

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of November 21, 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 (5:10 p.m.), Pat Abney (5:10 p.m.), Dan Kendall, Allan Tesche, Fay Von Gemmingen, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.
Absent: Kevin Meyer (excused.)

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Sullivan.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - July 18, 2000
- B. Regular Meeting - August 15, 2000

Mr. Kendall moved, seconded by Mr. Taylor, and it passed without objection, to approve the minutes of the regular meetings of July 18 and August 15, 2000.

5. MAYOR'S REPORT: None.

6. ADDENDUM TO AGENDA:

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

Chair Von Gemmingen read the addendum items.

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

7. CONSENT AGENDA:

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

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 1046-2000, recommendation of award to Yukon Equipment for furnishing **one hydraulic snow broom/blower for a front end loader** to the Municipality of Anchorage, Merrill Field Airport (ITB 20-B117) (\$145,912), Purchasing.
- 2. Assembly Memorandum No. AM 1047-2000, recommendation of award to Tony Chevrolet of Anchorage for furnishing **4x4 utility vehicles** to the Municipality of Anchorage, Fire Department (ITB 20-B100) (\$103,773), Purchasing.

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

- 3. Assembly Memorandum No. AM 1077-2000, recommendation of award to Frontier Excavating, Inc. for the **Anchorage Loop Water Transmission Main, Phase VI** for the Municipality of Anchorage, Water and Wastewater Utility (ITB 20-C062) (\$1,117,633), Purchasing. (**addendum**)

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2000-164, an ordinance amending Assembly Ordinance 93-183 (S-1) as subsequently amended to **amend the permitted uses in the PC District relating to car washes and other drive-in businesses** for portions of Sections 7 and 18, T13N, R3W, S.M. and Section 13, T13N, R4W, S.M.; as depicted in Exhibit A, generally located in the Lower Ship Creek Valley between the railroad yards and Downtown Anchorage containing 127 acres more or less (Downtown Community Council) (Planning and Zoning Commission Case 00-139), Planning Department. public hearing 1-9-01.
 - a. Assembly Memorandum No. AM 1026-2000.

2. Ordinance No. AO 2000-165, an ordinance amending the Hillside Wastewater Management Plan, Anchorage Municipal Code Subsection 21.05.030M., to **remove from the sewerage service area approximately 29 acres of an 80.9 acre parcel platted as Tract A-4, Viewpoint South Subdivision**, generally located north and east of Potter Valley Drive on the south side of Potter Creek in the southern Hillside Area (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-025), Planning Department. public hearing 12-12-00.
 - a. Assembly Memorandum No. AM 1056-2000.
3. Ordinance No. AO 2000-166, an ordinance amending Anchorage Municipal Code 3.30.152, 3.30.154, 3.30.155 and 3.30.156 regarding **leave accumulation and usage rules**, Employee Relations. public hearing 12-12-00.
 - a. Assembly Memorandum No. AM 1058-2000.
4. Resolution No. AR 2000-339, a resolution of the Municipality of Anchorage accepting a Section 5307 grant from the Federal Transit Administration for \$1,608,800 and appropriating \$1,436,800 therefrom to the Public Transportation Capital Improvement Fund (485) and \$172,000 to the Federal Categorical Grants Fund (241) and a contribution of \$43,000 from the Areawide General Fund (101) to the Federal Categorical Grants Fund (241) for **operating and capital assistance to the public transportation system** in the Municipality of Anchorage, Public Transportation Department. public hearing 12-12-00.
 - a. Assembly Memorandum No. AM 1054-2000.
5. Resolution No. AR 2000-343, a resolution **confirming and levying assessments for the sewer special improvements within Levy-Upon-Connection Roll 2000-S-4**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility. public hearing 12-12-00.
 - a. Assembly Memorandum No. AM 1057-2000.
6. Resolution No. AR 2000-344, a resolution of the Municipality of Anchorage appropriation \$1,136,363 from the State of Alaska Department of Education and Early Development to the State Categorical Grants Fund (231) for the **Day Care Assistance Program** in the Department of Health and Human Services. public hearing 12-12-00. (**addendum**)
 - a. Assembly Memorandum No. AM 1069-2000.
7. Resolution No. AR 2000-357, a resolution of the Municipality of Anchorage, Alaska, **authorizing the defeasance of the Anchorage Parking Authority's Lease Revenue Refunding Bonds**, Series 1993 outstanding in the amount of \$11,175,000 and authorizing the Chief Fiscal Officer to prepare and implement a plan of defeasance for such bonds, Finance. public hearing 12-12-00. (**addendum**)
 - a. Assembly Memorandum No. AM 1078-2000.
8. Resolution No. AR 2000-358, a resolution of the Municipality of Anchorage, Alaska, **authorizing the defeasance of the Municipality's Ice Rink Revenue Bonds**, 1998 outstanding in the amount of \$5,185,000 and authorizing the Chief Fiscal Officer to prepare and implement a plan of defeasance for such bonds, Finance. public hearing 12-12-00. (**addendum**)
 - a. Assembly Memorandum No. AM 1079-2000.
9. Ordinance No. AO 2000-171, an ordinance of the Municipality of Anchorage **approving and adopting the 2001 Plan Year Anchorage Police and Fire Retirement System Operating Budget**, Police and Fire Retirement System. public hearing 12-12-00 & 12-19-00. (**addendum**)
 - a. Assembly Memorandum No. AM 1080-2000.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-340, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Mary Kathleen Lawson for her 26 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 2000-341, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Dennis G. Smith for his 26 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.

3. Resolution No. AR 2000-342, a resolution of the Anchorage Municipal Assembly **recognizing, honoring, and thanking Russian Jack Community Patrol for its service** to the East Anchorage Community, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Van Etten, and Von Gemmingen.

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

4. Resolution No. AR 2000-312, a resolution of the Anchorage Municipal Assembly **approving the sitework revised (schematic) design for Wendler Middle School**, Anchorage School District.
 - a. Assembly Memorandum No. AM 1024-2000.
5. Resolution No. AR 2000-333, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling \$12,000 from the State of Alaska, Department of Education to the State Categorical Grants Fund (231) Cultural and Recreational Services Department for **Library Catalog Enhancement**, Cultural and Recreational Services/Library.
 - a. Assembly Memorandum No. AM 1027-2000.

6. Resolution No. AR 2000-334, a resolution of the Municipality of Anchorage appropriating \$10,000 from the Federal Emergency Management Agency (FEMA), under the Project Impact Grant Program, to the Federal Categorical Grants (241) Fund through the Fire Department to assist the Anchorage School District in **implementation of a School Safety Program Pilot Project**, Anchorage Fire Department.
 - a. Assembly Memorandum No. AM 1028-2000.
7. Resolution No. AR 2000-335, a resolution of the Municipality of Anchorage appropriating \$38,700 from the State of Alaska, Department of Community and Economic Development, to the State Categorical Grants Fund (231) for **continuing implementation of the Anchorage Coastal Management Program**, Planning Department.
 - a. Assembly Memorandum No. AM 1029-2000.
8. Resolution No. AR 2000-348, a resolution of the Municipal Assembly appropriating \$55,000 from the Areawide General Fund Balance (101) to Non-Departmental for **additional indigent defense services** in 2000, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 1064-2000.
9. Resolution No. AR 2000-347, a resolution of the Municipal Assembly appropriating \$20,000 from the Areawide General Fund Balance (101-0740) to the Assembly Operating Budget (101-1010) to pay **legal fees incurred to date in the South Anchorage High School site litigation** (3AN-00-06059 CI), Municipal Clerk.
 - a. Assembly Memorandum No. AM 1049-2000.

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

10. Resolution No. AR 2000-336, a resolution authorizing the Municipality to **grant a 20' wide electrical easement within Lot 38A (Proposed Lot 38B), Audacious Subdivision**, Tax #050-251-11 for Eagle River Fire Station No. 11 Addition, generally located between Eagle River Road and VFW Road in Eagle River, Office of Planning, Development & Public Works.
 - a. Assembly Memorandum No. AM 1030-2000.

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

11. Resolution No. AR 2000-338, a resolution authorizing the Municipality to **grant an electrical easement across a portion of Tract A, Block 1, Georgeville Estates Subdivision**, Tax #012-272-53, for Sand Lake Fire Station No. 7, located at Jewel Lake Road and West 88th Avenue, Office of Planning, Development, & Public Works.
 - a. Assembly Memorandum No. AM 1039-2000.
12. Resolution No. AR 2000-337, a resolution **establishing guidelines and criteria to be used in developing the 2001 Legislative Program**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 1031-2000.

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

13. Resolution No. AR 2000-345, a resolution of the Anchorage Municipal Assembly **recognizing the efforts of Municipal Employees to ensure that the State High School Swimming and Diving Championships** was a successful event, 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.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 1059-2000, **Bidding Review Board appointment** (Gary Klebs), Mayor's Office.
2. Assembly Memorandum No. AM 1060-2000, **Budget Advisory Commission appointments** (Ralph Samuels, Denise Thompson), Mayor's Office.
3. Assembly Memorandum No. AM 1061-2000, **Chugiak-Eagle River Parks and Recreation Board of Supervisors appointment** (Katherine Koch), Mayor's Office.
4. Assembly Memorandum No. AM 1062-2000, **Board of Ethics appointment** (Elaine Brown), Mayor's Office.
5. Assembly Memorandum No. AM 1063-2000, **Light and Power Commission appointment** (Spence Hochstein), Mayor's Office.
6. Assembly Memorandum No. AM 1050-2000, **Brown Jug/Muldoon** - Transfer of Location of a Package Store Liquor License (Northeast Community Council), Clerk's Office.
 - a. Information Memorandum No. AIM 118-2000. **(addendum)**

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

7. Assembly Memorandum No. AM 1051-2000, 2001/2002 Liquor License Renewal: **Blue Fox Lounge** (Beverage Dispensary Liquor License) (University Community Council), Clerk's Office.
8. Assembly Memorandum No. AM 1052-2000, **Chilkoot Charlies** - Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (Spenard and South Addition Community Councils), Clerk's Office.

(Clerk's Note: Action on this item was reconsidered later in the meeting. See item 8.D.)

9. Assembly Memorandum No. AM 1053-2000, 2001/2002 Liquor License Renewal: **Timeout Lounge** (Beverage Dispensary Liquor License) (Spenard and Campbell Park Community Councils), Clerk's Office.
10. Assembly Memorandum No. AM 1032-2000, change order No. 1 to purchase order 994126 to exercise the first option period with Automated Control Systems to **service and maintain heating, air conditioning and ventilation systems** at various locations for the Municipality of Anchorage, Municipal Light and Power (\$25,000 per year), Purchasing.
11. Assembly Memorandum No. AM 1033-2000, proprietary service contract with Liburdi Engineering Ltd. to provide **turbine equipment welding services** for the Municipality of Anchorage, Municipal Light and Power (\$199,660), Purchasing.
12. Assembly Memorandum No. AM 1034-2000, change order No. 1 to vendor contract 20MLP425 with Cutler-Hammer Engineering Services for **on-line transformer testing** for the Municipality of Anchorage, Municipal Light and Power (\$25,000), Purchasing.
13. Assembly Memorandum No. AM 1035-2000, change order No. 2 to various purchase orders with Dan Judd Consulting for providing **computer consultant services** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility and Municipal Light and Power (\$60,000), Purchasing.
14. Assembly Memorandum No. AM 1036-2000, proprietary purchase of **software license and maintenance/support** from Oracle Corporation for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (AWWU) (\$339,707.65), Purchasing.
15. Assembly Memorandum No. AM 1037-2000, change order No. 1 to purchase order 993138 with Harris Corporation, Farinon Division, for the cooperative purchase of **digital microwave system equipment** for the Municipality of Anchorage, Department of Public Works (\$582,054), Purchasing.

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

16. Assembly Memorandum No. AM 1038-2000, recommendation of award to various firms for providing **professional architectural/engineering services** for various projects for the Municipality of Anchorage, Public Works Department (RFP 20-P028) (\$1,004,337), Purchasing.
17. Assembly Memorandum No. AM 1042-2000, contract amendment No. 6 to **King Street/100th Avenue upgrade contract, 96th Court to Old Seward Highway Project**, Quality Asphalt Paving, Inc., Contract No. C-991519, Project File No. 96-14 (\$15,000), Public Works.

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

18. Assembly Memorandum No. AM 1043-2000, contract amendment No. 2 to Eastwind, a Division of NORCON, Inc. for the **reconstruction of the Kempton Hills Subdivision R.I.D., Phase II**, Project File No. 98-25 (\$159,757.70), Public Works.

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

19. Assembly Memorandum No. AM 1044-2000, contract amendment No. 2 to Skyline Electric Company, Inc. for the **construction of the Klatt Road/ Timberline Drive Signalization Improvements**, File No. 99-13 (\$67,260.98), Public Works.

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

20. Assembly Memorandum No. AM 1048-2000, contract change order No. 1 to Summit Roads for the **construction of Geneva Woods Subdivision R.I.D. - Phase I Improvements**, Project #98-11 (\$420,000), Public Works.

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

21. Assembly Memorandum No. AM 1045-2000, Assembly approval of change order #5 to 1997-2000 contract with Delisio, Moran, Geraghty & Zobel, P.C. to provide **legal services in the area of workers' compensation** (\$50,000), Finance.

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

22. Assembly Memorandum No. AM 1040-2000, **Assembly Meeting Schedule (January-June 2001)**, Assembly Chair Von Gemmingen.
 - a. Assembly Memorandum No. AM 1041-2000.
23. Assembly Memorandum No. AM 1070-2000, **Haute Quarter Grill - New Restaurant/Eating Place** Liquor License and Application for a Restaurant Designation Permit (Eagle River Community Council), Clerk's Office. (**addendum**)

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

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 115-2000, **Sole Source Procurement Report** for the month of October 2000, Purchasing.
2. Information Memorandum No. AIM 116-2000, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of October 2000, 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, Fairclough, Taylor, Van Etten, Clementson.

NAYS: None.

8. REGULAR AGENDA:

A. BID AWARDS:

1. Assembly Memorandum No. AM 1047-2000, recommendation of award to Tony Chevrolet of Anchorage for furnishing **4x4 utility vehicles** to the Municipality of Anchorage, Fire Department (ITB 20-B100) (\$103,773), Purchasing.

Mr. Van Etten moved, to approve AM 1047-2000.
seconded by Ms. Fairclough,

In response to Mr. Van Etten, Fire Chief John Fullenwider explained the price of the vehicles was determined by the bid process. He added two of the three vehicles were for the Anchorage Fire Department, and the third is for the Chugiak Fire Department.

In response to Ms. Taylor, Acting Purchasing Office Bart Mauldin explained the price of the vehicles resulted from manufacturer "option bundling." Manufacturers package options together, so it is difficult to get one stand-alone option.

Question was called on the motion to approve AM 1047-2000 and it passed without objection.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-340, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Mary Kathleen Lawson for her 26 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, to approve AR 2000-340.
seconded by Mr. Tremaine,
and it passed without
objection,

Mr. Tremaine read the resolution while Mr. Tesche presented it to Ms. Lawson.

Ms. Lawson thanked the Assembly.

2. Resolution No. AR 2000-341, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Dennis G. Smith for his 26 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, to approve AR 2000-341.
seconded by Mr. Tremaine,
and it passed without
objection,

Mr. Tremaine read the resolution while Mr. Tesche presented it to Officer Smith.

Mr. Tremaine also presented Officer Smith with a resolution of the Huffman/O'Malley Community Council.

Officer Smith thanked the Assembly.

3. Resolution No. AR 2000-342, a resolution of the Anchorage Municipal Assembly **recognizing, honoring, and thanking Russian Jack Community Patrol for its service** to the East Anchorage Community, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Tesche, Tremaine, Van Etten, and Von Gemmingen.

Mr. Van Etten moved, to approve AR 2000-342.
seconded by Ms. Clementson,
and it passed without
objection,

Mr. Van Etten read the resolution while Ms. Taylor presented it to representatives of the Community Patrol.

4. Resolution No. AR 2000-347, a resolution of the Municipal Assembly appropriating \$20,000 from the Areawide General Fund Balance (101-0740) to the Assembly Operating Budget (101-1010) to pay **legal fees incurred to date in the South Anchorage High School site litigation** (3AN-00-06059 CI), Municipal Clerk.
 - a. Assembly Memorandum No. AM 1049-2000.

Mr. Van Etten moved, to approve AR 2000-347.
seconded by Mr. Sullivan,

In response to Mr. Van Etten, Municipal Attorney Bill Greene explained the Administration views the litigation as complete, but the plaintiffs do not concur. He felt this would likely not be the last bill on this issue.

Question was called on the motion to approve AR 2000-347 and it passed without objection.

5. **Resolution No. AR 2000-336**, a resolution authorizing the Municipality to **grant a 20' wide electrical easement within Lot 38A (Proposed Lot 38B), Audacious Subdivision**, Tax #050-251-11 for Eagle River Fire Station No. 11 Addition, generally located between Eagle River Road and VFW Road in Eagle River, Office of Planning, Development & Public Works.
 - a. Assembly Memorandum No. AM 1030-2000.

Ms. Fairclough moved, to approve AR 2000-336.
seconded by Ms. Taylor,

In response to Ms. Fairclough, Property and Facility Management Director Joe Beauchamp confirmed the water spigot on the old Eagle River Fire Station site would remain available to serve residents with water quality issues. However, he could not confirm if it would continue to be available 24 hours per day. He added a spigot will also be available at the new Fire Station, but he was not sure of the hours.

Question was called on the motion to approve AR 2000-336 and it passed without objection.

6. **Resolution No. AR 2000-337**, a resolution **establishing guidelines and criteria to be used in developing the 2001 Legislative Program**, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 1031-2000.

Ms. Abney moved, to approve AR 2000-337.
seconded by Mr. Tesche,

Ms. Abney moved, to amend AR 2000-337 on page 2, line 18, to delete the
seconded by Ms. Taylor, first criteria
and it was withdrawn,

Ms. Clementson pointed out there was language in the resolution which stated projects must meet “one *or more* of the following criteria.”

Ms. Abney withdrew her motion. Ms. Taylor concurred.

Question was called on the motion to approve AR 2000-337 and it passed without objection.

7. **Resolution No. AR 2000-345**, a resolution of the Anchorage Municipal Assembly **recognizing the efforts of Municipal Employees to ensure that the State High School Swimming and Diving Championships** was a successful event, Assemblymembers Fairclough, Abney, Clementson, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. **(addendum)**

Ms. Fairclough moved, to approve AR 2000-345.
seconded by Ms. Clementson,

(See further action on this item later in the meeting, after item 8.D.9.)

D. NEW BUSINESS:

1. **Assembly Memorandum No. AM 1050-2000, Brown Jug/Muldoon** - Transfer of Location of a Package Store Liquor License (Northeast Community Council), Clerk's Office.
 - a. Information Memorandum No. AIM 118-2000. **(addendum)**

Ms. Clementson moved, to approve AM 1050-2000.
seconded by Ms. Taylor,

Ms. Clementson moved, to postpone action on AM 1050-2000 until December 12,
seconded by Ms. Taylor, 2000, to coincide with the conditional use permit for the
and it passed without location.
objection,

Ms. Clementson asked the record reflect that she did not have a conversation with Mr. Tom McGrath regarding this license transfer, despite allegations to this effect in a recent letter from Mr. McGrath to Assemblymembers.

2. **Assembly Memorandum No. AM 1052-2000, Chilkoot Charlies** - Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (Spenard and South Addition Community Councils), Clerk's Office.

Ms. Fairclough moved, to reconsider action on item 7.D.8, AM 1052-2000.
seconded by Mr. Tesche,
and it passed without
objection,

In response to Ms. Fairclough, Municipal Attorney Bill Greene said he would investigate the relation of the designation to the new smoking law.

In response to Mr. Kendall, Mr. Greene

Ms. Fairclough moved, to postpone action on AM 1052-2000 until later in the
seconded by Ms. Clementson, meeting.
and it passed without
objection,

(Clerk's Note: See after item 8.D.9 for further action on this item.)

3. Assembly Memorandum No. AM 1037-2000, change order No. 1 to purchase order 993138 with Harris Corporation, Farinon Division, for the cooperative purchase of **digital microwave system equipment** for the Municipality of Anchorage, Department of Public Works (\$582,054), Purchasing.

Ms. Abney moved, to approve AM 1037-2000.
seconded by Ms. Clementson,
and it passed without
objection,

4. Assembly Memorandum No. AM 1042-2000, contract amendment No. 6 to **King Street/100th Avenue upgrade contract, 96th Court to Old Seward Highway Project**, Quality Asphalt Paving, Inc., Contract No. C-991519, Project File No. 96-14 (\$15,000), Public Works.

Ms. Abney moved, to approve AM 1042-2000.
seconded by Mr. Tremaine,
and it passed without
objection,

5. Assembly Memorandum No. AM 1043-2000, contract amendment No. 2 to Eastwind, a Division of NORCON, Inc. for the **reconstruction of the Kempton Hills Subdivision R.I.D., Phase II**, Project File No. 98-25 (\$159,757.70), Public Works.

Mr. Tremaine moved, to approve AM 1043-2000.
seconded by Mr. Tesche,
and it passed without
objection,

6. Assembly Memorandum No. AM 1044-2000, contract amendment No. 2 to Skyline Electric Company, Inc. for the **construction of the Klatt Road/ Timberline Drive Signalization Improvements**, File No. 99-13 (\$67,260.98), Public Works.

Mr. Tremaine moved, to approve AM 1044-2000.
seconded by Ms. Abney,
and it passed without
objection,

7. Assembly Memorandum No. AM 1048-2000, contract change order No. 1 to Summit Roads for the **construction of Geneva Woods Subdivision R.I.D. - Phase I Improvements**, Project #98-11 (\$420,000), Public Works.

Ms. Fairclough moved, to approve AM 1048-2000.
seconded by Mr. Tremaine,
and it passed without
objection,

8. Assembly Memorandum No. AM 1045-2000, Assembly approval of change order #5 to 1997-2000 contract with Delisio, Moran, Geraghty & Zobel, P.C. to provide **legal services in the area of workers' compensation** (\$50,000), Finance.

Ms. Fairclough moved, to approve AM 1045-2000.
seconded by Mr. Tremaine,

Ms. Fairclough moved, to postpone action on AM 1045-2000 until later in the
seconded by Mr. Kendall, meeting.
and it passed without
objection,

(Clerk's Note: Due to lack of time, this item was carried over until the December 12, 2000 meeting.)

9. Assembly Memorandum No. AM 1070-2000, Haute Quarter Grill - New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Eagle River Community Council), Clerk's Office. (**addendum**)

Mr. Kendall moved, to approve AM 1070-2000.
seconded by Ms. Fairclough,

Mr. Kendall moved, to postpone action on AM 1070-2000 until after action on item
seconded by Ms. Clementson, 12.K, AR 2000-332, and to change the orders of the day to
consider item 12.K after item 11.B, AO 2000-138.

AYES: Sullivan, Abney, Kendall, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Tesche, Clementson.

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

Question was called on the earlier motion to approve item 8.C.7, AR 2000-345, and it passed without objection.

Ms. Fairclough moved, to postpone action on item 8.D.2, AM 1052-2000, until
seconded by Ms. Clementson, December 12, 2000.
and it passed without
objection,

E. INFORMATION AND REPORTS: None.

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

- A. 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-1), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2001 General Government Operating Budget for the Municipality of Anchorage (Mayor's Amended Proposed Budget), Office of Management and Budget.
 3. Assembly Memorandum No. AM 1065-2000.
 4. Information Memorandum No. AIM 117-2000, Budget Advisory Commission comments on 2001 General Government Operating Budget, Office of Management and Budget. (**addendum**)
 5. Ordinance No. AO 2000-144(S-2), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2001 General Government Operating Budget for the Municipality of Anchorage (Mayor's Amended Proposed Budget), Office of Management and Budget. (**addendum**)
 6. Assembly Memorandum NO. AM 1055-2000.
- (CONTINUED FROM 10-24-00 AND 10-31-00; AO 2000-144(S) WAS POSTPONED INDEFINITELY 11-8-00; THE PUBLIC HEARING ON AO 2000-144 WAS CLOSED 11-8-00)

This item was considered later in the meeting. See after item 11.

10. APPEARANCE REQUESTS:

- A. **Kendra Taber**, regarding the Police Department and Ombudsman.

Ms. Taber noted her brother lives in a group home, as he is crippled, retarded and suffers from epilepsy. He told her in a phone conversation that he was being physically abused. She sought help from the Police Department, but felt the investigation was tainted and unfair. Ms. Taber requested the case be reopened, to determine the truth.

Mayor Wuerch said he would be happy to have the case reopened.

The meeting recessed at 6:20 p.m. and reconvened at 6:55 p.m.

Mr. Kendall read item 8.C.7, AR 2000-345 while Ms. Fairclough presented it.

11. CONTINUED PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-129, an ordinance amending Anchorage Municipal Code Chapter 26.50, **Sewer Service** to provide new or amended definitions and revised technically based discharge limitations for toxic pollutants, standards for sewerage discharge, permit forms and procedures, sampling requirements and methodology, reporting requirements, and enforcement mechanisms and fines to comply with federal law, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 788-2000.
 2. Ordinance No. AO 2000-129(S), an ordinance amending Anchorage Municipal Code Chapter 26.50, Sewer Service to provide new or amended definitions and revised technically based discharge limitations for toxic pollutants, standards for sewerage discharge, permit forms and procedures, sampling requirements and methodology, reporting requirements, and enforcement mechanisms and fines to comply with federal law, Water and Wastewater Utility.
 3. Assembly Memorandum No. AM 1025-2000.

(CONTINUED FROM 9-26-00)

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

TOM STOLTY felt provisions regarding waste haulers to provide a waste analysis prior to discharge would pose an undue financial burden. He noted haulers already pay more than \$15,000 in dump fees. Mr. Stolty said he was unaware of any providers of this service in the Matanuska-Susitna Valley.

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

Mr. Kendall moved, to adopt AO 2000-129(S).
seconded by Ms. Fairclough,

Anchorage Water and Wastewater Utility General Manager Mark Premo explained the proposed changes were necessary to protect the 301 waiver from the U.S. Environmental Protection Agency. He noted the provision mentioned by Mr. Stolty was a safeguard for certain situations. However, it was not his intent to require the testing unless there is reasonable suspicion of the presence of certain chemicals. He said improper dumping has been a problem in the past, but there have been no provisions to deal with violations.

Question was called on the motion to adopt AO 2000-129(S) and it passed:

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

NAYS: None.

- B. 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.
2. Ordinance No. AO 2000-138(S), 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), Planning Department.
3. Assembly Memorandum No. AM 994-2000.

(CONTINUED FROM 10-17-00 AND 10-31-00)

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

KEN AYERS, representing Carr-Gottstein Properties, outlined recent compromise discussions with affected residents. He felt proposed amendments to the substitute ordinance reflect these compromises, and recommended approval.

ANDREAS MOUSSOURAS, president of the Discovery Heights Homeowners Association, said residents supported the proposed amendments, except item #24. However, he opposed allowing mini and public storage units to be placed in front of Discovery Heights, regardless of whether it is screened by fences. Mr. Moussouras felt legal action was a likelihood if public storage is allowed.

MARTHA SHOWENTHAL, an adjacent property owner, thanked Carr-Gottstein officials for working with the neighborhood residents. She supported the proposed amendments, except for the issue of public storage. She felt public storage should not be allowed as it is a quasi-industrial use and not compatible with the existing neighborhood. Ms. Showenthal also opposed the change in density for areas F and G.

PAGE HODSON, representing Bayshore Elementary School, expressed concern about areas F and G, which abut the same road as the School. She felt the proposed density in the development would increase already heavy, hazardous traffic on the road.

ROBIN WALKER, a resident in Bayshore Subdivision across the street from areas F and G in Southport, said she was generally pleased by the Southport area. She voiced appreciation for Carr-Gottstein's concessions. Ms. Walker expressed concern with the impact of increased population on the tiny elementary school and area roads. She felt the community could not absorb the impact that would result from the number of additional homes proposed by the developer. She said it was not reasonable to deviate from the original plan for the subdivision, at the expense of the community, just to allow the developer to make a greater profit than he originally anticipated. She asked the Assembly to make the developer conform to the current zoning requirements.

TERRY SHOWENTHAL thanked Carr-Gottstein officials for efforts to reach a compromise with area residents. He noted the developer was proposing to build fewer housing units in the higher density areas F and G. This would result in fewer

houses than allowed by existing zoning. Mr. Showenthal felt a public storage unit would be inappropriate for the area because such uses are usually in semi-industrial areas.

CHRIS GERLEDES, a resident of west Bayshore, felt his family would be impacted by the proposed zoning change. He said the amended version of the ordinance was better than the original. The proposed density of Southport's areas F and G are not compatible with surrounding neighborhoods. He felt the traffic impact, especially on a road that serves school children, should be considered by the developer.

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

Mr. Tremaine moved, to adopt AO 2000-138(S).
seconded by Mr. Tesche,

Mr. Tremaine moved, to amend AO 2000-138(S) with a 27-item list of amendments
seconded by Mr. Tesche, entitled "Discussed between Petitioner and Neighborhood"
except item #24, regarding storage yards.

(Clerk's Note: The entire list is attached as Exhibit B.)

There was a discussion of whether the rezoning was properly before the Assembly since it was denied by the Planning and Zoning Commission.

In response to Mr. Sullivan, Mr. Ayers said there were no plans for a specific use for the area labeled "village center." He noted the reduced density in the development has reduced the need for commercial services in the area.

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

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

NAYS: Taylor.

Mr. Kendall moved, to amend AO 2000-138(S) by adding item #24 from the list
seconded by Ms. Clementson, attached as Exhibit A.

Mr. Van Etten moved, to amend the amendment to add the language "Site plan
and it was accepted as a friendly review required before construction."
amendment,

Question was called on Mr. Kendall's motion to amend as amended and it passed:

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

NAYS: Abney, Fairclough.

Mr. Tremaine moved, to amend AO 2000-138(S) on page 7, to delete the text
seconded by Mr. Tesche, beginning on line 46 and continuing to delete all the text from
the previous amendment regarding item #24.

AYES: Tremaine, Abney, Fairclough.

NAYS: Sullivan, Kendall, Tesche, Von Gemmingen, Taylor, Van Etten, Clementson.

Question was called on the motion to adopt AO 2000-138(S) as amended and it passed:

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

NAYS: Tremaine, Abney, Fairclough.

The Assembly then considered item 12.K, AR 2000-332.

Resolution No. AR 2000-332, a resolution of the Anchorage Municipal Assembly **granting a temporary conditional use permit for a restaurant/eating place liquor license at 11221 Old Glenn Highway for The Haute Quarter Grill, Assemblymembers Kendall, Fairclough, and Meyer.**

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

DAN COFFEY, representing the applicant, said Assembly questions from November 8 were addressed in a memorandum previously submitted by the applicant. He offered to answer questions.

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

Mr. Kendall moved, to approve AR 2000-332.
seconded by Ms. Fairclough,

AYES: Sullivan, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Clementson.

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

The Assembly then returned to item 8.D.9, AM 1070-2000.

Assembly Memorandum No. AM 1070-2000, Haute Quarter Grill - New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Eagle River Community Council), Clerk's Office. **(addendum)**

Mr. Kendall moved, to approve AM 1070-2000.
seconded by Ms. Fairclough,
and it passed with Ms. Clementson
objecting,

The Assembly then changed the orders of the day to consider item 9.A, AO 2000-144.

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-1), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2001 General Government Operating Budget for the Municipality of Anchorage (Mayor's Amended Proposed Budget), Office of Management and Budget.
3. Assembly Memorandum No. AM 1065-2000.
4. Information Memorandum No. AIM 117-2000, Budget Advisory Commission comments on 2001 General Government Operating Budget, Office of Management and Budget. **(addendum)**
5. Ordinance No. AO 2000-144(S-2), an ordinance of the Municipality of Anchorage adopting and appropriating funds for the 2001 General Government Operating Budget for the Municipality of Anchorage (Mayor's Amended Proposed Budget), Office of Management and Budget.
(addendum)
6. Assembly Memorandum NO. AM 1055-2000.

(CONTINUED FROM 10-24-00 AND 10-31-00; AO 2000-144(S) WAS POSTPONED INDEFINITELY 11-8-00; THE PUBLIC HEARING ON AO 2000-144 WAS CLOSED 11-8-00)

Mr. Sullivan moved, to adopt AO 2000-144(S-2).
seconded by Ms. Clementson,

Mr. Sullivan took the Chair.

Mayor Wuerch spoke in support of the S-2 version of the ordinance. He noted it included provisions for defeasance of bonds and for using part of the MOA Trust Fund Reserve. Mayor Wuerch explained the budget would restore most services to the level of 2000, while reducing spending to about \$269 million.

Mr. Tesche moved, to substitute AO 2000-144 including amendments listed in
seconded by Mr. Tremaine, Exhibit A of a packet entitled "floor amendments to
AO 2000-144."

(Clerk's Note: These sheets are attached as Exhibit A.)

Mr. Kendall asked his name be added as a sponsor of the Mayor's S-2 version.

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

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Sullivan, Kendall, Clementson.

Ms. Abney moved, to amend the amendments in Exhibit A, to reinstate funding
seconded by Mr. Tremaine, for ranks #82, 83 and 84 to the Health and Human Services
Department, an increase of \$147,370 for a total of \$634,260.

AYES: Tremaine, Abney, Taylor, Van Etten, Clementson.

NAYS: Sullivan, Kendall, Tesche, Von Gemmingen, Fairclough.

Ms. Von Gemmingen moved, to amend the amendments in Exhibit A, Street Maintenance
seconded by Ms. Fairclough, Department, to replace the reduction of \$286,170 with the
figure \$1,100,000.

Mr. Tremaine moved, to amend the amendment to changed the reduction amount to
and it was accepted as a friendly \$836,170.
amendment,

Mr. Van Etten noted street maintenance was one of the highest priorities for his constituents.

Question was called on Ms. Von Gemmingen's motion to amend as amended and it failed:

AYES: Tremaine, Von Gemmingen, Fairclough, Van Etten, Clementson.

NAYS: Sullivan, Abney, Kendall, Tesche, Taylor.

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

to amend the amendments in Exhibit A, Street Maintenance Department, to replace the reduction of \$286,170 with the figure \$536,170.

AYES: Tremaine, Tesche, Von Gemmingen, Fairclough, Van Etten, Clementson.

NAYS: Sullivan, Abney, Kendall, Taylor.

Ms. Taylor moved,
seconded by Ms. Fairclough,

to amend the amendments in Exhibit A, Management Information Systems Department, to reduce the budget by \$510,640.

AYES: Tremaine, Fairclough, Taylor.

NAYS: Sullivan, Abney, Kendall, Tesche, Von Gemmingen, Van Etten, Clementson.

Mr. Tesche moved,
seconded by Ms. Abney,

to amend the amendments in Exhibit A, Planning Department, to restore funding for ranks #15, 16 and 17 for a total of \$135,936.

AYES: Tremaine, Abney, Tesche, Taylor.

NAYS: Sullivan, Kendall, Von Gemmingen, Fairclough, Van Etten, Clementson.

Ms. Clementson moved,
seconded by Mr. Kendall,

to amend the amendments in Exhibit A, Assembly Department, to reinstate funding for rank #29, the Ombudsman, for \$61,100.

AYES: Sullivan, Abney, Kendall, Tesche, Van Etten, Clementson.

NAYS: Tremaine, Von Gemmingen, Fairclough, Taylor.

The meeting recessed at 9:45 p.m. and reconvened at 10:00 p.m.

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

to reconsider action on Ms. Abney's failed motion to reinstate funding for ranks #82, 83 and 84 for the Health and Human Services Department.

In response to Mr. Tesche, Health and Human Services Director Jewel Jones clarified the positions reflected by ranks 82, 83 and 85 are currently filled, and the positions are critical to the operation of the Department. She recommended levels 80, 82, 83 and 85 be funded.

Mr. Tesche withdrew his motion. Ms. Fairclough concurred.

Mr. Tesche moved,
seconded by Mr. Tremaine,

to amend the amendments in Exhibit A, to reinstate funding for ranks #80, 82, 83 and 85, and remove funding for rank 81, for the Health and Human Services Department.

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten, Clementson.

NAYS: Sullivan.

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

Mr. Tesche moved,
seconded by Ms. Fairclough,

to amend AO 2000-144 to add \$150,000 to the Planning Department for contractual services to assist Department staff in implementation of the Anchorage 2020 Comprehensive Plan.

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

NAYS: None.

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

Mr. Van Etten moved,
seconded by Ms. Fairclough,

to amend AO 2000-144 to add \$180,000 to the Public Transportation Department to reinstate Hillside bus service - Routes 91 and 92.

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Sullivan, Clementson.

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

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

to amend AO 2000-144 to add \$40,000 to the Property Appraisal Division for contract services for an appraisal update of hotels, large commercial, unique and one-of-a-kind properties.

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Sullivan, Kendall Clementson.

Mr. Tesche moved,
seconded by Ms. Von Gemmingen,

to amend AO 2000-144 to add \$25,000 to the Non-Departmental category for a grant to the Alaska Moving Image Preservation Association to assist in procurement, protection, and preservation of archives.

AYES: Sullivan, Abney, Tesche, Von Gemmingen, Taylor, Van Etten.

NAYS: Tremaine, Kendall, Fairclough, Clementson.

Mr. Tremaine moved,
seconded by Mr. Tesche,

to amend AO 2000-144 to add \$500,000 to the Non-Departmental category for new revenue sharing of hotel/bed tax with Anchorage Convention and Visitors Bureau.

Ms. Clementson moved,
seconded by Ms. Fairclough,

to amend the amendment to change the addition amount to \$135,000.

AYES: Clementson.

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

Question was called on Mr. Tremaine's motion to amend to add \$500,000 for ACVB and it passed:

AYES: Sullivan, Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Kendall, Clementson.

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

to extend the meeting until midnight to complete agenda items, including public hearings.

Mr. Tesche moved,
seconded by Mr. Tremaine,

to amend AO 2000-144 to add \$30,000 to the Assembly Department for funding of a management audit to determine where efficiencies can be made.

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Van Etten.

NAYS: Sullivan, Kendall, Fairclough, Taylor, Clementson.

Mr. Tesche moved,
seconded by Ms. Von Gemmingen,

to amend AO 2000-144 to delete \$165,110 from the Library budget, representing 3 Circulation Supervisors; half of the savings to be dedicated to tax relief and the other half to pay for additional collection acquisitions for the Library.

In response to Ms. Abney, Tim Lynch of the Library said the 3 subject positions, the supervisor staff of the Circulation department, were currently filled.

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

AYES: Tremaine, Tesche, Von Gemmingen, Fairclough, Van Etten.

NAYS: Sullivan, Abney, Kendall, Taylor, Clementson.

Mr. Tremaine clarified his earlier motion to add \$500,000 to ACVB was for new revenue sources. However, there was \$500,000 added in approval of Exhibit A, as addbacks. He clarified he did not intend to add \$1 million to ACVB.

Ms. Von Gemmingen moved,
seconded by Mr. Tremaine,

to amend AO 2000-144 to delete \$35,000 from the Police Department.

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

NAYS: Abney, Kendall.

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

to amend AO 2000-144 as shown in Exhibit D to "Floor Amendments" to reduce revenue contributions by deleting increases to Dispatch fees, Cultural and Recreational Services User Fees and Planning, Development Services and Public Works fees for a total of \$1,350,000; and change the amount for General Fund Balance Contribution to \$2,538,940.

(Clerk's Note: This sheet is attached as Exhibit C.)

Question was called on the motion to adopt AO 2000-144 as amended and it passed:

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: Sullivan, Kendall, Clementson.

Ms. Fairclough moved,
seconded by Mr. Tesche,

immediate reconsideration of action on AO 2000-144
as amended.

AYES: Kendall.

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

(Clerk's Note: AO 2000-144 as amended was vetoed by the Mayor. No further action was taken by the Assembly, so AO 2000-144(S-2) took effect.)

Chair Von Gemmingen returned to the Chair.

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 2000-161, an ordinance amending Anchorage Municipal Code Chapter 12.40, **Excise Tax on Cigarettes and Tobacco Products**, to repeal the tax exemption for cigarettes and other tobacco products acquired within the Municipality and transported for resale outside the Municipality, Finance.
1. Assembly Memorandum No. AM 1023-2000.

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

In response to Mr. Sullivan, Chief Fiscal Officer Kate Giard explained removal of the exemption will increase revenues by approximately \$3 million. That revenue is included in the tax cap calculation and will provide tax relief.

Mr. Sullivan moved,
seconded by Mr. Tesche,

to adopt AO 2000-161.

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

NAYS: None.

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

- B. Ordinance No. AO 2000-162, an ordinance amending Anchorage Municipal Code Section 6.50.060 to **provide for the use of the corpus and earnings of the ATU Trust Fund Reserve** (Fund 731), "The Reserve", Assemblymembers Clementson, Kendall, and Von Gemmingen.
1. Ordinance No. AO 2000-162(S), an ordinance amending Anchorage Municipal Code Section 6.50.060 to provide for the use of the corpus and earnings of the ATU Trust Fund Reserve (Fund 731), "The Reserve", Finance. (**addendum**)
 2. Assembly Memorandum No. AM 1076-2000.
- C. Ordinance No. AO 2000-163, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 6.50.060, ATU Trust Fund, to **allow for the use of the Trust Fund reserves for any other public purpose**, Assemblymember Tesche.

Chair Von Gemmingen opened the public hearing for AO 2000-162 and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Ms. Fairclough moved,
seconded by Mr. Tremaine,
and it was withdrawn,

to postpone action on AO 2000-162 until December 12, 2000.

Ms. Clementson moved,
seconded by Mr. Sullivan,

to adopt AO 2000-162(S).

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

to open the public hearing for AO 2000-163.

Chair Von Gemmingen opened the public hearing for AO 2000-163 and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Question was called on the motion to adopt AO 2000-162(S) and it passed:

AYES: Sullivan, Tremaine, Abney, Kendall, Fairclough, Taylor, Clementson.

NAYS: Tesche, Von Gemmingen, Van Etten.

Mr. Sullivan moved,
seconded by Mr. Kendall,

immediate reconsideration of action on AO 2000-162(S).

AYES: Tesche, Von Gemmingen.

NAYS: Sullivan, Tremaine, Abney, Kendall, Fairclough, Taylor, Van Etten, Clementson.

Mr. Tesche moved, to postpone action on AO 2000-163 indefinitely.
seconded by Mr. Sullivan,
and it passed without
objection,

- D. Resolution No. AR 2000-325, a resolution of the Municipality of Anchorage appropriating \$525,000 to the State Categorical Grants Fund (231) from the Federal Highway Administration through the Alaska Department of Transportation and Public Facilities and a contribution of \$475,000 of the grant to the Areawide General Fund (101) to **provide for an air quality winter education information program and a congestion management and air quality mitigation through free fixed route bus service during the winter months** within the Municipality, Public Transportation Department.
1. Assembly Memorandum No. AM 1016-2000.

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. Sullivan moved, to approve AR 2000-325.
seconded by Ms. Fairclough,

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

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

- E. Resolution No. AR 2000-311, a resolution of the Municipality of Anchorage appropriating \$250,000 from Anticipated Vehicle Inspection and Maintenance Program Revenues Account to the Department of Health and Human Services Areawide General Fund (101) for the **purchase, installation and calibration of equipment for the Vehicle Inspection Program and Air Quality Program**, Health and Human Services.
1. Assembly Memorandum No. AM 992-2000.

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. Sullivan moved, to approve AR 2000-311.
seconded by Ms. Fairclough,

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

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

- F. Resolution No. AR 2000-324, a resolution of the Municipality of Anchorage appropriating \$2,425,035 to the Federal Categorical Grants Fund (241) from the U.S. Department of Labor, Employment and Training Administration for the **PY 2000 and 2001 Workforce Investment Act H-1B Grant** within the Planning Department.
1. Assembly Memorandum No. AM 1015-2000.

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. Tesche moved, to approve AR 2000-324.
seconded by Ms. Taylor,

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

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

- G. Resolution No. AR 2000-305, a resolution of the Municipality of Anchorage appropriating \$1,438,001 to the State Categorical Grants Fund (231) from the Alaska Department of Labor and Workforce Development for the FY01/PY00 **State Training and Employment Program (STEP) Grant** within the Planning Department.
1. Assembly Memorandum No. AM 978-2000.

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. Taylor moved, to approve AR 2000-305.
seconded by Ms. Fairclough,

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

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

- H. Ordinance No. AO 2000-156, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of General Obligation Refunding Bonds of the Municipality in the aggregate**

principal amount of not to exceed \$17,000,000 to provide funds required to refund certain outstanding General Obligation Refunding General Purpose Bonds and General Obligation School 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.

1. Assembly Memorandum No. AM 976-2000.

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. Tesche moved, to adopt AO 2000-156.
seconded by Ms. Fairclough,

Chief Fiscal Officer Kate Giard requested this item be postponed indefinitely. She explained these bonds were going to be refunded only in the event that School District bonds were sold.

Ms. Fairclough moved, to postpone action on AO 2000-156 indefinitely.
seconded by Ms. Taylor,
and it passed without
objection,

- I. **Resolution No. AR 2000-326**, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating a State of Alaska Drinking Water Fund loan offer increase in the amount of \$2,865,244 for **financing a portion of the costs of the Anchorage Loop Transmission Main Phase V**, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 1017-2000.

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. Tesche moved, to approve AR 2000-326.
seconded by Ms. Taylor,

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: None.

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

- J. **Resolution No. AR 2000-327**, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating a State of Alaska Drinking Water Fund loan offer increase in the total aggregate amount of \$6,000,000 for **financing a portion of the costs of the Anchorage Loop Transmission Main Phase VI and the South Addition Woodstave Upgrade projects**, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 1018-2000.

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. Tesche moved, to approve AR 2000-327.
seconded by Ms. Taylor,

AYES: Tremaine, Abney, Tesche, Von Gemmingen, Fairclough, Taylor, Van Etten.

NAYS: None.

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

- K. **Resolution No. AR 2000-332**, a resolution of the Anchorage Municipal Assembly **granting a temporary conditional use permit for a restaurant/eating place liquor license at 11221 Old Glenn Highway for The Haute Quarter Grill**, Assemblymembers Kendall, Fairclough, and Meyer.

This item was considered earlier in the meeting. See after item 11.B.

- L. **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.

1. Assembly Memorandum No. AM 957-2000.

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

JOHN KUMIN, representing the design firm working on this project, offered to answer questions. In response to Mr. Van Etten, Mr. Kumin said a vegetative buffer between the subject property and adjacent residential developments is between 90 and 130 feet. Where the buffer is thin, they will replant vegetation.

BONNIE BASE, representing the Tudor Area Community Council, discussed the impact on adjacent residential areas. She acknowledged the buffer was quite wide, but was devoid of trees which act as sound buffers. The Council would prefer that

requirements for planting trees be included in the special limitations. She asked the requirements for lighting be amended so lights in the parking lot are limited to 20 feet in height, be directed away from residential properties, and outside lights on the building use motion detectors to reduce light pollution. Ms. Base said there was concern about the wetland being used for snow storage, which will compromise the integrity of the wetland. She also expressed concern about traffic impact, and noted a traffic impact analysis has not been performed.

DEBORAH PULLMAN, a physician and resident in the neighborhood, said she chose to live in this area because it was close to her job and near a wetland. She opposed the rezoning without special limitations that would prevent the degradation of area streams and wetlands.

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

Mr. Kendall moved, to adopt AO 2000-153.
seconded by Mr. Tesche,

In response to Mr. Kendall, Mr. Kumin said the developer agreed to fill in the gaps in the tree line in the wetland area. The drawings for the building permit reflect this plan, as well as the lighting issues.

In response to Mr. Kendall, Jerry Weaver of the Planning Department said he was concerned, as were the residents, that there be evergreen trees planted in the area on the north boundary of the property.

Mr. Kendall moved, to amend AO 2000-153 in Section 2, to add a new
seconded by Mr. Tesche, paragraph F to read: "A 10-foot buffer landscaping be added
along the north and west boundaries to include conifer trees.
Natural vegetation shall be retained wherever possible."

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

NAYS: Clementson.

Mr. Kendall pointed out Mr. Kumin's letter addressing various special limitations was part of the record, and will be a statement of intent for the project.

Question was called on the motion to adopt AO 2000-153 as amended and it passed:

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

NAYS: Fairclough.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS: None.

15. UNFINISHED AGENDA: None.

16. AUDIENCE PARTICIPATION: None.

17. ASSEMBLY COMMENTS: None.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at midnight.

Chair

ATTEST:

Municipal Clerk

Date Minutes Approved: March 13, 2001

LF/db

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