

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of October 17, 2000

1. CALL TO ORDER:

The meeting was convened at 5:05 p.m. by Assembly Chair Fay Von Gemmingen in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Sullivan, Dick Tremaine, Pat Abney, Dan Kendall, Allan Tesche, Fay Von Gemmingen, Kevin Meyer, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.

Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Tesche.

4. MINUTES OF PREVIOUS MEETING: None.

5. MAYOR'S REPORT:

Mayor Wuerch noted that some Administration staff, with laptop computers, were experimenting with the first real-time connection from the Assembly Chambers to the Municipality's Internet home page. He explained they were attempting to transmit to the Municipality's home page as the Assembly proceeded through the meeting agenda. He said they would report back to the Assembly when they had determined whether the experiment was successful. Mayor Wuerch announced that the Administration was delighted to host the Alaska Federation of Natives (AFN) for their 35th convention this week. He said he was pleased that the AFN had once again chosen Anchorage as the city to host their convention, and he pledged his support in making it a great success. He added that the AFN would be officially welcomed with a resolution later this week. Mayor Wuerch advised that the DUI Prevention Task Force had completed its public hearings and deliberations. He said the Task Force had requested, and he had approved, a two-week extension to prepare its report. With respect to the Community Service Patrol contract, Mayor Wuerch said the Administration had been enjoined by the court not to proceed with the award of the contract, and in the alternative, had awarded a short-term contract with the Salvation Army, who had taken over on short notice the previous Friday. He said he had received positive reports regarding a smooth transition, and he thanked the Salvation Army for taking over the services during the interim. He noted that the Salvation Army's services were being provided at a slight increase in cost over the contractor that was originally selected, but the Administration would be able to determine how to proceed on a permanent basis following the November 7th vote on the tax cap issue. Mayor Wuerch asked Office of Planning, Development and Public Works Director Craig Campbell to update the Assembly on his reorganization efforts to date.

A. Planning, Development and Public Works Reorganization.

Mr. Campbell said his presentation was the result of the Assembly's September 26 vote to adopt the reorganization of the Community Planning and Development, Building Safety, Public Works, and Property and Facility Management Departments under one new department to be called the Office of Planning, Development, and Public Works. The objectives of the reorganization, as set out by the Assembly and the Administration, were to: (1) decentralize and streamline the decision-making process, (2) empower the directors of the new department to make decisions that would allow efficient government to be provided to the customers as expeditiously as possible, (3) initiate a team concept designed to ensure that the team has the entire program from beginning to end, (4) integrate Planning and Public Works, (5) consolidate Project Management and Engineering Services, (6) improve the public review process, (7) streamline internal coordination, (8) decrease conflicting guidance to the public, (9) increase productivity, and (10) reduce costs. Mr. Campbell elaborated on each objective, explained how they were interrelated with the services to be provided by the new department, and summarized how they had been successfully accomplished to achieve an integrated Office of Planning, Development, and Public Works. He also detailed how the former Municipal departments would be consolidated and integrated into the new Office of Planning, Development, and Public Works, and how the new departments would work together under the team concept. Mr. Campbell said the five primary goals of the reorganization were to: (1) create a project development team concept through the new office that would bring projects from inception to completion under one team, (2) improve internal communications to reduce conflicting information being provided to the public and to streamline the process and make it more efficient and effective, (3) improve service through team efficiencies, (4) provide one-stop shopping for customers, which will primarily be provided through the Development Services Department, and (5) improve customer service. Mr. Campbell said after two months of working with the team, these goals are being met, and the reorganization has provided the opportunity to bring efficiencies to the public through a cohesive process. He said they were pleased the Assembly had adopted the reorganization, and they were already beginning to see the results reflected in the A and B budgets. He said the Administration looked forward to working with the Assembly in making this the most successful reorganization in Municipal history.

In response to Chair Von Gemmingen, Mr. Campbell said they had, in an abbreviated fashion through the Development Advisory Committee that meets once a month, introduced the reorganization concepts to home builders, the Professional Design Council, general contractors, and other professional organizations that would be impacted by the reorganization. In addition, he and Municipal Engineer Howard Holtan had given presentations to various organizations to get the word out regarding the reorganization.

6. ADDENDUM TO AGENDA:

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

Chair Von Gemmingen read the addendum items.

Mr. Tesche moved, to add Assembly Memorandum 972-2000 as
seconded by Ms. Fairclough, item 7.D.18. recommending approval of the Community
and it passed without Service Patrol and Transfer Station Grant to the Salvation
objection, Army in an amount not to exceed \$30,000.

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

7. CONSENT AGENDA:

Mr. Meyer moved, to approve all items on the consent agenda as amended.
seconded by Ms. Taylor,

A. BID AWARDS:

1. Assembly Memorandum No. AM 926-2000, recommendation of award to Spenard Builders Supply for furnishing **pre-hung metal and wood doors and miscellaneous items** to the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B081) (\$250,000), Purchasing.
2. Assembly Memorandum No. AM 927-2000, recommendation of award to Arctic Builders for furnishing **wood, lumber, insulation, sealing, and roofing products** to the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B081) (\$250,000), Purchasing.
3. Assembly Memorandum No. AM 938-2000, recommendation of award to American LaFrance Medicmaster for furnishing **4x4 heavy duty medic ambulances** to the Municipality of Anchorage, Fire Department (ITB 20-B098) (\$254,146), Purchasing.
4. Assembly Memorandum No. AM 939-2000, recommendation of award to Northern Building Supplies, Inc. for furnishing **door casings and windows** to the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B081) (\$250,000), Purchasing.
5. Assembly Memorandum No. AM 946-2000, recommendation of award to SiteWorks for **Phase II - Chuck Albrecht Softball Complex** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 20-C061) (\$774,465.20), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2000-148, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$98,150,000 in aggregate principal amount of General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; rescinding \$5,700,000 of General Obligation School Bond authorization; and related matters, Finance. public hearing 10-31-00.
 - a. Assembly Memorandum No. AM 921-2000.

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

2. Ordinance No. AO 2000-149, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$40,000,000 in aggregate principal amount of General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. public hearing 10-31-00.
 - a. Assembly Memorandum No. AM 922-2000.
3. Ordinance No. AO 2000-150, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of General Obligation Refunding General Purpose Bonds of the Municipality in the aggregate principal amount of not to exceed \$10,000,000** to provide funds required to refund certain outstanding General Obligation General Purpose Bonds and General Obligation Refunding General Purpose Bonds of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Office to negotiate and execute a contract for the purchase and sale of said bonds and related matters, Finance. public hearing 10-31-00.
 - a. Assembly Memorandum No. AM 923-2000.

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

4. Ordinance No. AO 2000-151, an ordinance of the Municipality authorizing a sole source sale by the Heritage Land Bank (HLB) of the development rights and the establishment of a conservation easement on HLB Parcel No. 5-018, a 159.83 acre parcel of land commonly known as **Tracts A &**

B, ASLS No. 97-29, Plat No. 98-18 (Klatt Bog) to Ted Stevens Anchorage International Airport, Heritage Land Bank. ~~public hearing 10-31-00.~~

a. Assembly Memorandum No. AM 928-2000.

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

5. Ordinance No. AO 2000-152, an ordinance amending the zoning map and providing for the rezoning from R-3 SL (Multiple Family Residential District) with Special Limitations to R-6 (Suburban Residential District) for approximately 29 acres of an 80.9 acre parcel platted as **Tract A-4, Viewpoint South Subdivision**; generally located east of Goldenview Drive (extended), on the north and east side of Potter Valley Road and on the south side of England Avenue (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-024), Planning Department. public hearing 12-12-00.
 - a. Assembly Memorandum No. AM 937-2000.
6. Resolution No. AR 2000-286, a resolution of the Municipality of Anchorage appropriation \$1,297,771 to the State Categorical Grants Fund (231) from the State Department of Health and Social Services, and appropriating \$270,000 and \$258,380 Assembly added funds to the State Categorical Grants Fund (231) from the General Government Operating Budget Areawide General Fund (101), Health and Human Services Department, to **fund essential health and human services in the Municipality of Anchorage**, Health and Human Services. public hearing 10-24-00.
 - a. Assembly Memorandum No. AM 929-2000.
7. Resolution No. AR 2000-287, a resolution of the Municipality of Anchorage Assembly appropriating \$60,000 from the Heritage Land Bank General Fund (221) to the Heritage Land Bank Capital Improvement Program Fund (421) for **survey requirements**, Heritage Land Bank. public hearing 10-31-00.
 - a. Assembly Memorandum No. AM 947-2000.
8. Ordinance No. AO 2000-153, an ordinance amending the zoning map and providing for the rezoning from R-2M (Multiple Family Residential District) to R-O SL (Residential-Office District) with Special Limitations for **Medical Park Subdivision, Tract 2A**; generally located west of Lake Otis Parkway and south of East 40th Avenue (extended) (Tudor/University Area Community Councils) (Planning and Zoning Commission Case 2000-138), Planning Department. public hearing 11-21-00. (**addendum**)
 - a. Assembly Memorandum No. AM 957-2000.

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

9. Ordinance No. AO 2000-154, an ordinance of the Anchorage Municipal Assembly **designating that regular meeting of the Assembly shall be held on Wednesday, November 8, 2000**, Assembly Chair Von Gemmingen. public hearing 10-31-00. (**addendum**)
 - a. Assembly Memorandum No. AM 958-2000.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-290, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Leo J. Brandlen for his 20 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen.

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

2. Resolution No. AR 2000-291, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Leslie C. Withers for her 20 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen.
 - a. Resolution No. AR 2000-291(S), a resolution of the Anchorage Municipal Assembly recognizing and honoring Detective Leslie C. Withers for his 20 years of service with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

3. Resolution No. AR 2000-288, a resolution of the Municipality of Anchorage appropriating \$40,000 from the U.S. Environmental Protection Agency to the Federal Categorical Grants Fund (241) for the **Anchorage Air Pollution Control Agency** in the Department of Health and Human Services.
 - a. Assembly Memorandum No. AM 930-2000.
4. Resolution No. AR 2000-289, a resolution of the Municipality of Anchorage providing for the appropriation of \$1,358 from donations 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 931-2000.
5. Resolution No. AR 2000-292, a resolution of the Anchorage Municipal Assembly **setting dates for town meetings on the FY 2001 General Government Operating Budget**, Assemblymember Tesche.

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

6. Resolution No. AR 2000-295, a resolution of the Anchorage Municipal Assembly **recognizing 'Anchorage Youth Make A Difference Day'**, October 21, 2000, Assemblymembers Fairclough, Abney, Clementson, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

7. Resolution No. AR 2000-296, a resolution of the Anchorage Municipal Assembly **supporting the Anchorage Ski Club's application for an Alaska State Parks Recreational Trails Grant**, Assemblymembers Fairclough, Abney, Clementson, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

8. Resolution No. AR 2000-297, a resolution of the Anchorage Municipal Assembly **welcoming Alaska Natives from around the State and supporting the goal of the Alaska Federation of Natives 2000 Annual Convention** during the week of October 19-21, 2000, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

9. Resolution No. AR 2000-298, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Zoran Yankovich, Resident Agent-In-Charge of the Anchorage Drug Enforcement Administration Office**, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 951-2000, **Public Transit Advisory Board appointment** (Lora Newby), Mayor's Office.
2. Assembly Memorandum No. AM 952-2000, **South Goldenview Limited Road Service Area Board of Supervisors appointments** (Jack McKeever, James Sizemore, Matt Scully), Mayor's Office.
3. Assembly Memorandum No. AM 948-2000, **C&D Liquor #4** - Transfer of Ownership and Transfer of Location for a Package Store Liquor License (Rogers Park Community Council), Clerk's Office.
 - a. Information Memorandum No. AIM 110-2000. (**addendum**)

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

4. Assembly Memorandum No. AM 949-2000, **Homestead Sports Lounge** (License No. 2895) - Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (Eagle River Community Council), Clerk's Office.
5. Assembly Memorandum No. AM 950-2000, **Susitna Food & Spirits** (License No. 990) - Transfer of Ownership and Application for a Restaurant Designation Permit for a Beverage Dispensary Tourism Liquor License (Spenard and Turnagain Community Councils), Clerk's Office.
6. Assembly Memorandum No. AM 932-2000, change order No. 1 to vendor contract 99MIS519 to exercise the first option period with Comtec Business Systems, Inc. for furnishing **Nortel replacement parts** for the Municipality of Anchorage, Management Information Systems Department (\$100,000), Purchasing.
7. Assembly Memorandum No. AM 933-2000, change order No. 2 to purchase order 83588 to exercise the final option period with Snowball Express to provide **snow removal services at Eagle River People Mover bus stops and Park & Ride lots** for the Municipality of Anchorage, Public Transportation Department (\$15,000), Purchasing.

Chair Von Gemmingen noted for the record she had a conflict of interest and would abstain from voting on this item.

8. Assembly Memorandum No. AM 934-2000, proprietary purchase from Western Utility Supply Company and Alaska Pipe & Supply, Inc. for **fire hydrant replacement parts** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$150,000), Purchasing.

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

9. Assembly Memorandum No. AM 935-2000, AR 2000-287; **Grant Anticipated Revenue Vehicle (GARVEE) Bond**, Planning Department.
10. Assembly Memorandum No. AM 936-2000, change order No. 3 to construction contract with Summit Paving & Construction, Inc. for **Russell's Field playfield improvements**, Cultural and Recreational Services.
11. Assembly Memorandum No. AM 940-2000, change order No. 2 to purchase order 80543 with Virginia McMichael for providing **administrative support to the Chugiak Volunteer Fire Department** for the Municipality of Anchorage, Fire Department (\$3,000), Purchasing.
12. Assembly Memorandum No. AM 941-2000, recommendation of award to TriTech Software Systems, Inc. for providing a **fire Computer Aided Dispatch (CAD) and Records Management**

- System (RMS)** for the Municipality of Anchorage, Management Information Systems Department (RFP 99-P029) (\$1,807,615), Purchasing.
13. Assembly Memorandum No. AM 942-2000, change order No. 1 to vendor contract 20MLP327 with PCE Pacific Inc. for furnishing **technical services, repairs and Fisher pneumatic and electronic component parts** to the Municipality of Anchorage, Municipal Light and Power (\$10,000), Purchasing.
14. Assembly Memorandum No. AM 943-2000, proprietary purchase from Far North Supply to provide **Donaldson filters, parts, and services** for the Municipality of Anchorage, Municipal Light and Power (\$75,000), Purchasing.
15. Assembly Memorandum No. AM 944-2000, change order No. 2 to vendor contract 99MLP0414 with Siemens Westinghouse for furnishing **Westinghouse replacement parts, technical services, and repairs** to the Municipality of Anchorage, Municipal Light and Power (\$250,000), Purchasing.
16. Assembly Memorandum No. AM 945-2000, change order No. 2 to vendor contract 83866 with The Printer for providing **police vehicle decals** to the Municipality of Anchorage, Department of Property and Facility Management (\$45,000), Purchasing.
17. Assembly Memorandum No. AM 960-2000, proprietary purchase to BMC Software for providing **professional database administrator services** to the Municipality of Anchorage, Management Information Systems Department (\$100,000), Purchasing. (**addendum**)

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

18. Assembly Memorandum No. AM 972-2000, **Community Service Patrol and Transfer Station grant** to the Salvation Army, Health and Human Services. (**LAI D ON THE TABLE**)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 106-2000, Internal Audit Report 2000-10 - **Cash Controls, Museum of History and Art**, Cultural and Recreational Services/Internal Audit.

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

2. Information Memorandum No. AIM 107-2000, **Sole Source Procurement** for the month of September 2000, Purchasing.
3. Information Memorandum No. AIM 108-2000, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of September 2000, Purchasing.
4. Information Memorandum No. AIM 109-2000, report on award of propriety purchase of **computer hardware/software maintenance and new hardware storage equipment** from International Business Machines, Inc. (IBM) (\$1,109,737), Purchasing.

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

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

8. REGULAR AGENDA:

A. BID AWARDS: None.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2000-148, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$98,150,000 in aggregate principal amount of General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; rescinding \$5,700,000 of General Obligation School Bond authorization; and related matters, Finance. public hearing 10-31-00.
- a. Assembly Memorandum No. AM 921-2000.

Ms. Fairclough, Ms. Taylor, and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for October 31, 2000.

In response to Ms. Fairclough's question, Don Duhr, Finance Department, stated the request for \$5.7 million was being rescinded because when Anchorage School District bond propositions go before the voters, they are project-specific. He said the School District had a number of projects which were completed under budget, and the \$5.7 million in bonds did not need to be sold.

2. Ordinance No. AO 2000-150, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of General Obligation Refunding General Purpose Bonds of the Municipality in the aggregate principal amount of not to exceed \$10,000,000** to provide funds required to refund certain outstanding General Obligation General Purpose Bonds and General Obligation Refunding General Purpose Bonds of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Office to negotiate and execute a contract for the purchase and sale of said bonds and related matters, Finance. ~~public hearing 10-31-00.~~

- a. Assembly Memorandum No. AM 923-2000.

Ms. Clementson moved, to postpone action on AO 2000-150 indefinitely.
seconded by Mr. Sullivan,
and it passed without
objection,

Ms. Clementson noted that per a memo randum from the Administration, this item would be reintroduced on October 31, 2000.

3. Ordinance No. AO 2000-151, an ordinance of the Municipality authorizing a sole source sale by the Heritage Land Bank (HLB) of the development rights and the establishment of a conservation easement on HLB Parcel No. 5-018, a 159.83 acre parcel of land commonly known as **Tracts A & B, ASLS No. 97-29, Plat No. 98-18 (Klatt Bog)** to Ted Stevens Anchorage International Airport, Heritage Land Bank. ~~public hearing 10-31-00.~~
a. Assembly Memorandum No. AM 928-2000.

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

Ms. Fairclough asked whether the wetland designation reflected on page C of the Appendix would be changed from B to A, which was one of the criteria for Klatt Bog. She requested that information be provided prior to the public hearing.

Mr. Tesche moved, to schedule the public hearing for AO 2000-151 for the second
seconded by Mr. Sullivan, Regular Assembly meeting in January 2001.

Mr. Sullivan said this delay had been requested by the Turnagain Community Council, and he had been assured by Kathy Gleason of the Council that the delay would have no impact on the Airport. He invited Larry Houle or any representative of the airport to advise whether the delay would impact the airport.

Mayor Wuerch responded that the delay would not create a problem for the Municipality. Mayor Wuerch said this was a very complex land exchange issue related to the Anchorage International Airport settlement. He said it had a long history and a few more months would not make any difference.

Mr. Houle advised the Airport was in the midst of the Corps permitting process. He said they were already a month behind in their timeline, but the Airport would follow the decision of the Assembly.

Question was called on the motion to schedule the public hearing for AO 2000-151 for the second Regular Assembly meeting in January 2001 (January 23) and it passed without objection.

4. Ordinance No. AO 2000-153, an ordinance amending the zoning map and providing for the rezoning from R-2M (Multiple Family Residential District) to R-O SL (Residential-Office District) with Special Limitations for **Medical Park Subdivision, Tract 2A**; generally located west of Lake Otis Parkway and south of East 40th Avenue (extended) (Tudor/University Area Community Councils) (Planning and Zoning Commission Case 2000-138), Planning Department. public hearing 11-21-00. (**addendum**)
a. Assembly Memorandum No. AM 957-2000.

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

Ms. Clementson moved, to schedule the public hearing for AO 2000-153 for
seconded by Mr. Sullivan, December 12, 2000.

Ms. Clementson said this item was not time critical, and the Assembly would be busy dealing with the budget on November 11. She said it was unlikely the Assembly would be able to address this at the November 21 meeting, and felt it would be wise to schedule the public hearing on AO 2000-153 following that date.

Mr. Meyer said the developer had spoken to him regarding this item, saying it was a time-sensitive project. He said the project had already started, there had been no objections from the Planning and Zoning (P&Z) Commission and very little testimony at the P&Z hearing. He said this appeared to be a non-controversial rezone and he felt there would not be much testimony on it at the public hearing. He said he had advised the developer that the public hearing on this issue was scheduled during the budget process and this issue may be postponed, but he said he would like to leave it scheduled for November 21.

Question was called on the motion to schedule the public hearing on AO 2000-153 for December 12, 2000, and it failed:

AYES: Abney, Clementson.

NAYS: Sullivan, Tremaine, Kendall, Tesche, Von Gemmingen, Meyer, Fairclough, Taylor, Van Etten.

The public hearing for AO 2000-153 was scheduled for November 21, 2000.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-290, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Leo J. Brandlen for his 20 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen.

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

to approve AR 2000-290.

Mr. Kendall read the resolution while Mr. Tesche presented it to Detective Brandlen.

Detective Brandlen said he was happy to have worked for the Anchorage Police Department, and he thanked the Assembly for the honor.

Ms. Clementson told Detective Brandlen she greatly appreciated the work and service he had provided the community over the years; she noted the resolution did not come close to reflecting that service.

2. Resolution No. AR 2000-291, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Detective Leslie C. Withers for her 20 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen.
 - a. Resolution No. AR 2000-291(S), a resolution of the Anchorage Municipal Assembly recognizing and honoring Detective Leslie C. Withers for his 20 years of service with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen.
(addendum)

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

to approve AR 2000-291(S).

Mr. Tremaine read the resolution while Mr. Tesche presented it to Detective Withers.

Detective Withers said it had been an honor and privilege to serve the citizens of Anchorage during the past 20 years, and he thanked the Assembly.

3. Resolution No. AR 2000-292, a resolution of the Anchorage Municipal Assembly **setting dates for town meetings on the FY 2001 General Government Operating Budget**, Assemblymember Tesche.

Mr. Tesche moved,
seconded by Ms. Taylor,

to approve AR 2000-292.

Mr. Tesche said the purpose of this resolution was to encourage additional participation by the citizens of Anchorage in the Municipal budget process. He said there could never be too much public input, especially in such a difficult budget year as this. He emphasized that these meetings would be informal gatherings, in a town meeting concept, throughout Anchorage. Although the meetings would be held on Saturdays, he encouraged the Assembly members to attend to hear public input. Mr. Tesche noted the meetings would be conducted following the November 7 election and would give the community a final opportunity to have a say on the Municipal budget. He urged approval of the resolution.

Mr. Meyer said the town meetings were an excellent idea; however, he expressed concern about the four-hour time frames. He pointed out that they would be obligated to hold the meetings open for that period of time even if no one attended. He suggested consolidating them to two meetings or reducing the meeting times to two hours instead of four.

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

to amend AR 2000-292 to eliminate the closing time for the town meetings.

Mr. Tesche said eliminating the closing times for the meetings may encourage people to attend earlier rather than later. He said the meeting rooms were scheduled for those blocks of time, but they would not be obligated to stay to a specific closing time if no one was present.

Ms. Clementson said she saw no difference between the town meetings and the public hearings that were already scheduled at the Assembly Chambers. She said the formal, televised Assembly public hearings provided more access to more people and would be more beneficial than the less formal, unstructured town meetings.

Mr. Tesche pointed out that they were dealing with two separate budgets, and the A budget differed vastly from the B budget. In that context, he said additional public hearings to take testimony were warranted. The difference, he said, was that the additional town meetings would take place after the tax cap issue had been decided by the voters, thereby making the testimony received at the town meetings absolutely clear -- it would either be addressed to the A budget or to the B budget, but not to both. Mr. Tesche agreed that the town meetings would not be televised, but he wanted to hear from the people, in their neighborhoods, where they may take the time to attend such a meeting when they would not attend a formal Assembly meeting to testify on this issue. He again urged approval of the resolution.

In response to Ms. Clementson's comment, Mr. Tesche said the purpose of his resolution was not to educate the public, but to have the public educate him, particularly after the tax cap issue was decided on November 7.

Mr. Meyer said he supported Mr. Tesche's resolution. His only concern was adequate notice regarding the locations of the meetings. Mr. Tesche recommended that PSAs, the Municipality's website, every mailing list and e-mail list be used, and he would advise the television and radio stations of the meetings and request their cooperation. He said his Assembly aide, Gene Storm, had suggested inviting senior television network personnel to preside over the town meetings in order to ensure media attention and generate public interest. He agreed that the meetings should be widely publicized, and he said he was willing to spend extra effort to publicize the meeting times and locations.

In response to Mr. Kendall, Mr. Tesche said his purpose in holding these town meetings was to recognize that an extraordinary situation exists this year with two budgets, the tax cap issue, and the fact that the Assembly's major public hearings were scheduled prior to the tax cap vote on November 7. He said getting as much public input on the budget after the November 7 vote was of supreme importance to him. He said the rules did not prohibit the Assembly from conducting town meetings, and judging from the e-mail he has received, the public would very much like the opportunity to provide input on the budget following the November 7 election. He stressed that the purpose of the town meetings was for the Assembly to receive final input on an important budget decision.

In response to Mr. Kendall, Chair Von Gemmingen said a public hearing was scheduled for November 8 following the election, and public hearings would continue to be scheduled as long as there was public interest in testifying on the issue. She said the deadline to have the budget completed was December 10.

Mr. Kendall said he had already heard from many people on the budget, and he was sure he would continue to hear from people regarding the budget. His concern was that holding town meetings was not something the Assembly usually did as a body, and Administration resources would be required for the meetings.

Mr. Tesche said the Administration had worked very hard on the budgets, and he welcomed their presence and participation in the town meetings. However, he did not anticipate, nor would he request, formal participation by the Administration. He said he did not wish to impose additional staff time or burden on the Administration. He said the point of the Assembly passing this resolution was to make a statement to the public that the Assembly, as a body, was interested in the public's views on the budget.

Ms. Taylor moved, the previous question.
seconded by Mr. Tremaine,

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

Question was called on the motion to approve AR 2000-292 as amended and it passed:

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

4. Resolution No. AR 2000-295, a resolution of the Anchorage Municipal Assembly **recognizing 'Anchorage Youth Make A Difference Day'**, October 21, 2000, Assemblymembers Fairclough, Abney, Clementson, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Ms. Taylor moved, to approve AR 2000-295.
seconded by Mr. Tremaine,
and it passed without
objection,

Ms. Taylor read the resolution while Ms. Fairclough presented it to Ms. Patake.

Ms. Patake said she was a freshman at Service High School, and everyone whom the award represented appreciated it. She invited everyone to join them on the 21st of October to watch Anchorage youth perform.

5. Resolution No. AR 2000-296, a resolution of the Anchorage Municipal Assembly **supporting the Anchorage Ski Club's application for an Alaska State Parks Recreational Trails Grant**, Assemblymembers Fairclough, Abney, Clementson, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Ms. Fairclough moved, to approve AR 2000-296.
seconded by Mr. Tesche,

Ms. Fairclough said that since the Assembly did not meet last week, they had missed the Ski Club's deadline for submitting the application for the grant. She said once this resolution was approved, however, they would fax it to the Ski Club as a reflection of the Assembly's support. Ms. Fairclough read the resolution.

Question was called on the motion to approve AR 2000-296 and it passed without objection.

6. Resolution No. AR 2000-297, a resolution of the Anchorage Municipal Assembly **welcoming Alaska Natives from around the State and supporting the goal of the Alaska Federation of Natives 2000 Annual Convention** during the week of October 19-21, 2000, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Ms. Abney moved, to approve AR 2000-297.
seconded by Mr. Tesche,
and it passed without
objection,

Ms. Abney said there were no Alaska Federation of Natives representatives present tonight, but she would be presenting the resolution to them in the morning. Ms. Abney read the resolution into the record.

7. Resolution No. AR 2000-298, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Zoran Yankovich, Resident Agent-In-Charge of the Anchorage Drug Enforcement Administration Office**, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Mr. Tesche moved, to approve AR 2000-298.
seconded by Mr. Van Etten,
and it passed without
objection,

Mr. Sullivan read the resolution while Mr. Tesche presented it to Mr. Yankovich.

Mr. Yankovich said he felt fortunate to have spent eleven years of his law enforcement career in the state of Alaska, with over six and a half years in Anchorage, and the last three years as the DEA Agent in Charge. He said he knew there were budget issues that must be dealt with, but Anchorage has a fine police department, and he urged the Assembly to support the Anchorage Police Department and the Drug Unit. In closing, Mr. Yankovich expressed his appreciation to Police Chief Duane Udland for his support of the DEA Task Force from its inception to the present.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 948-2000, C&D Liquor #4 - Transfer of Ownership and Transfer of Location for a Package Store Liquor License (Rogers Park Community Council), Clerk's Office.
a. Information Memorandum No. AIM 110-2000. (**addendum**)

Mr. Meyer moved, to approve AM 948-2000.
seconded by Ms. Abney,

Resolution No. AR 2000-304, a resolution of the Municipality of Anchorage waiving protest, waiving protest with conditions, or protesting the transfer of ownership and transfer of location for a package store liquor license - **C&D Liquor #4**, 2210 E. Northern Lights Blvd., Assemblymember Van Etten. (**LAI**D ON **THE TABLE**)

Mr. Van Etten, Ms. Abney, and Mr. Meyer joined in introducing the resolution. The public hearing was scheduled for November 8, 2000.

(This resolution was withdrawn later in the meeting and postponed indefinitely. See item 15, Unfinished Agenda.)

Municipal Attorney Bill Greene advised the Assembly regarding an appropriate date for the public hearing and the content of the resolution.

Mr. Van Etten moved, to postpone action on AM 948-2000 until November 8, 2000.
seconded by Ms. Clementson,

In response to Ms. Fairclough, Mr. Schrage, the new owner, said he could be available November 8, but he had seen the written comments that had been submitted and was prepared to respond to them at this time.

Mr. Van Etten said one or more community councils in the area of the proposed liquor store had expressed concerns. One of the major items for consideration at a public hearing would be what kind of special limitations would be appropriate to impose in light of those concerns.

Ms. Fairclough mentioned that she had received letters from three different community councils regarding this issue.

In response to Mr. Kendall, Mr. Van Etten said he had been in attendance at the Rogers Park Community Council meeting when Mr. Schrage gave his presentation, and he had listened to the discussion that had taken place. Mr. Van Etten said the conditions the community council had been most concerned with, and to which Mr. Schrage had been amenable, related to removal of a pay telephone and limitations on signage. He said the community council had also stated their opposition to signage facing the school.

At Mr. Kendall's request, Mr. Schrage said a memorandum had been distributed by Mr. Coffey's office regarding the issues discussed at the community council meeting. Mr. Schrage said approximately 30 people had attended the meeting, and he had responded to questions for about one and a half hours, after which the council had voted and a resolution had been prepared stating the council's opposition to the location of the liquor store due to the proximity of Wendler Junior High School. He said the vote had passed 6 to 4, and he had abstained from the vote. Mr. Schrage said his store would operate fewer hours than were allowable under the Municipal Code. He said it was his intention to close the store at 1:00 a.m. in order to provide their employees eight-hour workdays and forty-hour work weeks. He said the current Municipal Code

would limit the signage, and he only planned to have a lighted sign with the store name on the corner of the building. He said that sign would face the school, but it would not be a scrolling or changeable text type marquis.

In response to Mr. Kendall, Mr. Schrage said they were scheduled to go before the State Alcoholic Beverage Control (ABC) Board on November 15, 2000. Mr. Schrage said he felt all of the State and local requirements had been met, and as a business person, he was under strict time lines to put this business in place. He requested that the Assembly not postpone this item until November 8.

Mr. Sullivan pointed out that the Assembly had a full slate of public hearing items ; this was simply replacing one owner with another, and a conditional use was already in place for that location. He noted that Mr. Schrage had worked diligently with the community councils in his past business practices, and those councils had testified in his behalf and spoken highly of him at earlier public hearings. Mr. Sullivan said he did not feel a public hearing would serve a useful purpose, and he did not support a public hearing on November 8. He felt they should approve the memorandum.

Ms. Fairclough said they could pass a resolution to accompany the memorandum tonight which would state the limitations that the Assembly would recommend to the ABC Board. She suggested deferring this item until later in the meeting so an appropriate resolution could be drafted. Ms. Fairclough said she was in support of acting on this item this evening as well.

Mr. Schrage said the signage he intended for the new location was similar to that at his Mountain View store. He said he had not received any complaints from the Mountain View Community Council or the Anchorage School District regarding signage at the Mountain View store. Mr. Schrage explained the proposed signage.

Mr. Tesche suggested that the Assembly approve the memorandum, waive the protests provided the taxes are paid, and provide an amendment to the memorandum noting that Mr. Schrage had voluntarily agreed to certain restrictions, that the Assembly concurred in those restrictions, and hoped they were followed by both the petitioner and the ABC Board.

Mr. Meyer concurred with Mr. Tesche's suggestion.

Ms. Fairclough noted she had not had the opportunity to read the memorandum from Mr. Coffey that Mr. Schrage had mentioned earlier.

In response to Mr. Sullivan, Chair Von Gemmingen said she did not recall, in her tenure, that there have ever been any conditions placed on this location.

Ms. Clementson said this conditional use had been passed prior to the time the Assembly had begun imposing special limitations on conditional use permits, so she would be surprised if there were any limitations attached to it.

Action on AM 948-2000 was postponed until later in the meeting. See item 15, Unfinished Agenda.

- 2. Assembly Memorandum No. AM 934-2000, proprietary purchase from Western Utility Supply Company and Alaska Pipe & Supply, Inc. for **fire hydrant replacement parts** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$150,000), Purchasing.

Ms. Fairclough moved, to approve AM 934-2000.
seconded by Ms. Taylor,

In response to Ms. Fairclough, Acting Purchasing Officer Bart Mauldin said Mueller and American Darling were the two primary brands used in the waterworks industry.

Ms. Fairclough clarified that she was asking whether this was the only vendor with appropriate parts and whether the availability of replacement parts should be included as purchasing criteria in future contracts.

Mr. Mauldin said they were doing that on some of the construction contracts where the vendors were required to maintain a supply line, and the Municipality does require backups on a commodity basis for pneumatic controls. He added that they are taking this into consideration more now than in the past.

Question was called on the motion to approve AM 934-2000 and it passed without objection.

- 3. Assembly Memorandum No. AM 960-2000, proprietary purchase to BMC Software for providing **professional database administrator services** to the Municipality of Anchorage, Management Information Systems Department (\$100,000), Purchasing. (**addendum**)

Ms. Clementson moved, to postpone action on AM 960-2000 until after item 12.F.,
seconded by Ms. Fairclough, AR 2000-284.
and it passed without
objection,

E. INFORMATION AND REPORTS:

- 1. Information Memorandum No. AIM 106-2000, Internal Audit Report 2000-10 - **Cash Controls, Museum of History and Art**, Cultural and Recreational Services/Internal Audit.

Ms. Fairclough moved, to accept AIM 106-2000.
seconded by Ms. Taylor,

Ms. Fairclough noted that according to the audit, the cash controls at the Museum for the last two audits had failed to meet the expectations of the Internal Audit Department. Specifically, she said the Museum had been requested over a year ago to do an unannounced cash audit and had failed to do so, and they were again being requested to do one. She further asked if the requested written parking policy had been completed and if the concerns had been addressed regarding the Anchorage Fire Department using 10 Museum parking spaces and being unable to determine public parking as opposed to Municipality parking.

Cultural and Recreational Services Director Jim Posey responded that the request for a cash audit had resulted from the guards controlling the petty cash. With respect to the parking, he said they had implemented a study and they would be going out for bid to professional parking authorities, which he said would also take care of the Fire Department's parking situation.

Ms. Fairclough requested that an unannounced cash audit be conducted by the end of November and that Mr. Posey report back to the Assembly with the results.

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

9. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS: None.

10. APPEARANCE REQUESTS:

- A. **Bud Knox**, regarding the tax cap and sales tax.

Mr. Knox did not appear .

Ms. Taylor moved,
seconded by Mr. Tesche,
and it was withdrawn,

to change the orders of the day to consider item 11.B.,
AO 2000-134, and then combine and consider the public
hearings for items 12.J., AO 2000-145, 12.K., AR 2000-273,
12.L., AO 2000-146, 12.M., AR 2000-274, and 12.N., AO
2000-144.

The meeting recessed at 6:45 p.m. and reconvened at 7:20 p.m.

11. CONTINUED PUBLIC HEARINGS:

- A. Resolution No. AR 2000-246, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages for a Beverage Dispensary License and a Brew Pub Liquor License on Anchorage Original Townsite, Block 15, Lots 14, 15, 16A and the west 20 feet of Lot 18A, Block 16, generally located on the north side of West 3rd Avenue between "F" and "H" Streets (Gary J. Klopfer d.b.a. **Snow Goose Restaurant & Brewery**) (Cases 2000-170 & 2000-171), Community Planning and Development.
1. Assembly Memorandum No. AM 807-2000.
(CARRIED OVER FROM 9-26-00 AND 10-3-00)

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

Mr. Tesche moved, to approve AR 2000-246.
seconded by Ms. Clementson,

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

- B. Ordinance No. AO 2000-134, an ordinance amending the zoning map and providing for the rezoning from PLI (Public Lands and Institutions District) to R-3 SL (Multiple Family Residential District) with Special Limitations for **NW 1/4 of the NE 1/4 and S 1/2, and a portion of the E 1/2 of the NE 1/4 of the NW 1/4 of Section 10, Township 11 North, Range 3 West, S.M., Alaska**, excluding proposed Preliminary Plat S-10561, Tract A; generally located between the Seward Highway and Goldenview Drive, and East 172nd Avenue and Potter Valley Road (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-026), Community Planning and Development.
1. Assembly Memorandum No. AM 828-2000.
(CARRIED OVER FROM 9-26-00 AND 10-3-00)

Ms. Clementson said the petitioner had requested a continuance for the public hearing on this item. She asked that the request be discussed and acted on prior to the public hearing so the public would have an opportunity to provide testimony at a later date.

Ms. Clementson moved, to open the public hearing for AO 2000-134 and continue
seconded by Mr. Kendall, it until December 12, 2000.

Office of Planning, Development and Public Works Director Craig Campbell said the Administration concurred with Ms. Clementson's motion, and he requested that they also schedule a work session. He said there were external issues attached to this item which should be addressed, and it was the Planning Department's belief the Assembly should have all the information on those issues. He asked Jerry Weaver of the Planning Department to address the specific issues that would be relevant to the Assembly's decision.

Mr. Weaver advised there was quite a bit of development activity in this area under the Hillside Wastewater Management Plan. He said multiple departments had compiled the Plan, and they would like to provide the Assembly a broad overview of the Plan from AWWU's, the Health Department's, Public Works', Engineering's, and Planning's perspectives of the importance of the Plan in relation to these rezoning requests.

Mr. Campbell advised that this rezone was part of the Mental Health Lands Trust litigation, and it was an important issue that should be addressed in terms of what the impacts of the rezone would be to the Municipality in the long term. He said it was a complicated issue that they would like to ensure was part of a work session.

Ms. Clementson noted that the meeting packets were deficient. She said they had finally received full copies of the previous meeting minutes this week, but prior to that, meeting minutes documentation was missing and the map was incorrect. However, her main concern was that the staff analysis was incomplete in that the 132 acres owned by the Mental Health Lands Trust included a 15-acre parcel that the Assembly had approved as a potential school site in 1995. At the time the Assembly had approved the land trade that was the culmination of the Mental Health Lands Trust litigation, it had noted that the 15-acre parcel had been selected as a potential school site and the Municipality was supposed to eventually get it back. She said what was not clear in the documentation contained in the packets, and what had not been addressed by staff in its analysis, was that the rezone did not include the 15-acre parcel, or an adjacent Heritage Land Bank parcel. She said the intent was to switch the PLI land for the school site for the Heritage Land Bank parcel that abuts the 15-acre parcel. Ms. Clementson said anyone who wished to testify on this issue tonight should be given the opportunity. However, she pointed out that the work session had not been held yet, and there were other rezones related to the Hillside Wastewater Management Plan that would soon be before the Assembly. She pointed out to Mr. Weaver that the majority of the Assembly had not yet dealt with the Hillside Wastewater Management Plan, and they needed to understand the full implications as it related to the rezone requests that were or would soon be before the Assembly for consideration. She added that she had been on the Assembly for seven and a half years, and she had never been provided a copy of the Hillside Wastewater Management Plan. Ms. Clementson urged that the public hearing be opened and then continued to December 12th, that a comprehensive work session be scheduled, and that all excerpts of the Hillside Wastewater Management Plan that had not previously been provided to the Assembly, including excerpts of the Potter Valley Plan as well as any other plan that would be impacted by this item, be provided to the Assembly members.

In response to Mr. Tremaine, Mr. Weaver said when they became aware that the packet was incomplete, they immediately corrected the situation, providing complete sets of the meeting minutes to the Clerk along with a memorandum. He said the correct maps had been provided to the Planning and Zoning Commission, who were aware of all the circumstances surrounding this item.

Mr. Tremaine said copies of the Wastewater Management Plan were available. He said his calendar reflected that a work session on this item was scheduled for today but had been canceled. He asked who canceled it and why.

Mr. Weaver said the Planning Department staff had not requested the work session be canceled; they had requested, via Mr. Moyer, a work session on December 12, 2000, at 12:00 noon.

Ms. Clementson advised that when she realized they had an incomplete packet, she became concerned about missing pieces of information and the confusion surrounding the issue. She spoke with Mental Health Lands Trust officials and some of the issues had been clarified for her. The representative at the Mental Health Lands Trust office had indicated they would request a postponement, and she had suggested December 12. She said while they were involved in the budget work sessions, she had sent a note to Mr. Sullivan advising him that the Mental Health Lands Trust office was requesting a postponement, and that the work session scheduled for this item could be replaced with budget issues, and Mr. Sullivan had agreed.

Ms. Fairclough directed the Assembly members to a Memorandum of Agreement between the Mental Health Lands Trust office and the Municipality of Anchorage through the Heritage Land Bank on page 123 of the packet, which discussed the negotiation of the 15-acre parcel in trade for Parcel B. She pointed out that it also contained the testimony from the public hearings and provided the details of the land switch on page 127.

Mr. Tremaine expressed displeasure at not being notified of the circumstances surrounding the cancellation of the work session since this item was in his district.

Ms. Clementson responded that Mr. Tremaine was the second person she had advised after she returned from the meeting.

Mr. Tremaine clarified that she had advised him there was an issue but not that the work session had been canceled.

Mr. Tesche said he appreciated Ms. Clementson's candor in explaining how the cancellation of the work session had occurred. He said he too was disappointed that the work session had been canceled, and apparently by the unilateral action of one or two Assembly members, notwithstanding the importance of the work session to the petitioner. He also expressed concern regarding Ms. Clementson's earlier comment about politics. He pointed out that this was an important rezoning for south Anchorage, and there were a number of moderately complex issues. He said he did not see politics involved in this issue but merely viewed it as a land use decision. He noted that there were a number of people in attendance to testify on this issue, and he felt they should open the public hearing and allow those people to testify.

Ms. Abney pointed out there was a motion on the floor. She urged a "no" vote.

Ms. Fairclough said she had been at the work session with Ms. Clementson, and so were a number of other Assembly members. She said she was not aware that Ms. Abney and Mr. Tremaine were absent from the work session. She said the issue had been brought up during the budget work session where a quorum was present, and Ms. Clementson was not the only one who permitted the work session on this item to be canceled. Ms. Fairclough said she had spoken with Mr. Tremaine afterwards and had agreed to go forward as long as there was not a substantial change in information. She said she did not see a substantial change in information, but she did request that the developer or the Mental Health Lands Trust office provide adequate reason for canceling the work session. She noted that Ms. Clementson had said there would be substantial

or different information available, but she had learned that it was the Municipal Planning Office that had failed to provide the information to the Assembly. She noted that Mr. Tremaine had earlier clarified with the Planning Department, and Mr. Weaver had explained, that what went before P&Z was the same information that was before the Assembly at this time, and that document was contained in the meeting packets.

Ms. Clementson clarified that the Mental Health Lands Trust office was not presenting a different case. She explained the issue was that the Assembly had not been provided full and complete information, such as the information on the Hillside Wastewater Management Plan. She reiterated the purpose of her motion was to allow the Assembly members time to be provided complete information and to give the public the option of testifying tonight or at the continued public hearing when all the information was before the Assembly and the public with which they could make an informed decision.

Chair Von Gemmingen explained that they had needed five hours for budget issues during the work session earlier that day, and that was why the issue was raised. However, she did not feel she was adequately informed to address all the issues on this item and she was unprepared to vote on it tonight.

In response to Ms. Fairclough, Assistant Municipal Attorney Dennis Wheeler advised that it was his understanding that, historically, whenever a petitioner had requested a continuance, it has been granted. He said it may raise a legal question of disparate treatment should the Assembly deny the petitioner's request for postponement, and he had not had an opportunity to research the legal issues.

Mr. Tremaine stated that when he had asked the same question of Municipal Attorney Bill Greene earlier, he had received a substantially different answer than the one just provided the Assembly by Mr. Wheeler.

Mr. Kendall moved, the previous question.
seconded by Mr. Meyer,

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

NAYS: Abney.

Question was called on the motion to open the public hearing and continue it to December 12, 2000, and it failed:

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

NAYS: Tremaine, Abney, Tesche, Fairclough, Taylor, Van Etten.

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

SANDRA WICKS spoke in favor of the rezoning. She requested this item be continued to December 12 so a work session could be held. She thought the notice was defective because the petition area map attached to the notice did not accurately represent the property to be rezoned. Ms. Wicks said three plans had been adopted unanimously over the years, the most recent in 1999, the Potter Valley Land Use Analysis, that support a rezoning of the property to R-3 SL. She pointed out that if all of the plans that have been adopted for this property were to be contravened, the Assembly was essentially amending them without having them formally before the body. She said it would be poor planning to have put in all the work to adopt those plans and then not use them in site-specific rezonings. She added that public infrastructure, specifically large-capacity sewer lines, had been developed that were dependent on anticipated density in this hillside area. Ms. Wicks said private property owners have certain expectations regarding what they will be able to do with their property. She said the Mental Health Lands Trust acceptance of the parcel as part of the settlement had been based on its expectation, based on previous plans that had been reaffirmed in 1999, that R-3 SL development would be permitted. Ms. Wicks made specific points referring to the Potter Valley Land Use Analysis, and she noted that the zoning map reflected that the GCI parcel, as well as several other large tracts of property in the area, were zoned R-3 SL in the Area G rezoning subsequent to the Hillside Wastewater Management Plan. However, the piece of property in question was not rezoned at that time because it was in public ownership and it was left PLI. She said it was subsequently transferred to the Trust with the expectation it could be developed as R-3 SL.

CAROL FRIES, President of the Rabbit Creek Community Council, said Council members and residents had testified repeatedly against the rezone of this parcel for a variety of reasons. She said they had submitted a protest petition containing 265 signatures representing 189 households. She said everyone who lives in the area adjacent to the property opposes the rezone, and a variety of organizations throughout Anchorage supported their petition. Ms. Fries said this parcel was an integral component of the Potter Marsh watershed. The areas to the north and east were zoned and built out at R-6. The majority of the development adjacent to this parcel was R-6 or R-9. She said only Goldenview Park and Potter Creek were existing R-3 SL zoned, and Potter Creek was only 2.3 units per acre rather than 3. The remainder of the land zoned R-3 had not been developed. Ms. Fries said the proposed rezone was incompatible with existing neighborhoods. The community council's concerns were contained in a briefing document that had been provided to the Assembly on September 22. She said the existing infrastructure would not support development of this magnitude, and the supporting infrastructure that will be required will come at a high cost to the entire municipality. Ms. Fries said incomplete or erroneous information had been submitted by the petitioner in the original petition, and there was missing information regarding site conditions, wildlife, streams, and hydrology. She said they had found no agreement that the Municipality had already agreed to R-3 SL zoning. Ms. Fries said there was no master plan or economic feasibility study that would support the rezoning of this land to R-3 SL. She pointed out that the P&Z had publicly stated a private developer making a similar request would not likely receive favorable consideration, and the P&Z would view such as a speculative zoning request. Ms. Fries said the petitioner would like the citizens of Anchorage to embrace this fiduciary responsibility to the beneficiaries of the Trust. She said while they were sympathetic to the needs of the Trust beneficiaries, that burden should not irresponsibly be placed on the residents of Anchorage. She said that the Council requested the Assembly to deny the rezone.

Mr. Tesche noted that the Assembly had received a memorandum dated October 13, 2000, from the Department of Law, advising the protest petition was insufficient.

Ms. Fries said they had not been notified that they did not meet the standards in the ordinance. She said they had requested twice in writing to be informed of the status of their petition and had received no response. In response to Mr. Tesche, Ms. Fries confirmed that everyone living within 300 feet adjacent to the property had signed the petition.

ED TRABER felt it was totally unacceptable that hard-working people with full-time jobs were being required to carry the burden of defending the hillside from a proposal that was totally ineffective in its attempt to persuade the Planning and Zoning Commission. He said an Assembly member had mentioned the word "confusion" this evening, and his confusion led to questions: (1) How can the P&Z enter into a speculative venture? He felt it was inappropriate for the P&Z to work with the Mental Health Lands Trust to achieve the highest return for that office's dollars to the detriment of area residents. (2) Who would pay for the infrastructure that would be required for developing this property? He pointed out that three factors concerning the geology of the land -- bedrock, bog, and verticality -- contributed to a very expensive proposition with respect to development of the property. (3) What does the closure of the Rabbit Creek Fire Department indicate about the Municipality's ability to ensure the safety of the area residents? He said he could begin to understand where the tax cap proponents were coming from when the school board was inattentive to residents' needs and the P&Z acted as if impacted residents were irrelevant. He noted that the P&Z had not attended the council meetings to explain this issue to the residents. Mr. Traber said he felt incredibly disenfranchised by the fact that hillside residents have had to repeatedly deal with these issues over a long period of time.

Ms. Clementson advised that no decision had been made to close the Rabbit Creek Fire Station, and Ms. Abney and Mr. Tremaine had requested an agenda item for this meeting to address that issue.

GERALD DUBY said he has lived adjacent to the property in question for 20 years and in Anchorage for 35 years. Mr. Duby spoke on behalf of his family in opposition to the rezoning petition. He said the proposed rezoning would maximize the profit of a few speculators at the expense of the entire community for a long time to come. Specifically, Mr. Duby quoted from the first page of the fiscal impact analysis prepared on June 30, 2000, by Tischler & Associates for the Anchorage 2020 Comprehensive Plan, "Overall, the study found the budget deficits would be generated by new growth under all the future growth scenarios, with net deficits much greater for the school district than for general government. In other words, the current level of service cannot be provided to new growth under the present revenue structure." He said the bar graph on page 2 clearly shows that the Assembly was considering rezoning a property that would result in a negative cash flow per unit of \$2,400 per year. Furthermore, if the entire subdivision in question was built out in R-3 SL, it would result in an operating deficit of in excess of \$700,000 per year. He said this raised the following questions: (1) Who would bear the additional costs? (2) Would the entire municipality be asked to fund a private project for the financial benefit of one real estate speculator/petitioner? (3) And is this fair? He said that while the petitioner had a fiduciary responsibility to its beneficiaries, the Municipality had a fiduciary responsibility to its citizenry. He said it would be fiscally irresponsible to allow development of this magnitude when they could not even support the existing neighborhood's infrastructure. Mr. Duby said given that the private development would require an ongoing public subsidy and an incrementally expensive infrastructure, he would urge the Assembly to deny the petition. He added that only summary minutes of the public testimony at the P&Z hearing had been provided to the Assembly, and he urged the Assembly members to listen to the entire record as it would help them in making their decision on this important issue.

ANITA FELKER said she and her family lived on Betty Jean Street in an R-6 subdivision immediately north of the Mental Health Trust parcel. Ms. Felker expressed concerns regarding applying the 1982 Hillside Wastewater Management Plan recommendation of three dwelling units per acre to this parcel. She said many people had testified on this rezone at the P&Z hearing regarding the poor soils, the steep slopes, the amount of bedrock close to the surface, and the inability of much of the land to perk. She said these conditions make conventional septic systems difficult to implement and also make laying sewer and water lines difficult and very costly. She said extensive blasting would be required to lay water and sewer lines in this area to the R-3 SL standards. The blasting may adversely affect the water quality of wells on adjacent R-6 properties and destroy existing vegetation on this parcel. She said the 1982 Plan recommendation for three dwelling units per acre has repeatedly negatively impacted hillside residents as new subdivisions have been developed. Ms. Felker said the Municipality was nearing adoption of the Anchorage 2020 Plan that would modify the 1982 Plan, and one important change was the suggestion of low-density development for the hillside. She emphasized that three dwelling units per acre did not constitute low density. Ms. Felker pointed out that the P&Z had reduced the minimum density to 1.5 dwelling units per acre for the entire 120 acres of the Prominence Point Subdivision. She said there were many similarities between the Prominence Point tract and the Mental Health Trust tract; however, Prominence Point had an experienced hillside developer and an experienced engineering firm trying to build the subdivision within the arbitrary R-3 SL zoning, and they could not make it work. She asked why they were again considering granting the arbitrary R-3 SL to another similar hillside property, one with no plan, no developer, and no development feasibility studies. She urged the Assembly to deny the rezone petition.

In response to Mr. Tesche, Ms. Felker said the person who said that laying the water and sewer lines into the lots would be expensive and require blasting had been an AWWU employee who had provided testimony before the P&Z on this issue. She said his testimony would be contained in the record of that hearing. In response to Mr. Tesche, Ms. Felker said she had been told there were extensive plans for different kinds of septic systems for these lots, and someone from the community council would address that topic.

TOM FARRINGTON, a resident of Betty Jean Street, said his property abuts the subject parcel to the east and to the north. He expressed his opposition to the proposed zoning change. He felt there were three underlying motives for the Mental Health Trust to seek high-density zoning for the now-vacant parcel of land: (1) primarily that the Mental Health Trust has not only the right but the duty to maximize its profits, (2) that no excessive encumbrances be attached to the parcel in order to facilitate its transfer to a developer, and (3) that the Wastewater Management Plan of 1982 mandates that it was not economically feasible to provide utilities to developments with a zoning density of less than R-3. Mr. Farrington asked that the Assembly give careful and thoughtful consideration to the rights of the home owners in the area. He said the petitioner had stated in a recent letter that it would like to more closely mirror the characteristics of the development to the south. He said not only had the developer chosen to ignore their nearest neighbors to the north, east, and west, but had also chosen to ignore the charter of the Zoning Board in order to foster their speculative interests. He said the Anchorage Bowl Comprehensive Development Plan supported his opinion and clearly states that rezones and variances in residential neighborhoods shall be compatible in scale and density with nearby uses. Mr. Farrington noted that much of the subject

parcel contained natural features and environmental characteristics that were recognized in the community as attractive, interesting, and supportive of wildlife. The Hillside District Land Use Plan supported retention of these types of areas as they were of high value to the community. He said the community had expressed strong support for improving the quality of life within the city, and high-density development of what may be the last large open parcel of land on the hillside would hardly be an improvement.

ROBERT FELKER said he was a resident of Betty Jean Street, and he would address roads, access, and traffic. He said at the June P&Z hearing, staff had proposed building a connector road between the Mental Health Trust property and the Potter Valley Road to serve as primary access to the new development. He saw at least three problems with that proposal: (1) Potter Creek drainage presents a huge geographic obstacle to the construction of a road or bridge connecting the two subdivisions; (2) If Potter Valley Road were used to connect the subdivisions, there would be a tremendous increase in traffic volume on the steep, winding residential street; and (3) If a road were built to connect the two properties, it was unlikely people would drive south so they could then drive north to go to town. He said it was more likely that people would use the shorter more direct routes which would include secondary access on Betty Jean Street, 172nd, and Belardi. He said these secondary streets were narrow dirt roads, with heavy rutting, and glaciation in the winter. He said increased traffic would overwhelm these roads and cause major traffic and safety problems within the neighborhoods. He said the petitioner's proposal using Goldenview as the primary access presented a different set of problems. Traffic on Goldenview Drive would increase by approximately 3,200 visits per day, producing bottleneck at the corner of Goldenview and Rabbit Creek Road. Rabbit Creek Road was too steep at this location to place a traffic light, and vehicles pulling out of Goldenview onto Rabbit Creek Road currently have to merge with 45-mile-per-hour traffic. Mr. Felker said the secondary roads that intersect with Goldenview were very steep, and with the anticipated large increase in traffic, vehicles would be forced to stop both uphill and downhill before turning onto Goldenview, which would result in more accidents. He requested that the developer be required to submit a master plan, including a cost analysis, which would address these issues.

GREG JONES said he represented the owners of the 96 acres that lie immediately south of this property and which are zoned R-3 SL. He said that property currently has master plan approval for 10 units per acre. He said he was on the Planning and Zoning staff in 1970 when they began doing the Area G5 zoning, and he was on the Planning and Zoning Commission through the 1980's when the zoning was implemented and the 1982 Plan was completed. He said the issues the Assembly was hearing about tonight reflected the need for more planning. He suggested that development of the 96 acres he represented and the Mental Health Lands Trust should be planned together. Mr. Jones said the Assembly would create an imbalance in densities that made no sense if they rezoned the subject property to a lesser density than two to three units per acre. He felt the 10 units per acre on the 96 acres was too high, and the two parcels should be worked together to arrive at an appropriate way to avoid adverse environmental and access impacts, density discrepancies between neighborhoods, and drainage issues while determining how to get the best return on the public monies already invested in the infrastructure serving the area. He had hoped for a continuance of tonight's hearing with a work session scheduled during the interim so they could discuss how the area should be developed. He said if the subject property was left PLI or changed to a lower-density zoning, an artificial zoning boundary would be created that would bear no relationship to the topography of the area, to the infrastructure issues surrounding it, or to the neighborhoods' concerns. He said the Municipality needed to be the catalyst that solves the problem.

Mr. Jones responded to Mr. Tesche's questions regarding the similarity between the subject property and the 96 acres to the south, including the feasibility of laying water and sewer lines. Mr. Jones stated the utility issues relating to this hillside were economically solvable. He said his experience told him the 96 acres to the south of the subject property could be developed economically at three dwelling units per acre as requested for the subject property. He said overall development costs of the lots, including land costs, would be between \$50,000 to \$65,000 per lot. He said lots of 15,000 square feet or less, with water and sewer, were currently selling for \$75,000 to \$125,000 in this area.

Mr. Jones responded to Mr. Van Etten's questions regarding the water and sewer provided in the lot below the 96 acres he represented. He said the property owners paid for 100 percent of their onsite development, and the original developer had paid for installation of the main sewer. The Municipality had paid for the main line out to the bottom of the hill.

RACHEL ARNOLD said she had lived her entire life in the neighborhood next to this land, and she helped her mother obtain signatures on a petition to save the land. She said her parents had talked to lots of people. She said that they live in a democracy and if nobody wants lots of houses, then the Assembly should pay attention to them. She said if they have lots of houses, they would not be able to see the animals any more. She showed a picture of what the Trust Land looked like now and what it would look like with R-3 SL development.

In response to Ms. Clementson, Rachel said she was in the second grade. Ms. Clementson said she had done an excellent job.

ANN RAPPAPORT, wildlife biologist, said she had lived in the neighborhood by the Mental Health Trust parcel for fifteen years, and for the last five years on Aries Court, adjacent to the parcel. She said the diversity and abundance of wildlife they see now on the Trust parcel and on their property are much greater than the first ten years they lived in the neighborhood. She commented on the importance of the Trust parcel to Potter Marsh downhill and the value of the marsh to Anchorage residents, visitors and to the State economy to which tourism makes a tremendous contribution. She said the Municipality's Potter Valley Land Use Plan Analysis documents the drainage from the Heritage Land Bank parcel provides over half the water flowing into Potter Marsh, and these flows come from drainage on the Trust parcel just uphill. Ms. Rappaport said Potter Marsh was one of eleven State refuges in the Anchorage State Coastal Wildlife Refuge, and the Municipality had designated Potter Marsh as a Class A preservation wetland. However, she said the health of Potter Marsh was threatened by piecemeal residential development in the watershed uphill. Biologists and other interest groups had testified numerous times regarding the need for adequate stream buffers, retention of an adequate percentage of natural vegetation, establishment of neighborhood covenants to limit fertilizer and pesticide use, and to minimize pavement and concrete in order to protect the marsh's water quality and quantity. Ms. Rappaport noted that the Trust's application lacked a master plan that would address how runoff would be controlled and how water quality and quantity would be maintained. She said protecting natural areas benefits our local economy and, according to a survey of real estate appraisers, can raise land values by up to 15 percent, which would provide increased tax revenues. She believed the proposed development would conflict with the Anchorage

2020 Comprehensive Plan, and quoted a section of the Plan that outlined the dangers of high-density development in this area. She urged the Assembly to think of Anchorage's children and leave them a city with well planned, economically sound developments and the special values it now has.

In response to Mr. Tesche, Ms. Rappaport said she would provide him the references to the Anchorage 2020 Comprehensive Plan she had referred to with respect to open spaces and development density.

Mr. Van Etten said it was his understanding the Heritage Land Bank land to the west of the parcel would remain undeveloped. He asked if that would provide adequate buffering between the parcel and Potter Marsh.

Ms. Rappaport responded it would not because they were talking about a slope and the parcel was directly uphill and sloped downhill to the Heritage Land Bank land. She said it was also the last piece of open space between sea level and the tundra. She said if this parcel was developed with large lots, they would still have the movement corridors for wildlife and the buffering, but if it was developed into small lots, it would just be blocked off.

Ms. Clementson requested that Ms. Rappaport also provide her with the information Mr. Tesche had requested, and she asked to be provided a copy of Ms. Rappaport's testimony.

In response to Ms. Clementson, Ms. Rappaport said she would prefer that there was no development of the area, but if it was going to occur, she felt large-lot development could be done the in a way which would provide for the environmental needs of the area. She stated that the Rabbit Creek Community Council had discussed the possibility of forming a park improvement district and voting to assess themselves to purchase the parcel. She said the National Conservation Fund had pledged to pay half the appraised value, which they understood to be \$800,000 based on R-3 SL zoning. She said a private individual may be interested in putting up the other half of the money and then developing a few lots.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one.

Ms. Fairclough moved	to continue the public hearing for AO 2000-134 to
seconded by Mr. Sullivan,	October 24, 2000, as agenda item 11.A. and to schedule a
	work session on the topic the same day.

Ms. Taylor felt this issue should be acted upon this evening as they had made a commitment to do so.

Mr. Tremaine asked those in the audience waiting to testify on the budget how they would testify in general terms. Seeing the show of hands, he said it was apparent what direction the testimony was going to take tonight, there were numerous people waiting to testify on the issue, and there were four more public hearings scheduled to provide the opportunity to do so. He said even if they continued the public hearing tonight until midnight, there would not be enough time for everyone to testify on the budget. After seeing a show of hands of people who wanted to testify on the Mental Health Lands Trust, Mr. Tremaine concurred with Ms. Taylor's comments.

Mr. Sullivan said a lot of good testimony had been provided tonight, and it had raised as many questions as it had answered. He said regretfully, for whatever reason, the work session on this item had been canceled, and he felt it was important to hold a work session on it. He said he was not prepared to make a decision on this item this evening, and he was in favor of Ms. Fairclough's motion.

Mr. Tesche thanked everyone who had testified on this issue. He said if the Assembly would get on with it, they could probably finish taking the testimony of those remaining to testify. He concurred with Ms. Taylor's and Mr. Tremaine's comments.

Question was called on the motion to continue the public hearing and it passed:

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

Ms. Fairclough asked for a legal clarification of *ex parte* contacts with respect to AO 2000-134.

Assistant Municipal Attorney Dennis Wheeler responded that a rezone was a legislative matter and may be treated differently than other types of matters. He requested leave to discuss it with Mr. Greene and provide Ms. Fairclough a response before the end of the evening.

Ms. Fairclough said, for the record, she would appreciate it if the developer did not contact her directly but provide his input during the work session .

Mr. Tremaine moved,	to extend the public hearing portion of the meeting until 11:45
seconded by Mr. Tesche,	p.m. and the meeting until midnight.
and it passed without	
objection,	
Ms. Clementson moved,	to postpone the public hearing on item 12.P, AO 2000-138
seconded by Mr. Tesche,	until October 31, 2000, and to schedule a work session on the
and it passed without	topic on the same day.
objection,	

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

to change the orders of the day and combine the public
hearings for items 12.J., AO 2000-145, 12.K., AR 2000-273,
12.L., AO 2000-146, 12.M., AR 2000-274, and 12.N., AO
2000-144.

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-142, an ordinance **creating the Jail Lease Revenue Fund** (266) and appropriating \$4,877,798.08 of Jail Revenue Bond Proceeds to the Anchorage Metropolitan Police Service Area Fund (451) and appropriating \$4,194,697.48 as a transfer from the Anchorage Metropolitan Police Service Area Fund (451) to the Jail Lease Revenue Fund (266), Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 870-2000.
- B. Resolution No. AR 2000-275, a resolution of the Municipality of Anchorage appropriating \$420,571 to the Federal Categorical Grants Fund (241), Department of Health and Human Services, from the U.S. Department of Health and Human Services to **fund Family Planning Services**, Health and Human Services.
 - 1. Assembly Memorandum No. AM 898-2000.
- C. Resolution No. AR 2000-276, a resolution of the Municipality of Anchorage appropriating \$963,314 to the State Categorical Grants Fund (231), Department of Health and Human Services, from the Alaska Department of Health and Social Services to **fund Community Health Nursing Services**, Health and Human Services.
 - 1. Assembly Memorandum No. AM 899-2000.
- D. Resolution No. AR 2000-277, a resolution of the Municipality of Anchorage appropriating \$1,078,416 to the State Categorical Grants Fund (231), Department of Health and Human Services, from the Alaska Department of Health and Social Services for the **provision of Women, Infants & Children Nutrition Services**, Health and Human Services.
 - 1. Assembly Memorandum No. AM 900-2000.
- E. Resolution No. AR 2000-278, a resolution appropriating \$298,704 of revenue from the State of Alaska Department of Transportation and Public Facilities to the State Categorical Grants Fund 231 to the Public Works Department for **National Pollutant Discharge Elimination System (NPDES) permit services** provided in 2001, Public Works Department.
 - 1. Assembly Memorandum No. AM 901-2000.
- F. Resolution No. AR 2000-284, a resolution of the Anchorage Assembly appropriating an amount not to exceed \$1,800,000 as a loan from the Areawide General Fund (101) to the Management Information Systems Capital Fund (608) for the **installation of additional PeopleSoft modules and reporting capability of the PeopleSoft software system** for the Municipality, Finance Department.
 - 1. Assembly Memorandum No. AM 919-2000.
 - 2. Resolution No. AR 2000-284(S), a resolution of the Anchorage Assembly appropriating an amount not to exceed \$1,800,000 as a loan from the Areawide General Fund (101) to the Management Information Systems Capital Fund (608) for the installation of additional PeopleSoft modules and reporting capability of the PeopleSoft software system for the Municipality, Finance. (**addendum**)
 - 3. Assembly Memorandum No. AM 959-2000.
- G. Resolution No. AR 2000-285, a resolution of the Anchorage Municipal Assembly appropriating \$125,000 from Areawide General Fund (101) Balance to the Anchorage Fire Department to **fund overtime for staffing an ambulance at Station #4**, Assemblymembers Abney, Tremaine, Fairclough, Meyer, Taylor, Tesche, and Von Gemmingen.
 - 1. Assembly Memorandum No. AM 955-2000, appropriating \$125,000 for the Anchorage Fire Department staff overtime and ambulance at Station #4 (Tudor Road), Assemblymembers Abney and Tremaine. (**addendum**)

Items 12.A. through 12.G. were considered later in the meeting. See item 15, Unfinished Agenda.

- H. Ordinance No. AO 2000-147, an ordinance of the Municipality of Anchorage, Alaska, approving **submission by the Anchorage Wastewater Utility a proposed rate decrease and changes to nonrecurring charges for both the Anchorage Water and Wastewater Utilities** (AWU, ASU) to the Regulatory Commission of Alaska, Water and Wastewater Utility.
 - 1. Assembly Memorandum No. AM 897-2000.
- I. Ordinance No. AO 2000-139, an ordinance of the Municipality of Anchorage **creating Street Reconstruction Special Assessment District 4SR00 - Windsor Village Subdivision Area Street Reconstruction** and determining to proceed with proposed improvements therein, Public Works Department.
 - 1. Assembly Memorandum No. AM 857-2000.

Action on items 12.H. and 12.I. was continued until October 24, 2000 due to lack of time.

- J. **FIRST PUBLIC HEARING:** Ordinance No. AO 2000-145, an ordinance adopting and appropriating funds for the **2001 Municipal Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 924-2000.
- K. **FIRST PUBLIC HEARING:** Resolution No. AR 2000-273, a resolution approving the **2001-2006 Municipal Utilities Capital Improvement Program**, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 924-2000.
- L. **FIRST PUBLIC HEARING:** Ordinance No. AO 2000-146, an ordinance adopting the **2001 General Government Capital Improvement Budget**, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 925-2000.

- M. **FIRST PUBLIC HEARING:** Resolution No. AR 2000-274, a resolution of the Municipality of Anchorage adopting the **2001-2006 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 925-2000.
- N. **FIRST PUBLIC HEARING:** Ordinance No. AO 2000-144, an ordinance of the Municipality of Anchorage adopting and appropriating funds for the **2001 General Government Operating Budget** for the Municipality of Anchorage, Office of Management and Budget.
1. Assembly Memorandum No. AM 881-2000.
 2. Ordinance No. AO 2000-144(S), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2001 General Government Operating Budget for the Municipality of Anchorage (Contingency or "B" Budget), Office of Management and Budget. (**addendum**)
 3. Assembly Memorandum No. AM 956-2000.

Chair Von Gemmingen opened the public hearing for AO 2000-145, AR 2000-273, AO 2000-146, AR 2000-274, AO 2000-144 and asked if anyone wished to speak.

REVEREND DR. GREEN spoke on behalf of the Equal Rights Commission (ERC) against the proposed 25-percent reduction in the Commission's budget under the A budget. He said the Equal Rights Commission was the administrative arm for the Minority Community Police Relations Task Force, and a 25-percent budget cut would mean that 1.5 positions would be cut under the A budget and 3 positions would be cut under the B budget. He noted that 56 days under the A budget was not enough time to conduct a diligent investigation of a complaint. He said we cannot afford to have a city where the Equal Rights Commission was powerless to investigate complaints. He requested that no cuts be made to the Equal Rights Commission budget, but if anything, that their budget be increased.

KELLY ALDRIDGE said she was a sophomore at Service High School, a diver on the SHS swim team and a member of the Northern Lights Swim Club. Ms. Aldridge expressed extreme concern regarding the proposal to close four of the six public pools in Anchorage. She said this action would be detrimental to thousands of people's physical fitness regimes, and it would have an adverse impact on many students' academic activities and grades. Ms. Aldridge said a large number of students vied for swimming and diving scholarships that would allow them to attend college. If the pools were closed, they would be precluded from the benefit of one of these scholarships to help further their education. She said swimming helped students attain the appropriate number of credits in the required courses. Ms. Aldridge noted that students had turned out in full force last year when it was proposed that the Anchorage School District cut swimming, hockey, and gymnastics programs. She said students now found themselves in a similar situation but were unable to be as effective in generating the desired results. She said this year they were outraged this proposal was even being considered, and they were terrified that it may actually be approved. She implored the Assembly not to close the pools.

JOHN STRACHN, Friends of the Library Board member, reminded the Assembly of the significance of the Anchorage Municipal Library to the community. He asked that when they were deciding on the budget cuts, they keep in mind that excessive cuts to the library's budget would have an adverse impact on the very intellectual soul of the community. He noted that in a recent newspaper article, the school district budget had proposed closing the high school libraries. He said if that did occur, the Municipal Libraries must be available for high school students to do significant research in order to prepare themselves for future collegiate institutions. Mr. Strachn pointed out that the university system has consistently been underfunded by the State Legislature and would also be adversely impacted by budget cuts to the Municipal libraries. He said given the current fiscal environment and the need for major budget cuts to the City's budget, he felt it was imperative that the Municipal Libraries remain prepared to absorb the burden and provide the needed services to the community. He noted that we were fortunate to have a quality operation at our Municipal Libraries, and he believed it must be maintained. He pointed out that if they were permitted to degenerate, it would be more expensive to reinstate services than it would be to maintain the current levels of library service at the present level of funding.

In response to Mr. Tesche, Mr. Strachn said although he personally contributes to Friends of the Library, he felt a library system was particularly well-suited for government funding and maintenance. He felt while there were many areas within the Municipality that could withstand substantial budget cuts and at the same time improve or streamline services, the library was not one of them.

With respect to the latter, in response to Ms. Taylor's question, Mr. Strachn said he felt there were numerous areas within the school system that could withstand budget cuts, in particular, the administration. Areas within the school system he felt should not be cut were student programs, such as swimming and firearms training, two skills that would be well taught to residents of this state.

ALDIN TODD said he believed Anchorage was on the verge of becoming a Big League American City. He said one of the most important things to him about the community was having an excellent cultural program. Mr. Todd said the free public library was a great American tradition. He said the first one in the U.S. was formed in 1821 by a committee of citizens in Peterborough, New Hampshire, was formally adopted by a vote at a town meeting in 1835, and was still in existence today. Mr. Todd pointed out that since the city of Anchorage was not formed until 1915, we had missed out on the acquisition of the great classics, such as Charles Dickens, Tennyson, and others; therefore, we must play "catch-up". He felt cutting the budget of a system that was the heart and soul of our civilization was wrong. He said he had talked to a librarian in Pasadena, California, that morning, and although Pasadena was much smaller geographically and about half the population of Anchorage, they have nine branches of their city library. This compares to Anchorage's five, two of which are in the outlying areas of Girdwood and Eagle River. He noted that when the tax cap passed in California, it left the Pasadena library system in a shambles. Pasadena residents held a referendum on a special library tax, and it passed by 70 percent of the voters. Mr. Todd felt there would be a public revolt if hours, staff, acquisitions, and services suffered from budget cuts. He asked the Assembly to carefully consider the serious ramifications of cuts to the library budget.

ELEANOR ANDREWS said she was a former government employee, and she had a lot of empathy for the Assembly and the Administration in the budget task before it. She was involved in the major budget cuts of 1986 when the price of oil dropped from \$31 to \$9 per barrel. She said they had had to cut \$875 million, \$500 million of which had been devoted to

municipalities for revenue sharing. She said it was a daunting task, and she felt they had not fully recovered in the 15 years since then. Ms. Andrews was concerned that elected officials felt they had to bend to the mantra and cut government spending and reduce the size of government. She pointed out that government served the citizens and provided a quality of life that elected officials have worked for the benefit of citizens. Ms. Andrews said she has dealt with the Equal Rights Commission on different levels -- as someone who used to represent grievants before the Commission, as a former Municipal Employee Relations Director, as former Commissioner of Administration for the State of Alaska, and now, as an employer. As an employer, she has had cases filed against her with the ERC, the State Human Rights Commission, and the federal Equal Employment Opportunity Commission. The only one that works, as a system, was the Municipal Equal Rights Commission. She said it works because it is local, it is mandated in the Municipal Charter, it is funded, and hears cases in a timely manner. She said employers and complainants have a right to expect that their case will be heard according to the law and in a timely manner. She said it was one of the few bureaucracies within a bureaucracy that really works, and it serves the entire community. She said if the ERC's budget was cut, they would soon become as dysfunctional as the State Human Rights Commission. At that point, it would no longer be respected by the community and would no longer serve the purpose for which it was established. Ms. Andrews said she would like to help the Assembly develop a strategy to elevate the thinking of our citizenry about what we need in our city, i.e., what services need to be funded and protected.

Chair Von Gemmingen asked Ms. Andrews to meet with her to discuss her offer of developing a strategy. She also invited Ms. Andrews to attend the town meetings for the purpose of taking testimony on the budget.

In response to Ms. Taylor, Ms. Andrews said she had recently settled a case at the State's request because she had threatened to sue on the *laches* doctrine. She said the case had gone on for five and a half years. Records had to be preserved for that length of time, people's memories faded, one person involved had died, and the State had taken the position they could not continue because the case was so old. In response to the recent suggestion that the State take over some of the ERC's responsibilities, Ms. Andrew said it all depended on how badly the residents wanted the system not to work. She reiterated that the State was incapable of handling its own Title 18 cases.

WILDA MARSTON, Chair of the Anchorage Historical and Fine Arts Commission, also known as the Museum Commission, spoke to the proposed A budget. Referring to a letter sent to the Assembly October 11, 2000 in which the Commission asked the Assembly to restore \$319,290 to its budget, she said the proposed reduction in the A budget would devastate the museum's ongoing programs in terms of staffing and hours open to the public. She said that if they were not open and did not have the staff, they could not carry out their mission. Ms. Marston said they had held the symposium on Science Under Sail and a bead exhibition this past weekend. The Museum was crowded, money was made, and knowledge was imparted -- because they had a staff and because the Museum was open. She said if the Museum was to continue to carry out its mission to collect, preserve, and interpret Alaska's art, history, and culture, it required the current staffing levels and open hours. She said the request to reinstate the \$319,290 would enable the Museum to carry out its mission with a minimum staff.. She encouraged the Assembly to support her request. Ms. Marston said after consulting with museum staff, they had determined that by increasing rental fees for the atrium and the auditorium, they could raise a little over \$32,000. With respect to initiating a \$2.00 admission fee for school-age children which Chair Von Gemmingen had suggested, Ms. Marston said they could raise approximately \$28,500, but the Commission had not addressed this subject yet; it was on the agenda for its October 25, 2000 meeting. She said they had discussed it last year, and the Anchorage Museum Association, a support organization, was opposed to it. She said another possibility to raise money would be to increase the fee charged by the Curator of Public Art from \$43 to \$60, which would provide an additional \$13,474. She said they were looking at every possible way to help in what they recognize as the current adverse budget situation. Ms. Marston said she had spent over 25 years of her life working in this community, first for the library and now for the museum, and she, along with many other people, did not want to see this town destroyed for a perceived budget shortfall. She said she did not think as a city we are poor, but we may be experiencing a failure of spirit. She said she did not have this failure, and it was her hope the Assembly did not either.

In response to Mr. Tesche, Ms. Marston said she believed the voters of Anchorage would be willing to pay more real property taxes to maintain the current level of support for the library and the Museum .

In response to Ms. Taylor, Ms. Marston said many people were already aware that Elmer Rasmussen had donated \$50 million to the Museum for expansion purposes. She explained the donation did not address operating expenses. Ms. Marston said her letter to the Assembly pointed out that Museum officials understand their success was because it operated in partnership with the Municipality as well as due to its private 501(c)(3) status.

CHAD MORRIS said he and Corinne Eilo would testify on behalf of the Department of Health and Human Service (DHHS) Commission. Mr. Morris expressed deep concerns the proposed A budget would adversely affect the health of the Anchorage population. Mr. Morris said Health and Human Services would be at risk of losing the \$1.2 million received from the State if the Municipality eliminated its contribution of \$270,000 in matching funds. He said the Health and Human Services matching grant provides much needed services to many Anchorage agencies, and most of these agencies need more funding, not less. He noted that eliminating the Community Health Promotion Office was another example of being penny wise and pound foolish. He said that office had done an excellent job of combating the leading causes of death and disability: tobacco, alcohol use, poor diet, and insufficient exercise. He gave other examples of the office's contributions to the community and said this project would be discontinued, and the Safe Cities Program would be drastically cut, under the proposed A budget. He said they did not see where any cuts could reasonably be made to any part of the Health and Human Service budget. He said if the tax cap passed, the Commission would understand the need for draconian cuts, but if it does not, they failed to see the need for such drastic measures. Mr. Morris said the Commission urged the Assembly to continue to look for ways to maintain the current DHHS funding level as well as the current funding level for all Municipal departments.

Ms. Clementson said while the chances were slim that a department's entire budget would be reinstated, it would be helpful to the Assembly if the Commission could suggest solutions that would get it through the next year with the bare minimum in funding.

Mr. Morris said the three areas of special concern to DHHS were highlighted in the letter provided earlier. He pointed out that the Municipal match had not been cut to other areas such as the arts.

JIM BAILEY, President of the Anchorage Museum Association Board of Directors, felt the Mayor's Office and the Assembly could act as a catalyst in bringing the budget crisis into focus by looking at community measures and ways to resolve the problem without devastating the quality of life in Anchorage. Mr. Bailey said the Museum Association had 4,000 members and a \$1.1 million budget. The Association is a private partner with the Municipality in the operation of the Museum. He said the Association supported the reinstatement of the \$319,290 to the Anchorage Historical and Fine Arts Commission's budget. He said if it was not reinstated, services would be cut that would affect the quality of life enjoyed by many in the community. He said it would be unfortunate that a cut in museum hours from 44 to 28 in the wintertime would adversely impact Anchorage residents while the museum would be open longer hours in the summer in order to attract the money from the tourism industry that would help run the museum in the summertime. Also, if the reduction were implemented, the museum would be able to serve only 10,000 school children as opposed to the 15,000 that it now serves. Mr. Bailey said the indicators for the top communities in the United States included health services, recreational opportunities, cultural activities, education, and safety. He said he would hate to see us have to give up any of these items due to the budget crisis the community is now facing.

Ms. Taylor was impressed by the fact that the museum has offered after-hours fund-raising events. She asked how far away the museum was from becoming a self-sustaining organization.

Museum Director Pat Wolfe replied museums, like libraries, by their nature, would never be self-sustaining. She said they require funding from multiple sources, and as Ms. Marston mentioned earlier, the Museum has a good private partner in the Anchorage Museum Association, which provides about \$1.5 million per year. The interest from the Anchorage Museum Foundation endowment fund was used to support exhibitions, children's and educational programs, and acquisitions. Ms. Wolf said cutting the Museum's operating hours would have an adverse impact on the after-hours fund-raising events.

Vice Chairman Meyer took the Chair.

HEATHER IRELAND, a student at the University of Alaska, said she was disturbed by the proposed budget cuts to education, Health and Human Services, Parks and Recreation, cultural programs, and bus service. She said it was wrong of people to pretend funding cuts were acceptable simply because the cuts did not impact them directly. She pointed out that community services were connected, and while a budget cut in one area may not affect one directly, the trickle-down effect may create an adverse impact on that same person in another area. Everyone suffers when people avoid recognizing and addressing community issues. Ms. Ireland said she wanted community services for herself and for others within the community, and she was willing to pay for them. She looked to the Assembly for leadership in diversifying revenue sources and funding programs for all the segments of the population within Anchorage. She said she and her husband looked forward to living, working, and raising their children in Anchorage. However, if funding cuts continue, Anchorage would become an unpleasant place to live, and they may be forced to consider moving to a community that cares more about its residents.

Chair Von Gemmingen returned to the Chair.

In response to Mr. Van Etten, Ms. Ireland said she would be willing to pay property taxes for community services, and she felt this was a good way of funding programs. She said the City might consider implementing a local sales tax directed to the tourist industry and program user fees. She also said she would not be opposed to an income tax, although the Municipality may not be a direct beneficiary of that income source. Ms. Ireland said she had lived in Anchorage five years, and her husband was born and raised here. She said she came from Rochester, New York, and the suburb where she lived had effectively funded community programs and had maintained the community wonderfully. She said she had been fortunate to have a strong education, and she felt that should be afforded to everyone, including Anchorage residents.

PEGGY GULAM, a Senior Appraiser in the Municipal Property Appraisal Division for three years, said the concerns she expressed tonight were not necessarily to protect her job, although her job was on the line if the proposed budget cuts were implemented. She said if her Department took only a 20-percent cut, she most likely would not be able to retain her position. She felt the cuts that the Property Appraisal Division would be subject to under the proposed budget would be devastating to the public in general. She noted the Customer Service Division staff answered phones, assisted customers at the front counter, served as support staff for the rest of the Division, and provided many essential services to the public that have an outreaching effect. Ms. Gulam said the Department staff understood that budget cuts would be necessary, and they were implementing programs to reduce staff. She asked they be allowed to have these programs fully installed and up and running before the cuts are implemented.

In response to Ms. Abney, Ms. Gulam confirmed that 29 positions were proposed to be cut from the Property Appraisal Division. She said the budget reflected approximately \$278 million in average annual tax revenue.

TIM TENNIS, a Senior Appraiser in the Property Appraisal Division, thought Ms. Abney's questions related to the old adage to "cut off your nose to spite your face" which would happen to Municipal services when there was not enough staff to provide the Division's products. He said this was especially true in terms of the fair and equitable criteria that the Division was required to meet under State law. Mr. Tennis said he had only been in the Municipal Property Appraisal Division six months, having worked in the Kenai Peninsula Borough as a Senior Appraiser for about 10 years. Mr. Tennis highlighted issues that have arisen in the valuation process that makes the value process more complicated. He said standards have changed from the old days when a drive-by appraisal was acceptable, and educational standards had changed as well so that today's professionals were experienced and trained in producing a quality product. He said there were 90,000 parcels in Anchorage, 72,000 of which were improved. If the budget cuts were implemented, there would only be six appraiser/analysts, which would equate to about 12,000 properties each, an impossible work load to handle. Mr. Tennis strongly urged the Assembly to retain the budget at the current level to maintain the staff level in the Property Appraisal Division.

TOM COLLIER proposed a different context on how to view the A budget. He stressed his desire for the Assembly to look at the concept of community. Three of his children were swimmers, and one was a dancer. He said building “community” does not happen with reduction of recreational and educational activities that afford the opportunity to develop self-discipline and goal-setting. He had offered to work with Parks and Recreation to address these issues, and urged the Assembly to consider restoring a large portion of that budget. He said he would be willing to pay extra taxes to retain these services. He noted that Anchorage currently enjoys an extremely low tax rate, and residents should be willing to pay for community services provided by the government. Mr. Collier asked that the Assembly provide adequate funding for the pools and the swimmers as well as the Equal Rights Commission.

CATHERINE INJEMESS, a Chugiak High School swim team member, said swimming had been a major part of her life since she was born. She said it not only provided an after-school activity, but it motivated her to do well in her studies. She said she had to maintain a C grade average and attend a certain number of practices in order to compete. Without the impetus of swimming, sometimes she does not want to go to school. She pointed out that she was not hanging out after school and getting into trouble because she was at swim practice, keeping fit, and maintaining her academic priorities. In addition, being on the swim team had afforded her the opportunity to make friends all around the state. She implored the Assembly not to close school swimming pools.

MEREDITH WOMACK said she was in her second year on the Chugiak High School Swimming and Diving Team. Ms. Womack said she spoke on behalf of many Anchorage School District students when she said they were all very concerned that their pools would be closed. She pointed out that Anchorage's senior citizens used the pools, for enjoyment as well as for their health. She asked the Assembly not to close the pools.

ELSIE LAFFERTY, a member of NOSC at Service High School, felt pools should not be closed because senior citizens use them for physical therapy, they provided small children with the opportunity to learn a life-saving sport, and older children would be deprived of a fun, athletic sport that helps to keep them fit and happy. She pointed out that Alaska leads the nation in drowning deaths, and it made no sense to reduce the availability of swimming lessons, which might increase the drowning death toll in Alaska. She said swimming was very important to her, and she would really hate it if they closed the pools.

ROBERT BUNDY, U.S. Attorney for the District of Alaska, spoke about the Anchorage Equal Rights Commission (ERC). As a representative of the U.S. Department of Justice, he could not advocate as to any state or local matter. However, he had been asked by members of the community to provide his observations about how the ERC works and what it means to the community. He said his office frequently fields inquiries from citizens who believe they have been treated unfairly, and provides referrals to other agencies that are more suited to responding to their grievances than the U.S. Attorney's Office. He said his office has found the ERC to be the most effective agency in resolving many of these issues. He said the ERC was one of the best agencies for dealing with people who believe that the justice system has failed them, and the ERC does it quickly, effectively, and with dignity. Mr. Bundy said he had observed how the Minority Community Police Relations Task Force, which is supported by the ERC, is able to diffuse situations that would otherwise create more turmoil in terms of unfounded rumors and malcontent. He said it was extremely important that these types of emotionally charged issues be resolved in a professional and dignified way, and the Task Force has a proven track record of doing so. He said it was model for other communities around the country to emulate. Mr. Bundy said he hoped the ERC would be able to continue to operate in a manner that treated people with dignity in the process of diffusing situations before they become bigger problems.

In response to Ms. Taylor, Mr. Bundy said when people feel they are being denied justice, they tend to take matters into their own hands, either on an individual basis or in larger groups. He said when an injustice has been done, people sometimes feel isolated and unable to complain or get the desired results. He said people's sense of belonging in a community and being able to have their voices heard was a major factor in being able to resolve issues before they blow up into crises situations. He said the ERC and the Task Force give people a way to relate to authorities and to have an outlet where they believe justice can be achieved without the need to take matters into their own hands. He felt it was difficult to put a price on justice. He pointed out that many court systems, prosecutors, and defense lawyers operate on public funds. He said it was much more cost-effective to prevent people from getting into the criminal justice system in the first place than anything that could be done afterwards. He stressed the preventative aspect of the ERC and the Task Force.

In response to Mr. Tesche, Mr. Bundy said private sector activities relating to resolving discrimination matters were laudable and should be increased. But in terms of acting as a neutral mediator, the function the ERC served was unique to a governmental entity. He said he has observed both criminals and victims in highly charged emotional frames of mind, and when people's true attitudes are exposed during these uninhibited outbursts, it is obvious that not much progress has been made in eliminating racism. He said while institutions provide training and education that is intended to end racism, it still exists, and we have a long way to go before it is eliminated.

DONNA BROOKS, a community activist said our society is not color blind, and many times the ERC is the only place for people to go when they experience discrimination. She said there were very few attorneys who wanted to do discrimination cases on a pro bono or contingency fee basis. She said the ERC was small, responsive, and effective. She said she had personally referred several cases to the ERC that were resolved in the same year, which was unheard of in legal cases. Ms. Brooks said cutting the ERC's budget would have an adverse impact on the community as it would result in an increased work load for the court system, which was more costly and less efficient in handling these types of cases. She pointed out that it would also adversely impact local businesses because lawsuits would be filed against them in the court system, and they would be unable to settle or resolve the matter in an expeditious manner, which would cost them money and tie up court resources.

PEGGY DAVIS, an employee of Municipal Property Appraisal Division, said according to Alaska Statute 29 and Municipal Code Title 12, the Assessor was required to assess ad valorem taxes. She said ad valorem taxes were based on the value of a property as opposed to sales and use taxes. The Business/Personal Property Section was responsible for the ad valorem assessments of all mobile homes and all business personal property within the Municipality. Over the past five years, the staff of eight had, in effect, taken over a 50-percent cut due to the increased workload. She said Personal Property staff could not absorb the 60-percent cut proposed in Budget A and still do what they were required by law to do with any semblance of

fairness and equity. She said no one has addressed any procedural changes or improvements that would have any significant effect on their workload, and no one had really addressed the Business Personal Property section at all. Ms. Davis said three people cannot complete the rolls let alone continue the new discovery programs, the business license matching, and the rental project, and the audit program would cease to exist. Elimination of the audit program would result in a reduction in revenue of over \$500,000. The proposed budget cut would leave three people to handle over 24,000 accounts. Ms. Davis stated that personal property assessments contribute approximately 13 percent of the Municipal property tax revenue. She said for the year 2000, the value on the personal and business property rolls would exceed \$2 billion, which equates to \$35 million in revenue at 13 percent based on a mill rate of 17.5. In response to the earlier question regarding the actual revenue from real and personal property tax, she said actual monies collected in 1999 were \$248 million, and for the year 2000, it would likely exceed \$275 million. Ms. Davis said the expansion of two major local communications companies alone had added \$200 million to the personal property rolls. She said there was no indication that the Municipality was entering a downward growth trend, and she proposed that even a conservative estimate for budget purposes would be \$250 million rather than a carryover from the prior year of \$230 million. Ms. Davis urged the Assembly to take a very close look at the proposed budget cuts.

BRUCE LLOYD, Municipal Residential Appraiser, said under the proposed cuts, his job would be eliminated. However, his main concern was as a property owner. Attention was being given to the appeals process because that seemed to be what caused property owners the most concern. However, other duties of appraisers were very important, such as inspecting new construction. He said they normally inspect between 800 and 1,200 new homes each year. This requires a personal visit to each site, a walk-through, and taking measurements of the new construction, including single- and multiple-family homes as well as condominiums. Currently, due to the small staff, some homes inevitably do not make it onto the tax rolls, which equates into lost revenue. While appraisers are processing and addressing appeals, they also collect sales, which includes performing the required research so they can arrive at the appropriate market value for the property. They also conduct land sales, set land values for properties in different parts of town, and collect 300 to 500 property additions and alterations per year. He said if the proposed budget cuts were implemented, the quality of customer service in the Appraiser's Office would suffer, inequities would be created and allowed to snowball year after year, and the Municipality would lose the revenues that fund all the programs that others had testified about tonight such as pools, the Museum, libraries and the Anchorage Equal Rights Commission.

In response to Ms. Abney, Mr. Lloyd confirmed that those property owners who were already on the tax rolls would continue to bear the tax burden for new construction that has not been added to the tax rolls.

In response to Chair Von Gemmingen, Mr. Lloyd said additions to existing buildings that were not reported go untaxed until the discovery is made and the tax rolls are corrected. When someone applies for a permit to build an addition to their home, it prompts Appraisers to make a site visit. However, people who live in outlying areas such as Peters Creek or Eagle River only need a land use permit to build an addition onto their home. He said if they live in an isolated area, it may be a long while before the discovery is made, their property is reassessed, and the tax rolls for that property are corrected. He said appraisers were required by State statute to reinventory properties every six years, including a personal visit to confirm that the physical description of properties are still the same, or verify changes. He said outlying areas were more difficult to reinventory, and since he has worked with the Municipality, they had not been able to meet the six-year requirement due to inadequate staffing.

MARK WEBB, a Senior Appraiser in the Municipal Property Appraisal Division, discussed some basic statistics that reflected his analysis of the effects of the proposed A budget. He pointed out that those people testifying from the Assessor's Office were not supervisors or management, they were simply the employees who were in the trenches everyday trying to get the work done. He said with an estimated taxable value for the year 2000 of \$15.7 billion, and using an average mill rate of .0177, the estimated tax revenue would be \$278 million. He said this figure differs from the tax revenue figure provided in the A budget tax booklet, and he did not know the source of that figure. He said the number of parcels was a dynamic, always changing number, but they currently have approximately 89,300 real property parcels, 12,500 personal property accounts, for a total of approximately 102,000 records. With the number of employees on staff at the present time, he said they value about \$320 million in property value per employee per year, which equates to \$32 per record. He said if the number of employees was decreased according to the proposed A budget, the taxable value per employee would be increased by two and a half times. So cutting the number of employees would provide less than a 1-percent cost savings in terms of taxable revenue. This would mean that the 20 employees remaining would have to deliver a valuation that would be within the 1 percent cost savings; otherwise, the money that was saved would be gone. Mr. Webb pointed out that no one had advised the employees how the remaining 20 employees in the division would be able to accomplish this. He felt this should sound an alarm that they were heading for trouble with the proposed A budget.

Mr. Tesche asked if the supervisors of the Property Appraisal Division had explained the recommendations for a new property appraisal system that would bring about the efficiencies that were discussed in the A budget.

Mr. Webb said they had not; he had seen nothing and been told nothing about how the plan would work.

CARA THRASHER LIVINGSTON, Director of the Arctic Resource Center at the ARC of Anchorage, addressed the proposed budget cuts to the Municipal Recreation Centers. Ms. Livingston said the Arctic Resource Center provides classes and activities for over 335 teenagers age 16 and older and adults with developmental disabilities. The Center's mission was to help participants gain skills and self-esteem while providing a place to socialize and develop leisure and artistic pursuits as well as a base from which to explore and have fun in the community. She said the Center operates eight hours a day, five days a week, and utilization exceeds 100 people most days. She said they also offer activities on weekends and special events. Ms. Livingston said the annual Municipal grant of \$142,500 provides 38 percent of the funding for the program, and 62 percent of the operating budget was provided through self-generated fees and in-kind matching funds. The total annual operating budget for the recreation center was \$374,000. She said while the annual operating budget for the ARC of Anchorage had more than doubled over the past three years, the Municipality grant had remained the same. She said the center was important because it was the only facility that delivers these types of services, and it serves a target population who would have no other alternatives for pursuing recreational activity. Ms. Livingston said if the budget was cut, the program would have to reduce the Center's hours of operation, potentially to only 28 hours per week. She said this would

have drastic effects on participants for whom other services were not available. She said they would also have to reduce staff and drop-in time as well as reduce the number of drop-in participants to fewer than 100 of the 300 people that currently signed up. Classes and community outings would have to be eliminated.

GARY DONLEY said he was the Associate Director for the ARC of Anchorage in charge of consumer affairs and consumer services. He said he was also testifying as a parent of nine children. Mr. Donley said he and eight of his children will adapt and overcome, and whatever the results of the budget cuts, they will survive and as a family they will get through it because they have other options available to them. But for his ninth child, a developmentally disabled adult who utilizes the ARC Resource Center, the budget cuts would totally eliminate his opportunities for experiencing life in our community. He said a previous speaker had testified that they wanted to be a part of their community and they wanted their community to listen to them. Disabled people want the same thing. He said \$142,000 was only a third of the actual operating budget for the Center, and they did not expect to get anything for free. The individuals who participate in the programs want to pay their way too. He said he would like the Assembly to ask themselves three questions: (1) Why was the Arctic Resource Center established in the first place? (2) How much are these individuals able to contribute to their participation in the classes, activities, and services provided by the program when they are on a limited income or entitlements? (3) What are their alternatives if the budget is reduced or eliminated entirely? He said the intent of the program was to provide people with disabilities the same opportunities as are available to everyone else. He said if bus service, the museum, the libraries, the Equal Rights Commission, and other services were cut, the Assembly was not supporting independence, it was supporting dependence. He said some of the Assembly members had visited the Center and knew what they did, knew what their purpose was. For those who had not, he encouraged them to visit.

JENNIE MCGINTY said she worked in the Customer Service Records Section of the Property Appraisal Division. She briefly described her duties as an Accounting Clerk II. She said they have been scanning the real property hard card records into the electronic database for the purpose of public access. She said as of the end of September, 12,700 cards had been scanned, but the work has slowed down due to staff cuts. She said as of the 1st of October, the Customer Service Records staff had also done 5,000 real property and business personal property address changes, 10,786 sales inquiry letters, 33,800 mailings for the Personal Property Section. She described other services the Customer Service Records provided to other departments within the Municipality. She said the reduction in staff from eleven to three employees would have a domino effect that would be apparent within six months to a year from now.

JOSH DOTKOWSKI, a senior at Chugiak High School and captain of the diving team, begged the Assembly not to cut the pool budget. He described the camaraderie, friendship, and loyalty within the high school swimming and diving community, and he said it not just six or twelve separate teams, but they were all one team, one community, and one family.

HELEN NIENHAUSER said she was satisfied with the current level of services in the city, and she did not believe the tax burden was too high. She said she was in favor of greater efficiencies, but she was not in favor of cutting services. She particularly opposed cuts to education, planning, and Parks and Recreation, which included, among others, all of the services that previous testifiers this evening had asked the Assembly not to cut. She said these services were in addition to the basic necessities such as police, fire protection, and roads that make Anchorage a good place to live and that make businesses want to locate here. Ms. Nienhauser said if the tax cap passed, she realized some cuts would be necessary, at least in the short term. But whether or not the tax cap passed, she felt there was a message implicit in the entire movement -- that Anchorage residents want to see a diversity of revenue sources. She urged the Assembly to work on this with particular attention to the concept of a sales tax coupled with a lower property tax mill rate.

AMY NIELSEN, a parent and a pool rep for the Northern Lights Swim Club novice team, spoke on behalf of not only people in favor of keeping the pools, but also the people in favor of keeping the libraries, bus services, flowers, et cetera. Ms. Nielsen said all of these services fall under the "community" umbrella. In that regard, she asked why, when there were budget cuts, they affected community services. She said she did not perceive that the community was in a major budget crunch at this time, but she also felt that property owners should not bear the entire brunt of the tax burden. Ms. Nielsen said she was more than willing to pay her fair share in some other form of taxation, and many of her friends and neighbors in South Anchorage, otherwise known as the "cash cow," also agreed that other revenue sources should be found. With respect to the pools, Ms. Nielsen said they couldn't close the pools, that was ridiculous. She said if she were to offer a suggestion on this issue, it would be that the school district completely bow out of the administration of the pools and leave it to the Municipality. She said first they had eliminated the pools from the curriculum, then they had reduced the hours of operation. There went the revenue, and all of a sudden, they are in the red. She said cutting people services was very short-sighted and involved no long-term planning whatsoever. She asked the Assembly what they expected the kids to do, what they expected people in need of physical therapy to do, and what about all the hype about providing swimming and water safety lessons for Alaskan residents. Ms. Nielsen stated the school district was preparing to cut art, P.E., libraries, and music by 50 percent as early as January 2001. She said if the school district followed through with those educational cuts, and if the Assembly followed through with its proposed cuts to community services, the quality of life that Anchorage residents are so proud of and value so much would sink like a dead weight. The thought of eliminating libraries made her visualize a community that was akin to a third world country. She said they could not withhold free information from the public -- it was wrong. Ms. Nielsen said she saw that her time was up, and she still had a lot more to say. She thanked the Assembly members who had taken the time to respond to her recent letter.

In response to Ms. Nielsen's comments, Ms. Clementson said she was not defending the cuts, but the reason services were being proposed for cuts was because they are government, and government is a service provider. She explained that the current budget crisis was the result of the former Administration's short-sightedness in lowering the tax cap to such an extent that they were left with no choice at this point but to make major budget cuts. She said this was a frustrating situation, and she could personally empathize with the community's frustration because it was also affecting her on a personal level. She said the preliminary budget for next year was \$21.5 million over the tax cap. She said the democratic process afforded by the public hearings allowed the Administration to propose where the cuts should be implemented, and then the public was allowed to respond, then adjustments were made, and they hopefully would wind up with the best compromise possible under the circumstances. In response to Ms. Clementson's question, Ms. Nielsen said she felt most people would be willing to pay user fees in order to keep the pools and other services operating.

SARA QUIMBY, an Eagle River resident and athlete, said swimming had been a part of her life since she was a child. She said she was speaking not only on behalf of those who love to swim but also those who need the pools for physical therapy and rehabilitation. She said she had been injured, and swimming has been her only option for training during the past six months. She said other athletes were in the same situation and used the pools for this purpose. She said she had used the pools regularly since she was a child, and she hoped to continue to be able to do so. She said the pools should not be cut.

SANDRA QUIMBY said she had been involved in swimming and water safety in Anchorage for over 40 years, and she had been a water safety instructor for over 30 years. Ms. Quimby asked that the Assembly not close the pools. She said until the early 1970's the benefits of swimming in this community were available only to the financially affluent. In the early 1970's, however, Anchorage began to build pools adjacent to high schools, thus making the benefit of swimming pools available to the entire community. Ms. Quimby said swimming was one of the best forms of aerobic exercise available to improve the health and wellness of the members of the community. She said swimming pools also provide an irreplaceable form of physical therapy for many people in our community. In addition, she pointed out that swimming was a wonderful recreational activity for people of all ages. She said the pools also provided the opportunity to teach water safety instruction, and lives were saved through education. She said if the pools were closed the benefits would revert to the pre-1970's situation where swimming was available only to the military and the financially affluent. She said closing the pools would result in decreased opportunity for exercise and physical rehabilitation, which would in turn result in increased health care costs for those affected. It would do away with organized sports programs for many youth. And lastly, when they were no longer able to provide education in water safety, it would cost lives in this state where so many people spend so much time in, on, or near the water.

DONNA MATHEWS said people stood in line to speak to the Assembly tonight because of the adverse impacts everyone is now suffering from prior budget actions that were not appropriately considered before they were taken. She said they were all telling the Assembly tonight that the Assembly's actions would also have ramifications that should be carefully considered before making any final decisions. Ms. Mathews opposed the proposed budget cuts to the Anchorage Museum of History and Art. She said all of the museums in the state look to the Anchorage Museum of History and Art for its leadership. She said while the Anchorage Museum ranked number one in the scale of its physical facility, the scope of its programs, the size of its art collection, and its exhibition schedule, it barely ranked above Homer's Pratt Museum in the number of professional staff. She said the effect of the proposed budget would be to eliminate some of the already small staff, an exceptionally productive staff, capable of generating revenue for the museum and the community. Ms. Mathews said the skilled resource pool of the staff, through their exceptionally high level of professionalism, had attracted statewide, regional, and national meetings and conferences to Anchorage. She said Museums Alaska had met several times in Anchorage because of the quality of the museum, and in 1998, it attracted the Western Museums Association, with professionals visiting from eighteen states and four Canadian provinces. Statistics from the American Association of Museums reflect that tourists who visit museums spend nearly twice as much on their travel as those who do not. Ms. Mathews said that as her family and friends have visited Alaska over the years, she has always taken them to the museum to show them the best summary of Anchorage and Alaska's people, culture, and history because she wants them to get the single most comprehensive story of Anchorage and Alaska that they can.

GAIL HOLLINGER, Director of the Heritage Library Museum and board member of Museums Alaska, said museums really do make a difference in our lives. They are primarily educational institutions. They provide us with tools for learning and put us in touch with the past through the ideas and experiences of others who have gone before us. Referring to Ms. Mathews' comments about the tourists who come to our city, she said museums are good businesses. Ms. Hollinger said museums also add to our quality of life and attract new businesses and new employees to Alaska. She said to be effective, to be a museum that makes a difference, the museum needs two things: They need to be open everyday, and they need to have a full, strong, supported staff. She said our museum staff has been operating on the bare minimum for years, and if it is cut any further, it would have a devastating effect. Ms. Hollinger said she had traveled extensively, both in the United States and abroad, and she has visited the museums in every community she had been in. She said our museum compares with the best of them. Ms. Hollinger said of course, she was willing to pay her share of taxes to support this institution, but she suggested also that the hotel bed tax be considered as a source of revenue for the museum and other cultural institutions in Anchorage.

Ms. Clementson observed that Ms. Hollinger's last remark was a very wise thing to say, and she was glad to finally have heard it.

In response to Mr. Van Etten's questions, Ms. Hollinger said the current Science Under Sail originated with the Anchorage Museum and would be traveling to San Francisco and probably other venues following that. She said the Beringia Conference had incredible content and had attracted people from all over the state as well as Russia. She said the Y'upik Mask Exhibit the Anchorage Museum had done a number of years ago had traveled from coast to coast, including the Smithsonian Institute, and it had incredible objects as well as incredible content.

BILL VAUGHT spoke against closure of the pools. He said he, his wife, and two daughters used the pools regularly, and he felt it was an important amenity for the city to have. Mr. Vaught said he concurred with everything that had been said on this subject tonight, and he had a few things to add. He pointed out that once the pools were closed, they would be lost forever. He noted that the parts deteriorated once the water was drained, and they would not be easily reopened. He said the money the City may save in the short term, their children would be paying for in the long term.

SCOTT THOMAS, a horticulture supporter, a science teacher at Chugiak High School, and head swim coach, appealed to the Assembly as a member of the community. Mr. Thomas said pool services were key to this community. They offer recreation and fun through open swims, family swims, and pool rentals, all of which serve as a wonderful indoor break in an environment that is not always the most hospitable to outdoor activities. Swimming pools also provide excellent forms of exercise, rehabilitation, and outreach programs for troubled youth. In a competitive sense, he said swim teams encourage lifelong sports for Anchorage's youth and adults. Mr. Thomas said as the six-year director for a cardiovascular rehab program and Director of Cardiovascular Research at the University of Wyoming, he knew that exercise and activity was key to a healthy lifestyle for youth, adults, and elderly people. He said the cost of providing this source of activity now was minimal when compared to the cost for medical treatment that we will pay later. Mr. Thomas also stressed the importance of the safety lessons that swimming pools provide for swimmers, boaters, and others. He said while only a small number of

athletes received scholarships and have their further education paid for through their swimming activities, there were examples, and he was one of them. He said as a swimmer for Chugiak High School, he had earned a Division I scholarship to swim. Six years later he returned to the Anchorage School District as a teacher and head swim coach for Chugiak High School, wanting to return to the community what it had given to him. And he was not alone -- there were others.

BRENT SCHLOSSTEIN, an Appraiser in the Municipal Property Appraisal Division, said the primary functions of the Appraisal Division was to appraise 90,000 properties per year. In order to do that, they utilize mass appraisal techniques, most used throughout the mid-size to larger jurisdictions of the country. He said another approach that has been considered in the past was indexing. He said the President and a board member from the International Association of Assessing Officers (IAAO) had visited Anchorage recently. When they had been asked about using this approach, they had basically said it was not being done anywhere else and wished them luck if they decided to try it. They had suggested utilizing a very stringent use analysis to ensure that the indexing represented true and fair value and was equitable. He said although they were not indexing, they had implemented all the standards the IAAO representatives had suggested, but they had not realized any cost savings from implementing these measures. The proposed budget would cut 50 percent of the staff, and by streamlining the appeal process, they expected a cost savings of about 50 percent. Mr. Schlosstein agreed the appeal process was time-consuming, and streamlining it would help. He said they were happy to do it and were working on streamlining the process, but it will not save them 50 percent. He said other functions will be discontinued or reduced if they have to take a 50-percent budget cut. Mr. Schlosstein encouraged the Assembly members to visit the Property Appraisal office to view their operations, watch how staff did their jobs, and learn why they do what they do. He also urged the Assembly members to discuss the budget cuts with the members of the Board of Equalization. He said these board members were appointed by the Assembly to work with the Appraiser's office, and they have very good views on the proposed budget cuts. Mr. Schlosstein pointed out that the Assessor's Office provided approximately 60 percent of the revenue to the budget, and most if not all of the other services other people had testified about tonight would suffer under the proposed budget cuts to their department.

JEFF BARNES said because he was a Municipal Historical and Fine Arts Commission member and an Anchorage Museum Association member, he sees both sides of the museum partnership. He said he worked to raise money to make the private side work, and he helped make the difficult decisions on the Commission to advise the museum on various matters. Mr. Barnes said in the six years he had been involved in the museum, budget crises have been a constant. He said they have consistently been under-funded and understaffed. He said while the museum has an incredible staff, they are risking burnout every week because they all do far more than employees in a normal work environment would be expected to do, and they have to deal with funding problems on an ongoing basis. To illustrate his point he said when the Native Heritage Center opened, the Museum lost a significant number of the major tour companies, which adversely impacted their revenue base. He said as a result, they had not been able to implement new staff positions that were approved by the Assembly. Mr. Barnes pointed out that history is being made and left behind us everyday, which means there is more and more to add to the museum; therefore, it must grow. It cannot stay stagnant. The collection increases on a daily basis, and the opportunity for education should increase on a daily basis as well. He said the museum had served as an ambassador to the entire world for Anchorage and Alaska. He said part of the reason he lives in Anchorage is the cultural and recreational opportunities that this city offers. He said if these types of things are no longer available, the community esteem that is generated by these types of institutions would go, and he would have to go too. He said residents of Anchorage have it easy compared with other cities he's lived in, and he's happy to pay his fair share. He urged the Assembly to reinstate the \$319,290 to the museum's A budget.

RON BROWN, a member of the Assessor's Office specializing in residential land, said he had worked in the Ketchikan Gateway Borough and the Kenai Peninsula Borough. In Ketchikan, they averaged approximately 4,000 parcels per appraiser. In Kenai, they averaged 12,000 parcels per appraiser, with less than 50 percent being improved properties. When he was a Senior Appraiser in West Anchorage/Eagle River, he averaged 13,000 parcels, with about 70 percent being improved properties. He said efficiency-wise, relative to the State of Alaska, the Municipality of Anchorage was the best he had seen, and they carried more than their fair share of the load when compared with the rest of the state. He said he wanted to address the importance of equitability, which was one of the primary concerns when dealing with property owners. He pointed out that no one likes to pay taxes, but when people shoulder it as a responsibility, by becoming a property owner, they at least like to know that the cost is being spread evenly and equitably among all property owners. Mr. Brown said the ability to ensure equitability was directly related to the available data and the time appraisers can spend in appraising a piece of property. Alaska is one of six nonrecording states in the United States. He said the fundamental basis of appraising a piece of property was comparable sales, which is how market value is established. He said since Alaska is a nonrecording state, the Assessor's Office must send out questionnaires to property owners requesting voluntary submission of the data. He said they receive responses to approximately 40 percent of the questionnaires, with some satisfactory response and some less than satisfactory, or under-reported data. But he said that is what they have to work with, and they do the best they can. He said that breeds inefficiency within the system and is the reason why it requires more time to appraise property in Alaska. Mr. Brown said they depend on other departments to provide data that help the appraisers do their jobs. He pointed out that not only would the budget cuts adversely impact his department directly, but they would also have an adverse impact on other departments that provide support to the Assessor's Office. Mr. Brown said he had wished for 10 years that members of the political body he works for would visit the Assessor's Office and find out what it is they do there, how important it is, and how much time it takes.

At Ms. Fairclough's request, Mayor Wuerch said they would arrange for a tour of the Municipal offices for the Assembly members.

FRED WALKER, president of one of the competitive swim clubs in Anchorage, said it was difficult to speak on swimming after hearing of some of the other potential losses due to the proposed budget cuts, especially the loss of jobs. He said he felt compelled to do so, however, as he wanted to bring a couple of issues to the Assembly's attention for its consideration. Mr. Walker said if the pools were closed, it would not end the costs as \$100,000 a year or more would need to be spent on the upkeep of the pools that were taken out of commission. He noted that a number of competitive swim meets were held in Anchorage every year which attract visitors from around the state. He said not holding the swim meets would incur a cost to the city as well. Mr. Walker said the Junior National Meet was a very successful event last year at Bartlett High School that drew hundreds of students from the Western United States. He said some of the swimmers had qualified for the Olympics during that meet. He said closing the pools and discontinuing the competitive swimming program would preclude Anchorage

from having opportunities such as that in the future. He added that hundreds of thousands of dollars had been spent in our community, and that would be a lost future opportunity as well. Mr. Walker said he sees the future of Anchorage getting dimmer and dimmer, and he sees an outflow of people from the community who will no longer be able to live the quality of life they came here for in the first place. He said he realized the Assembly and the Administration had difficult choices to make, but he encouraged them to not be short-sighted and to make the right choices.

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

(Clerk's Note: See minutes of October 24, 2000 for the second public hearing on items 12.J through 12.N.)

Mr. Tesche moved, to continue the public hearing portion of the meeting until
seconded by Mr. Sullivan, midnight.
and it passed without
objection,

- O. Resolution No. AR 2000-247, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages for a Restaurant/Eating Place Liquor License on Sunland Subdivision, Lot 2, generally located on the west side of "C" Street and south of Benson Boulevard (Kim Young d.b.a. **Oriental Garden**) (Case 2000-177), Community Planning and Development.

1. Assembly Memorandum No. AM 808-2000.

Action on item 12.O. was continued until October 24, 2000 due to lack of time.

- P. Ordinance No. AO 2000-138, an ordinance amending Ordinance 92-105 for Development Areas A, B, D, E, F, G, H, and I regarding dwelling styles, minimum lot widths for cluster, townhouses and row houses, minimum lot depth and area; amending Development Areas F and G regarding road standards, height, road setbacks, density and platting authority; amending Development Area H regarding size of commercial area and uses; Development Area I regarding building height and amending the zoning map and the **Southport Planned Community** PC (Planned Community District) affecting 141 acres of land lying within Sections 14 and 23, T12N, R4W, S.M., Alaska, generally located south of West 100th Avenue and west of Victor Road to Turnagain Arm (Case 2000-086) (Bayshore/Klatt Community Council), Community Planning and Development.

1. Assembly Memorandum No. AM 847-2000.

The public hearing on this item was continued to October 31, 2000 by a motion passed earlier in the meeting. See after item 11.B.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

Two items were laid on the table earlier in the meeting. See item 8.D.

15. UNFINISHED AGENDA:

- A. Ordinance No. AO 2000-142, an ordinance **creating the Jail Lease Revenue Fund** (266) and appropriating \$4,877,798.08 of Jail Revenue Bond Proceeds to the Anchorage Metropolitan Police Service Area Fund (451) and appropriating \$4,194,697.48 as a transfer from the Anchorage Metropolitan Police Service Area Fund (451) to the Jail Lease Revenue Fund (266), Office of Management and Budget.

1. Assembly Memorandum No. AM 870-2000.

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

Mr. Kendall moved, to adopt AO 2000-142.
seconded by Ms. Fairclough,

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

- B. Resolution No. AR 2000-275, a resolution of the Municipality of Anchorage appropriating \$420,571 to the Federal Categorical Grants Fund (241), Department of Health and Human Services, from the U.S. Department of Health and Human Services to **fund Family Planning Services**, Health and Human Services.

1. Assembly Memorandum No. AM 898-2000.

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

Mr. Meyer moved, to approve AR 2000-275.
seconded by Mr. Tesche,

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

- C. Resolution No. AR 2000-276, a resolution of the Municipality of Anchorage appropriating \$963,314 to the State Categorical Grants Fund (231), Department of Health and Human Services, from the Alaska

Department of Health and Social Services to **fund Community Health Nursing Services**, Health and Human Services.

1. Assembly Memorandum No. AM 899-2000.

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

Mr. Meyer moved, to approve AR 2000-276.
seconded by Mr. Kendall,

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

- D. Resolution No. AR 2000-277, a resolution of the Municipality of Anchorage appropriating \$1,078,416 to the State Categorical Grants Fund (231), Department of Health and Human Services, from the Alaska Department of Health and Social Services for the **provision of Women, Infants & Children Nutrition Services**, Health and Human Services.
 1. Assembly Memorandum No. AM 900-2000.

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

Mr. Meyer moved, to approve AR 2000-277.
seconded by Ms. Taylor,

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

- E. Resolution No. AR 2000-278, a resolution appropriating \$298,704 of revenue from the State of Alaska Department of Transportation and Public Facilities to the State Categorical Grants Fund 231 to the Public Works Department for **National Pollutant Discharge Elimination System (NPDES) permit services** provided in 2001, Public Works Department.
 1. Assembly Memorandum No. AM 901-2000.

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

Ms. Fairclough moved, to approve AR 2000-278.
seconded by Mr. Tremaine,

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

- F. Resolution No. AR 2000-284, a resolution of the Anchorage Assembly appropriating an amount not to exceed \$1,800,000 as a loan from the Areawide General Fund (101) to the Management Information Systems Capital Fund (608) for the **installation of additional PeopleSoft modules and reporting capability of the PeopleSoft software system** for the Municipality, Finance Department.
 1. Assembly Memorandum No. AM 919-2000.
 2. Resolution No. AR 2000-284(S), a resolution of the Anchorage Assembly appropriating an amount not to exceed \$1,800,000 as a loan from the Areawide General Fund (101) to the Management Information Systems Capital Fund (608) for the installation of additional PeopleSoft modules and reporting capability of the PeopleSoft software system for the Municipality, Finance. **(addendum)**
 3. Assembly Memorandum No. AM 959-2000.
- G. Assembly Memorandum No. AM 960-2000, proprietary purchase to BMC Software for providing **professional database administrator services** to the Municipality of Anchorage, Management Information Systems Department (\$100,000), Purchasing. **(addendum)**

Chair Von Gemmingen opened the public hearing for AR 2000-284 and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Ms. Fairclough moved, to approve AR 2000-284(S).
seconded by Meyer,

Ms. Fairclough requested the Administration explain "basis points" to her in the future.

In response to Ms. Clementson, Mayor Wuerch said the difference between the original and the (S) versions was the funding source, i.e., from the General Fund instead of the loan pool.

Question was called on the motion to approve AR 2000-284(S) and it passed:

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

Ms. Clementson moved, to approve AM 960-2000.
seconded by Ms. Fairclough,

Ms. Clementson reiterated a request for PeopleSoft to provide a letter to the Assembly stating this position would not be needed after the first of January 2001. She said it was not included in the budget, and they were paying \$100,000 for the next 10 weeks. She would like them to address how many positions the Assembly could expect to save with the implementation of version 7.5, and that they would not need this position after version 7.5 was implemented in January.

Management Information Systems Director Mike Callahan clarified that this position would be needed next year, and it was included in the A budget. He said the reason they need a contractor to fill it was they did not have time to hire someone and get them up to speed. They would need someone who has three specific skills sets: DB2 capability, PeopleSoft capability, and BMC Tools capability.

Ms. Clementson said she would still like the letter from PeopleSoft addressing how many positions they could expect to eliminate, other than DBA, in the various departments when version 7.5 is implemented.

Mr. Callahan said he did not believe PeopleSoft would be willing to tell the Municipality how many positions they could expect to eliminate.

Ms. Taylor pointed out the deep frustration Municipal employees felt regarding PeopleSoft. She said a number of people felt they had been hoodwinked. In support of Ms. Clementson's request, Ms. Taylor said given that they had spent millions of dollars, it was not asking too much that PeopleSoft provide a good-faith showing that the money was not wasted.

In response to Mr. Tremaine's question, Mr. Callahan said it was expected they would reach the spending limit that was set for two months' work by one person.

Mr. Tremaine said he would vote against the motion.

Question was called on the motion to approve AM 960-2000 and it passed:

AYES: Sullivan, Kendall, Tesche, Von Gemmingen, Meyer, Fairclough, Taylor, Van Etten, Clementson.

NAYS: Tremaine, Abney.

- H. Resolution No. AR 2000-285, a resolution of the Anchorage Municipal Assembly appropriating \$125,000 from Areawide General Fund (101) Balance to the Anchorage Fire Department to **fund overtime for staffing an ambulance at Station #4**, Assemblymembers Abney, Tremaine, Fairclough, Meyer, Taylor, Tesche, and Von Gemmingen.
 - 1. Assembly Memorandum No. AM 955-2000, appropriating \$125,000 for the Anchorage Fire Department staff overtime and ambulance at Station #4 (Tudor Road), Assemblymembers Abney and Tremaine. (**addendum**)

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

Mr. Tesche moved, to approve AR 2000-285.
seconded by Ms. Abney,

Ms. Abney moved, to amend AM 955-2000 at line 17 to replace \$20,000 with
seconded by Mr. Tesche, \$105,000, and on line 18 to replace \$115,000 with \$20,000.
and it passed without
objection,

Mr. Sullivan moved, to postpone action on AR 2000-285 indefinitely.
and it died for lack of a second,

Mr. Sullivan said he had spoken with the Fire Chief earlier, who had indicated he was willing not to make the staff changes that would require the overtime funding. Mr. Sullivan said this would save them \$125,000, and given the current budget constraints, this would be a more viable solution.

Ms. Abney took exception to the motion. She said she had fought hard to ensure that South Anchorage residents were covered for emergency services. She said this was not in her district, but she felt a responsibility to all of Anchorage, and she thought it was important that these residents be protected.

Ms. Taylor pointed out there was no second to Mr. Sullivan's motion.

In response to Chair Von Gemmingen, Mayor Wuerch advised that the Chief would be content to leave the staffing at the status quo for the present time, and it would save the \$125,000 in overtime payments. However, if it was the will of the Assembly to appropriate the money, the proposed changes would be made.

Question was called on the motion to approve AR 2000-285 as amended and it passed:

AYES: Tremaine, Abney, Kendall, Tesche, Meyer, Fairclough, Taylor, Van Etten, Clementson.

NAYS: Sullivan, Von Gemmingen.

- I. Assembly Memorandum No. AM 948-2000, C&D Liquor #4 - Transfer of Ownership and Transfer of Location for a Package Store Liquor License (Rogers Park Community Council), Clerk's Office.
 - a. Information Memorandum No. AIM 110-2000. (**addendum**)
- J. Resolution No. AR 2000-304, a resolution of the Municipality of Anchorage waiving protest, waiving protest with conditions, or protesting the transfer of ownership and transfer of location for a package store

liquor license - **C&D Liquor #4**, 2210 E. Northern Lights Blvd., Assemblymember Van Etten. (**LAI**D ON THE TABLE)

Mr. Meyer and Mr. Van Etten withdrew Resolution No. AR-2000 304.

Chair Von Gemmingen noted a motion to approve AM 948-2000 was on the floor.

Mr. Meyer moved, seconded by Mr. Van Etten,	to amend AM 948-2000 to include four conditions: (1) to remove the pay telephone, (2) to have an Assembly review within one year, (3) to have oversized age restrictions signs placed on the entry door, and (4) to not have any advertising signage visible to Wendler Junior High School.
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Mr. Schrage, the applicant, said the only signage he planned to have that would face Wendler Junior High was the store name, C&D Liquor. He would not have any beer or other advertising signage that would be visible to the school. The Assembly concurred that was acceptable.

Question was called on the motion to amend AM 948-2000 and it passed without objection.

Question was called on the motion to approve AM 948-2000 as amended and it passed:

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

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

The meeting adjourned at 12:00 midnight.

Chair

ATTEST:

Municipal Clerk

Date Minutes Approved: February 13, 2001

LF/ccarl

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