

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

1. CALL TO ORDER:

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

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE:

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

The pledge was led by Mr. Wuerch.

4. MINUTES OF PREVIOUS MEETING:

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

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

to approve the minutes of the regular meetings of November 23 and December 14, 1999.

5. MAYOR'S REPORT

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

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

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

6. ADDENDUM TO AGENDA

Mr. Tesche moved,
seconded by Ms. Taylor,

to amend the agenda to include the addendum items.

Chairman Meyer read the addendum items.

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

to amend the addendum to include item B.8, AO 2000-46.

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

7. **CONSENT AGENDA:**

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

to approve all items on the consent agenda as amended.

A. **BID AWARDS:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C. RESOLUTIONS FOR ACTION:

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

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

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

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

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

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

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

D. NEW BUSINESS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

E. INFORMATION AND REPORTS:

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

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

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

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

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

8. REGULAR AGENDA:

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to continue the public hearing for item 11.B, AO 2000-22,
until February 15, 2000 to coincide with the hearing for
AO 2000-43.

Municipal Manager George Vakalis said he did not oppose the motion. However, he clarified the executive director of the organization was contacted about tonight's proposed change, when it was known.

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

Mr. Wuerch moved,
seconded by Ms. Clementson,

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

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

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

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

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

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

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

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

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

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

D. RESOLUTIONS FOR ACTION:

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

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

to approve AR 2000-31.

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

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

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

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

to approve AR 2000-32.

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

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

Management Information Services Director Dave Rudisill thanked Mr. Robinson. He also thanked MIS employees who worked hard on upgrading about 2,000 Municipal personal computers, as well as the associated software. He also thanked those that worked on updating the mainframe operating system. He especially recognized the Application Services Division staff, most of whom worked without any days off since Halloween dealing with Y2K problems. Thanks to Tom Berg, Ed DeVoe, Dwain Gibson, Mike Marsh, John Meekins, Carol Saxby and Rob Robinson, there was not a single significant production Y2K failure at the turn of the year, which was remarkable.

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

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

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

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

E. NEW BUSINESS:

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

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

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

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

Mr. Tremaine moved, to postpone action on AM 148-2000 until the February 8,
seconded by Mr. Kendall, 2000 continuation of this meeting, pending more information
and it passed without on Mr. Dinneen's attendance record.
objection,

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

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

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

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

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

Municipal Manager George Vakalis requested this item be postponed indefinitely.

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

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

Mr. Tremaine moved, to approve AM 121-2000.
seconded by Ms. Fairclough,

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

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

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

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

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

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

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

Mr. Tesche moved, to approve AM 133-2000.
seconded by Ms. Taylor,

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

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

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

Ms. Hughes said there was no competitive bid.

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

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

Ms. Fairclough moved, to approve AM 134-2000.
seconded by Ms. Clementson,

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

Municipal Attorney Mary Hughes agreed to provide an analysis.

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

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

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

Mr. Tremaine moved, to approve AM 143-2000.
seconded by Mr. Tesche,

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

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

F. INFORMATION AND REPORTS:

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

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

to accept this information, begin the March 7, 2000 meeting at 4:00 p.m., and consider the appeal at the beginning of the meeting.

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

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

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

Ms. Clementson moved,
seconded by Mr. Kendall,

to adopt AO 2000-21.

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

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

to amend AO 2000-21 on page 2, line 20.5 to read:
"...\$23.12."

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

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

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

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

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

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

Mr. Kendall moved,
seconded by Mr. Tesche,

to approve AM 99-2000.

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

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

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

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

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

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

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

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

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

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

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

10. **APPEARANCE REQUESTS:** None.

11. **CONTINUED PUBLIC HEARINGS:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to approve AR 2000-16.

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

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

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

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

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

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

Ms. Taylor moved, to postpone action on AR 2000-16 until the February 8
seconded by Mr. Tesche, continuation of this meeting, and hold a worksession on that
date.

Mr. Tierney suggested the Assembly approve at least \$160,000 of the proposed appropriation, to allow payment of counsel.

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

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

Ms. Clementson moved, to substitute a motion to approve \$160,000 of the
seconded by Ms. Von Gemmingen, appropriation, and postpone the remaining \$65,000 until
February 15, 2000 at a 4:00 p.m. early start to that meeting,
and that for the purposes of pursuing settlement, the case
return to control of the Municipal Attorney.

Mr. Tesche felt the attorneys should be paid for work already done, and the services returned to in-house attorneys.

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

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

Mr. Sullivan spoke in support of the motion.

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

Mr. Wuerch moved, to call the previous question.
seconded by Mr. Kendall,

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

NAYS: Tremaine, Tesche, Taylor.

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

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

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

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

NAYS: Tremaine, Taylor.

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

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

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

NAYS: Tremaine, Taylor.

Ms. Clementson moved,
seconded by Ms. Fairclough,

to approve AM 105-2000.

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

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

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

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

NAYS: Tremaine, Taylor.

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

1. Assembly Memorandum No. AM 42-2000.

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

3. Assembly Memorandum No. AM 126-2000.

(CONTINUED FROM 1-25-00)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NAYS: None.

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

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

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

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

12. NEW PUBLIC HEARINGS:

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

1. Assembly Memorandum No. AM 68-2000.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Assembly then considered item 14, Special Orders.

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

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

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

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

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

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

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

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

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

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

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

The meeting recessed at 11:15 p.m.

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

CALL TO ORDER:

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

ROLL CALL:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to amend AO 2000-28 on page 4 to delete Denali Elementary
under “Districtwide Electrical Upgrades in Support of
Computers.”

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

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

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

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

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

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

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

Ms. Clementson moved,
seconded by Ms. Fairclough,

to postpone action on AO 2000-12 indefinitely.

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

Mr. Kendall moved,
seconded by Ms. Clementson,

to postpone action on AO 2000-27 indefinitely.

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

Mr. Kendall moved,
seconded by Ms. Fairclough,

immediate reconsideration of action on item 12.D,
AO 2000-28.

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

Mr. Kendall moved,
seconded by Ms. Fairclough,

immediate reconsideration of action on item 12.D,
AO 2000-29.

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

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

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

This item was considered after item 12.F.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In response to Mr. Tremaine, Mr. Eggers said gun dealers are facing delays in obtaining their ATF licenses, because ATF is now aware of the local law, and has regulations that require them to ensure compliance with all local laws before issuing the Federal license.

In response to Mr. Kendall, Mr. Eggers clarified the Federal Gun Control Act was passed in 1968. He discussed Federal regulations for tracking gun sales. He noted local gun dealers have a good relationship with Anchorage police.

In response to Mr. Tesche, Mr. Eggers thought it was not possible for someone to sell used or new firearms without a Federal ATF permit.

CHRISTI WEST, owner of Wild West Guns, spoke in support of the ordinance. She stressed the care she takes to comply with Federal laws and regulations. She felt all gun dealers want to reduce the traffic of stolen merchandise; she wanted to

assist law enforcement officials with tracking and recovery of stolen firearms. Ms. West felt additional or duplicative regulations without providing any benefits was pointless.

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

Mr. Kendall moved, to adopt AO 2000-26(S-1), with a correction on line 27 to
seconded by Ms. Taylor, read: "...Act of 1968,..."

Mr. Kendall noted the law has been in place since before unification of the Municipality in 1975. He said the Police Department had never utilized this part of the secondhand law, and there have been no problems, so he felt it was not needed. He felt other changes to the remainder of the secondhand laws were needed, but he brought this portion forward as gun dealers have a timeliness issue with receiving ATF permits.

Mr. Wuerch agreed redundant regulations do not achieve anything. He felt the Federal regulations were adequate. The police do not seem to need the law, and can access Federal records whenever necessary. He urged support of the ordinance.

Ms. Abney also supported the ordinance. She felt duplicative laws were onerous.

Ms. Von Gemmingen applauded the Clerk's Office for diligently applying the law.

Ms. Fairclough explained she intended to chair a committee to review the remainder of the secondhand merchant provisions in the Code. She said she would contact interested parties after the beginning of March, when bond issues are complete.

Question was called on the motion to adopt AO 2000-26(S-1) as amended and it passed:

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

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

The Assembly then returned to item 12.E, AO 99-148.

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

1. Assembly Memorandum No. AM 1140-99.

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

Ms. Fairclough explained this issue was very important to her constituents. The developer has requested the public hearing be continued to February 15, but she was concerned bond issues would take precedence on that evening's agenda.

Mr. Wuerch pointed out delay to March 7, the next meeting after February 15, might pose a problem to the developer because of the construction season.

Chairman Meyer noted the February 15 meeting will begin at 4:00 p.m.

Ms. Fairclough said she would prefer continuation to March 7, to allow a vote on the same night as public hearing.

Mr. Wuerch moved, to continue the public hearing for AO 99-148 until
seconded by Ms. Fairclough, February 15, 2000.
and it passed without
objection,

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS: Some other special orders were considered earlier in the meeting, during public hearing on items 12.A. through 12.D.

A. Resolution No. AR 2000-39, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 203, "An Act relating to metropolitan planning organizations and to designation of a metropolitan planning organization area for the Anchorage metropolitan area; and providing for an effective date."**, Assemblymembers, Abney, Tesche, Taylor, Von Gemmingen. **(LAID ON THE TABLE)**

Ms. Abney moved, to approve AR-2000-39.
seconded by Ms. Taylor,

Ms. Abney stated the subject legislation would change the composition of the AMATS Committee, to include two non-voting members from the State Legislature. She asked for support of the resolution.

Ms. Taylor and Ms. Von Gemmingen asked to be added as co-sponsors of the resolution.

Ms. Von Gemmingen felt the Municipal lobbyist and Municipal Attorney Mary Hughes were made aware of the Assembly's position on this issue.

Mr. Wuerch pointed out the proposed State legislation would include the legislators as non-voting members to AMATS. He noted there has been a problem in the past with Anchorage delegates not being well-informed about AMATS Committee activities. He felt it would be positive to improve communications between Legislators and the AMATS Committee. He urged careful consideration of defending a status quo that has provided a few disadvantages.

Ms. Sullivan concurred that non-voting members would be positive. Communication was important.

In response to Mr. Wuerch, Deputy Municipal Attorney Bill Greene said Federal legislation permits State legislation on these matters. However, there is also a requirement that the agreement be cooperative between the metropolitan planning organization and the Governor.

Mr. Kendall felt improvement of communication with the Legislature was an important goal. He felt the fact the legislative members would have non-voting status was a good compromise.

Mr. Tremaine saw the merit in both sides of this issue. He felt a resolution was not far away. He felt communication with legislators should be encouraged, but did not see the need to add them as non-voting members of the AMATS Committee.

Mr. Tesche felt a legal opinion would be required to determine whether the addition of non-voting members would be in compliance with Federal regulations on the composition of the Committee. He pointed out there is an opportunity for anyone to be heard at AMATS Committee meetings. Legislators have attended meetings and made comments in the past. He did not see the need to increase the membership of the Committee by adding legislators.

Ms. Taylor concurred with Mr. Tremaine, Ms. Abney and Mr. Tesche.

Ms. Hughes said she reviewed Senate Bill 203, and felt it was significant in that it redesignates the AMATS grouping. Also, the bill would add a duty for the Committee, to forward their plan to the Legislature. She suggested her staff analyze the bill before the Assembly takes action, as the Senate legislation is irreversible.

Ms. Taylor moved, to call the previous question.
seconded by Ms. Von Gemmingen,

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

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

Mr. Sullivan moved, to postpone action on AR 2000-39 until March 21, 2000
seconded by Mr. Wuerch, to allow time for a legal opinion from the Municipal
Attorney's office.

Chairman Meyer did not recognize Mr. Sullivan's motion. He explained the motion to call the previous question passed, and the question must be called.

Question was called on the motion to approve AR 2000-39 and it passed:

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

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

Mr. Kendall moved, to enter reconsideration of AR 2000-39 on the minutes.
seconded by Mr. Wuerch,

(Clerk's Note: See minutes of February 15, 2000 for further action.)

- B. Ordinance No. AO 2000-53, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.040, **Appearance Request**, to change the deadline requirement for placement before Assembly after acceptance from 14 days to seven days, Assemblymember Taylor.
(LAID ON THE TABLE)

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

- C. Ordinance No. AO 2000-54, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.080, **Conduct of Debate and Discussion**, to change the time limit on remarks from individuals from three minutes to five minutes, Assemblymember Taylor.
(LAID ON THE TABLE)

Ms. Taylor, Mr. Tesche and Mr. Tremaine joined in introducing this ordinance. The public hearing was scheduled for March 21, 2000.

- D. Resolution No. AR 2000-40, a resolution of the Anchorage Municipal Assembly **recommending joint public hearings between the Assembly and Planning & Zoning Commission on the Anchorage Comprehensive Plan**, Assemblymembers Taylor and Tesche. (**LAI D ON THE TABLE**)

Ms. Taylor introduced this resolution. She asked it be scheduled for action on March 7, 2000.

Mr. Wuerch requested a legal opinion on whether Assembly members can be required to attend the proposed Planning and Zoning Commission meetings.

- E. Chairman Meyer announced the Ethics Board issued a finding on Case 99-5 and reported those findings to the Assembly. The Assembly is now required to act. He asked for volunteers to serve on a subcommittee and meet with Deputy Municipal Attorney Bill Greene. Mr. Tremaine and Mr. Tesche volunteered.
- F. Chairman Meyer noted the Assembly would meet with the Anchorage Legislative Caucus on February 12, 2000. He invited everyone to attend.

15. ASSEMBLY COMMENTS:

Ms. Taylor encouraged everyone to contact the Lieutenant Governor's Office, regarding the Let's Vote Alaska program, a project to encourage young people to participate in the electoral process.

Ms. Abney thanked the Municipal Manager George Vakalis and the Administration for their work in coordinating emergency responses to recent avalanche problems in the Turnagain Arm and Girdwood areas.

16. UNFINISHED AGENDA:

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

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

Mr. Tremaine said his questions on this item had been answered. He recommended approval.

Question was called on the motion to approve AM 148-2000 and it passed without objection.

17. AUDIENCE PARTICIPATION:

TOM MCGRATH reminded everyone of the Spirit of Youth awards banquet on February 19, 2000. He encouraged everyone to attend. Spirit of Youth is a Statewide program to recognize exceptional young people.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 8:20 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: March 7, 2000

LF/db

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