor Mystrom explained the tax cap is impacted when the Municipality collects the proper amount of tax but under-spends the budget. The unexpended tax dollars are then returned to the taxpayer thereby reducing the tax cap.

Ms. Clementson indicated she would vote against the budget because of its impact on the tax cap.

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| Mr. Tremaine moved, | to extend the meeting until midnight and the public hearings |
| seconded by Mr. Tesche, | until 11:30 for 12.C, AR 2000-120. |

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

In response to Mr. Tesche, Mr. Dusek explained the administration submitted a "marked-up" version Exhibit that reflected amendments discussed by the Assembly earlier. The original version shows the 2000 approved budget from November, 1999, the first quarter revision in (S-1) and then the 2000 revised budget.

In response to questions by Mr. Tesche, Mr. Dusek agreed a reduction in the amount of fund balance applied would increase next year's tax cap by a like amount.

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| Mr. Tesche moved, | to amend AR 2000-50(S-1) to reduce the "draw down" on |
| seconded by Ms. Clementson, | fund balance from \$9,277,770 to \$7,277,770. |

Mayor Mystrom commented the amendment would increase tax collections by \$2 million.

Ms. Von Gemmingen pointed out the mill rate for municipal services would decline whereas there would be no reduction for School District services.

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

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

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| Mr. Sullivan moved, | to rescind the amendment to delete lines 25 through 28 |
| seconded by Mr. Kendall, | on AM 570-2000. |

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

Mr. Wuerch clarified the numbers in Exhibit C changed by reducing the applied fund balance \$2,000,000; increase property tax revenue by \$2,000,000 to off-set that; resulting in an amount under the tax cap of \$12,700,000.

Mr. Tremaine said this was the largest amount the city has ever given back under the tax cap and he was proud to vote in favor.

Ms. Clementson commented the Assembly was accused of cutting the School District budget when there was a \$12 million increase over last year's budget. The fact here is everyone's property taxes will go down next year.

Question was called on the motion to approve AR 2000-50 (S-1) as amended and it passed:

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

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| Mr. Tesche moved, | immediate reconsideration of AR 2000-50(S-1) |
| seconded by Ms. Fairclough, | as amended. |

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

- C. Ordinance No. AO 2000-56, an ordinance **setting the rate of tax levy and levying taxes** for the Municipality of Anchorage Areawide General Purposes including municipal schools and all services of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
1. Assembly Memorandum No. AM 251-2000.
 2. Ordinance No. AO 2000-56(S), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Areawide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
 3. Assembly Memorandum No. 535-2000.
 4. Ordinance No. AO 2000-56(S-1), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Areawide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2000, Office of Management and Budget.
(LAID ON THE TABLE)
 5. Assembly Memorandum No. AM 571-2000.
(POSTPONED FROM 4-25-00)

Mr. Dusek stated the Assembly's action changed the mill rate on line 18 of AO 2000-56 (S-1) to 1.77.

Mr. Tesche moved, to adopt AO 2000-56(S-1) and amend
seconded by Mr. Tremaine, line 18 on page 1 to read 1.77.

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

Mr. Tesche moved, immediate reconsideration of AO 2000-56(S-1)
seconded by Ms. Taylor, as amended.

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

- D. Resolution No. AR 2000-120, a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Budget for FY 2000-2001** by appropriating the sum of \$8,000,000 from the Areawide General Fund to the Anchorage School District, Assemblymembers Abney, Taylor, and Tesche.
1. Assembly Memorandum No. AM 485-2000.

Chairman Meyer opened the public hearing on AR 2000-120 and asked if anyone wished to speak.

Mr. Tremaine declared a conflict of interest for reasons previously given.

Mr. Tesche disclosed his law firm has in the past and continues to represent the School District in select worker's compensation and liability cases. The amount of work the firm does for the District is relatively small. He estimated the amount of professional fees paid to his firm from January, 2000 through May 4, 2000, to be about \$22,000. He stressed that he did not personally do any of the work. The work represents a relatively small portion of the firm's overall income and an extremely small portion of his personal income. Superintendent Christal has affirmed the firm's continued representation of the District would not vary with the outcome of the decision the Assembly makes on the District's budget.

Chairman Meyer, for consistency's sake, ruled Mr. Tesche did not have a substantial financial interest in the School District budget because the contract was a small portion of the firm's income and to him personally.

In response to Mr. Kendall, Mr. Tesche stated the firm received approximately \$45,000 for professional services from the District in 1999.

HANS BERNARD, student advisor to the Anchorage school board, commented the District was preparing to cut \$11 million from next year's budget. The proposed appropriation will greatly reduce the need to reduce education programs.

SARAH GANT, Anchorage Council of PTA's, submitted a resolution of statewide PTA's opposing tax caps. PTA's are working hard to get the word out about this issue. However, PTA's efforts will only reach the 33% of the voting population who have school aged children. The District has done its homework and identified where the \$11 million in cuts will be felt. Until the remaining 67% of the voting public is informed what the impact of the 10 mill cap will be, they have nothing at stake. Anchorage is the only city in the state discussing cutting education funding prior to the vote in November. Education should receive a fair amount of the \$40,000,000 windfall appropriated tonight. She urged the Assembly to return \$5,000,000 to the District's budget.

PATRICK McLEOD, East High School student, said he was waiting anxiously to see what reductions Mayor Wuerch planned to make.

ROSELIND CASEY, outlined the benefits her children received from their education in Anchorage. If Anchorage does not maintain a quality school system, the property values will drop and in turn, there will be a smaller tax base. Some people base their decision about where to live in Anchorage by what school is nearby.

SARAH LEWIS, school student, said she was part of a student group exploring the school budget. She was shocked when a school board member told her the Assembly had never supported full funding for the District's budget requests. Adequate funding for public schools is crucially important to the community at large. The proposed \$11 million reduction, while not affecting basic education courses, will affect activities that influence how students feel about school, the administration and the community.

STEPHEN BROWER, Service High student, urged the Assembly to make a compromise with the District. When there is a conflict between the two bodies, the losers are the students.

LINDA SPENCER, UAA student senator, commented the past 10 years of flat funding for the University has had devastating consequences for the institution and the state. It is important to gain a perspective as to the value of education to Anchorage, Alaska and the nation. The Assembly has assisted UAA with its logistics program. The latitude of Anchorage puts it in a position to receive ten to 14 satellite hits per day. Therefore, UAA is in contact with all the major economic areas worldwide. If we do not take advantage of that, some other country at a similar northern latitude will. She urged the members to put their differences aside and not to make education a political football any longer.

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

Ms. Abney moved, to approve AR 2000-120.
seconded by Ms. Taylor,

Mr. Sullivan pointed out the situation had changed since the resolution was introduced. No settlement money was deposited into the general fund as this resolution anticipated. Nor is the Assembly inclined to reduce the municipal fund balance. Additionally, another alternative has been introduced. For these reasons, he will not support the resolution. He asked the Municipal Attorney to determine whether the resolution was still germane.

Ms. Fairclough moved, to amend AR 2000-120 on line 11 to change the amount
seconded by Ms. Taylor, to \$5,000,000 and change line 37 to read: "That the sum of
\$5,000,000 is appropriated as a loan from the areawide fund."

Ms. Clementson mentioned that each entity, the Municipality and School District, had separate tax caps. This loan will blur those lines. The broader question is what happens if the mill levy cap passes. The District will have no mechanism to repay the loan. To increase the District's authorized spending level the city may have to absorb whatever additional reductions are required to make up the difference between what is authorized and what can be collected if the mill cap is imposed. It also sets a dangerous precedent.

Ms. Fairclough responded the lines are blurred because the District and Municipality are one entity whose taxing authority rests with the Assembly. The proposed amendment seems to be the only way to resolve the current situation at this point.

In response to Mr. Sullivan, Assistant Municipal Attorney Bill Greene recommended the Assembly clarify its intent on the record so the statement could be included in the minutes.

Mr. Kendall commented the question seemed to be which fund balance to apply. If the District truly has an emergency, the Municipality will be available to assist. Therefore, the District's funds should be exhausted before dipping into the municipal fund balance.

Ms. Abney offered to withdraw her memo. The District is facing a major lay-off, program reduction, and increase of class size which the Assembly is not responding to as an emergency.

In response to Mr. Sullivan, Mr. Greene stated the Municipality routinely makes loans from the general cash pool.

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

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

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

Ms. Fairclough moved, to extend the meeting for 10 minutes
seconded by Mr. Wuerch, for this issue.
and it passed without
objection,

Ms. Abney moved, to amend AR 2000-120 to add a statement that the loan
seconded by Mr. Tesche, be due at the end of the next school year.

Ms. Abney clarified the next school year was 2000-2001 and June 30, 2001 would be the due date.

Ms. Von Gemmingen pointed out the original resolution provided that the District would receive \$8,000,000 as of January 1 if the mill levy cap did not pass. Under those circumstances, she would expect repayment of this loan at that time.

Ms. Clementson moved, to postpone action on AR 2000-120 until May 23, 2000.
seconded by Mr. Sullivan,

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

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

E. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2000-76, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 28.50 by adding a new Section

28.50.085 authorizing the **establishment of additional polling places to receive questioned ballots** voted under AMC 28.50.080, Assemblymembers Tesche and Tremaine.
(APPROVED 4-25-00; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. SULLIVAN 4-26-00)

Mr. Sullivan urged the body to reconsider its adoption of the ordinance. The Assembly rushed through its consideration of this matter. UAA students requested an absentee polling place but the ordinance provides for a challenge ballot polling place. Any last minute changes in the election process done by a simple majority of the Assembly could be construed to be political action and could jeopardize the election certification. If the item is reconsidered, his intent was to postpone further action to coincide with hearing on an ordinance to establish an absentee polling place at UAA.

Mr. Tesche contended Mr. Sullivan cited no good reason to reconsider. The ordinance, in his view, was not defective.

Mr. Sullivan clarified the ordinance gave authority to a simple majority of Assembly members to direct the Clerk, at the last minute, to insert a polling place. He argued that could be construed as a political move that could effect an election and lead to both complaints and lawsuits about that election. The election process is set forth, the precincts are determined by population by the State and to say the Assembly knows better and is going to insert one at its will makes no sense. The ordinance was an attempt at a short term solution but it has long term implications the Assembly did not consider. For those reasons, it is a bad piece of legislation.

Ms. Taylor commented UAA students requested the polling place several months ago. The state has had a polling place there before. The suggestion the U.S. Justice Department would have a problem with this ordinance is laughable. It has been an unfortunate, shameful turn of events. She saw no reason to reconsider the ordinance.

Question was called on whether to reconsider action on AO 2000-76 and it passed:

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

Mr. Sullivan moved, to postpone further action on AO 2000-76 until
seconded by Ms. Clementson, May 23, 2000.

Mr. Tesche stated the postponement sent the wrong message to the young people of Anchorage. The action shows not only indifference but hostility to the extension of the franchise and to voting in this community. Earlier the Assembly failed to appropriate a small amount of money to look at reform of election procedures. Now it rolls itself back into the dark ages by saying it will not give itself the power, by majority vote, to direct the Clerk to set up new polling places to extend the franchise because it fears its own power and fears election fraud. He found it absurd.

Mr. Sullivan moved, to extend the meeting until midnight.
seconded by Mr. Tremaine,
and it passed without
objection,

Mr. Sullivan distributed copies of an ordinance which he intended to introduce for hearing. The ordinance provides for establishment of an absentee polling place at UAA; exactly what the students wanted. To suggest students are somehow disenfranchised or the Assembly meeting its goal of establishing a polling place at UAA is false.

Question was called on the motion to postpone action on AO 2000-76 and it passed:

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

F. Resolution No. AR 2000-142, a resolution of the Municipality of Anchorage protesting the beverage dispensary liquor license renewal for **Anna's Place**, Assemblymember Von Gemmingen. (**LAI**D ON THE **TABLE**)

Mr. Tesche and Ms. Clementson joined Ms. Von Gemmingen in introducing this resolution. The public hearing was scheduled for May 31, 2000.

G. Ordinance No. AO 2000-93, an ordinance amending Anchorage Municipal Code Section 28.60.030, Absentee Voting In Person, to **provide for absentee polling places and an election day absentee polling place on the University of Alaska, Anchorage campus**, Assemblymember Sullivan. (**LAI**D ON THE **TABLE**)

Mr. Sullivan, Mr. Tesche and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for June 13, 2000.

H.

Ms. Clementson moved, to change the orders of the day to consider
seconded by Ms. Von Gemmingen, reorganization of the Assembly.

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

Nominations were opened for the office of Chair.

Ms. Clementson moved, to nominate Fay Von Gemmingen.
seconded by Mr. Wuerch,

Mr. Tesche moved, to nominate Dick Tremaine.
seconded by Ms. Taylor,

Chairman Meyer announced Ms. Von Gemmingen received 6 votes and Mr. Tremaine received 5 votes. He congratulated Ms. Von Gemmingen.

Nominations were opened for the office of Vice Chair.

Mr. Wuerch moved, to nominate Kevin Meyer.
seconded by Mr. Tesche,

Ms. Fairclough moved, to nominate Cheryl Clementson.
seconded by Mr. Sullivan,

Chairman Meyer announced he received 6 votes and Ms. Clementson received 5 votes.

- I. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 393-2000, Ole's Pub - Transfer of Ownership and Transfer of Location for a Beverage Dispensary Liquor License (NO PREMISE), Clerk's Office.
(AMENDED & APPROVED 4-25-00; RECONSIDERATION WAS ENTERED ON THE MINUTES BY MS. ABNEY 4-25-00)

Ms. Abney pointed out the action was a very serious step. She felt the owner was entitled to a full hearing.

Ms. Clementson opposed reconsideration. Last week, the owner, who was aware he was coming before the Assembly to answer questions about his license, was swaying and his speech was not clear. She pointed out the Quarterly Bar Violations Report states the owner and bar tender of this establishment were intoxicated on the premises. The owner's interface with the Assembly shows a contempt for the body.

In response to Ms. Clementson, Municipal Manager George Vakalis stated the two undercover policemen observed The Raven for sometime. The bar tender was observed drinking alcohol which is not an State Alcoholic Beverage Control Board violation. A field sobriety test was administered and they judged him to be drunk. A citation was issued.

Ms. Clementson noted that bartender is the same person who wants to own a part of this license. She questioned how someone who was drinking alcohol could judge the sobriety of customers.

Question was called on the motion to reconsider AM 393-2000 and it failed:

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

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. **ADJOURNMENT:**

The meeting adjourned at 12:00 a.m.

Chair

ATTEST:

Municipal Clerk

Date Minutes Approved: September 26, 2000

LF/lf

INDEX

| <i>Subject</i> | <i>Page</i> |
|--|------------------------------|
| Alaska Bus And Van Roadeo | 3 |
| Alcoholic Beverage Licenses Conditions..... | 20 |
| Anchorage School District Budget | 13, 16, 22 |
| Appeal S-10518, Delong Landing Subdivision | 6 |
| Appeal S-10521, BLM Lots 84 & 85, Section 15 Subdivision..... | 6 |
| Appearance Request Change | 15 |
| Appearance Requests | |
| Barbara Aldeman, 4th Avenue Parking | 15 |
| Cathy Schindler, MOA Building Safety Policy On Installation Of Vinyl Windows | 15 |
| Mackenna Johns, Four Seasons Mobile Home Park..... | 11, 15 |
| Asphalt Emulsion..... | 5 |
| Asplund Wastewater Treatment Facility..... | 1 |
| Assembly Conduct Of Debate And Discussion | 16 |
| Assembly Meeting Schedule | 5, 9 |
| Assembly Order Of Business | 20 |
| Assembly Special Meeting | 7 |
| Automotive Replacement Glass | 5 |
| Bar Violations Report | 15 |
| Bond Issuance | 16 |
| Chugach Foothills Park/Turner Park Playground Improvements | 5 |
| Citizen Facility Naming Panel..... | 5, 6 |
| Civil Engineering Services | 5 |
| Code Change..... | 2, 3, 15, 16, 18, 20, 23, 24 |
| Community Councils | 16 |
| Community Development Block Grant (CDBG) Public Services Grant Awards | 5, 8 |
| Conflict Of Interest..... | 9, 14, 22 |
| Contracts Awarded Between \$30,000 And \$100, 000..... | 6 |
| Dislocated Worker Program..... | 2 |
| Eagle River Reservoir | 5 |
| Eagle River Water Improvements | 5 |
| Educational Capital Improvement Projects | 16 |
| Engineering Services | 5 |
| Equal Rights Commission..... | 5 |
| Federation Of Community Councils | 6 |
| FEMA Sponsored Project Impact Program Initiative | 3 |
| Fire Apparatus..... | 2, 3 |
| Fire Department..... | 2, 3, 5 |
| Fire, Rescue, And EMS Operations..... | 3 |
| Flatbed Truck Purchase | 3 |
| General Government Operating Budget | 9, 20 |
| Heritage Land Bank..... | 17 |
| Human Services Matching Grant Awards..... | 5, 8 |
| I/M Stickers | 2 |
| IBEW Agreement..... | 3 |
| Land Sale, Purchase, Lease, Conveyance Or Donation | 2, 17, 18 |
| Landfill Water Quality Monitoring Program..... | 5 |
| Legal Services | 5 |
| Liquor License Protest..... | 24 |
| Liquor Licenses | 4, 6, 7, 15, 25 |
| Lobbying Regulations | 16 |
| Mayoral Vetos | 20 |
| Merrill Field Airport | 2, 18 |
| Midtown Park | 17 |
| MOA Trust Fund | 2, 3, 6, 13, 14, 16, 20 |
| Motor Graders | 5 |
| Municipal Publications..... | 2 |
| Municipal Runoff Election Certification | 9, 20 |
| Oberg Field..... | 5 |
| Old Girdwood Sanitary Sewer Improvement District | 18 |
| Outdoor Recreation Facilities | 16 |
| Pension Plan Participation..... | 3 |
| Planning And Zoning Commission | 2, 11, 15, 16 |
| Police And Fire Retirement Board | 5, 9 |
| Police And Fire Retirement System..... | 3, 5, 6, 14, 20 |
| Police Department..... | 15, 20 |
| Polling Places | 15, 24 |
| Port Dock Piping Replacement Project..... | 5, 8 |
| Prefunding Investment Board | 6 |
| Public Safety And Related Capital Improvement Projects..... | 17 |
| Public Transit Advisory Board | 18 |

Radio Base Stations And Dispatch Center Consoles 5

Recognizing

 Dwayne Aldridge.....3, 6

 Vivian Dietz-Clark.....4, 7

Recycling.....2

Refuse Containerized Services, Schedules, And Rates 18

Revocable Use Permit For Relocation3

Rezoning.....1, 2, 11, 15, 16

Senate Bill 192.....3, 6

Sister City Commission.....4

Smoke Filter Systems5

Smoking In Work Places And Enclosed Public Places2

Sole Source Procurement Report6

Special Assessment District2

State Transfer Of Responsibilities Agreement (TORA).....3

Stop Or Yield Sign Placement.....16

Street Maintenance, Parks And Recreation Vehicles And Equipment.....17

Sulfur Dioxide5, 8

Tax Payments Delinquent Dates3

Tax Reduction3

Taxes, Setting The Levy Rate Of15, 22

Telephone Support Services5

Transportation Funding19

Transportation Improvement Program.....20

Watershed Management Support5