

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of January 9, 2001

1. CALL TO ORDER:

The meeting was convened at 5:10 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, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.
Absent: None.

(Clerk’s Note: Kevin Meyer resigned the Assembly effective January 7, 2001. Dick Traini was appointed to fill Seat 4G later in the meeting.)

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Clementson.

4. MINUTES OF PREVIOUS MEETING:

- A. Special Meeting - September 6, 2000
- B. Special Meeting - September 13, 2000

Mr. Kendall moved, to approve the minutes of the September 6 and 13, 2000
seconded by Ms. Fairclough, special meetings.
and it passed without
objection,

5. MAYOR'S REPORT:

Mayor Wuerch reported on his visit to Juneau, Alaska, to attend the opening of the State Legislative Session. He invited all Assembly members to join in the lobbying effort. Secondly, Mayor Wuerch noted the Women’s Commission would convene a domestic violence sub-committee, which will attempt to identify measures to address domestic violence. He reported digital mapping for identifying liquor license locations is still in the works. Lastly, Mayor Wuerch pointed out some Municipal offices will be open, and some will be closed, on Martin Luther King, Jr. Day. He explained the holiday has not yet been incorporated into all bargaining agreements.

6. ADDENDUM TO AGENDA:

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

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, to approve all items on the consent agenda.
seconded by Ms. Clementson,

- A. BID AWARDS:
 - 1. Assembly Memorandum No. AM 15-2001, recommendation of award to GPMI for furnishing **snow plowing and removal services** for the Municipality of Anchorage, Municipal Light and Power (ITB 20-B125) (\$250,000), Purchasing.
 - 2. Assembly Memorandum No. AM 30-2001, recommendation of award to AHS, LLC for providing **services to operate a Community Service Patrol and Transfer Station** for the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B140) (\$685,164), Purchasing. **(addendum)**

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

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2001-1, an ordinance amending the zoning map and providing for the rezoning from R-1SL (Single-Family Residential District) with Special Limitations to PLI SL (Public Lands and Institutions District) with Special Limitations for **Turnagain View Estates East Subdivision,**

Tract B-1; generally located south of Leyden Road and west of East Elmore Road (Site of Future South Anchorage High School) (Huffman/ O'Malley Community Council) (Planning and Zoning Commission Case 2000-117), Planning Department. public hearing ~~2-13-01~~ 1-30-01.

a. Assembly Memorandum No. AM 3-2001.

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

2. Ordinance No. AO 2001-2, an ordinance amending the zoning map and providing for the rezoning from R-1A (Single-Family Residential - Large Lot District) to R-1 (Single Family Residential District) for **BLM Lot 81** located within the SE 1/4 of Section 9, T12N, R3W, S.M., AK; generally located on the east side of Spruce Street and north of East 88th Avenue (Abbott Loop Community Council) (Planning and Zoning Commission Case 2000-091), Planning Department. public hearing 2-13-01.
 - a. Assembly Memorandum No. AM 4-2001.
3. Ordinance No. AO 2001-3, an ordinance of the Municipality of Anchorage, Alaska, **authorizing the issuance of a Nonrecourse Revenue Bond (Alaska Native Heritage Center, Inc. Project)**, of the Municipality in an aggregate principal amount not to exceed \$4,200,000; authorizing the execution and delivery of a loan agreement in connection therewith; authorizing the proper officials of the Municipality to do all things necessary or advisable to consummate the issuance, sale and delivery of such bonds; providing the form of bond and manner of sale of said bond; and providing that the bond be placed with National Bank of Alaska, Finance. public hearing 1-23-01.
 - a. Assembly Memorandum No. AM 23-2001.
4. Ordinance No. AO 2001-4, an ordinance of the Anchorage Assembly amending Anchorage Municipal Code Chapter 24.80 to **require real property owners to keep accessible parking spaces clear of snow and ice**, Assemblymember Abney. public hearing 1-23-01.
 - a. Assembly Memorandum No. AM 24-2001.
5. Ordinance No. AO 2001-5, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,650,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **ambulances, emergency/areawide communications, Anchorage Cemetery and related capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 1-23-01.
 - a. Information Memorandum No. AIM 10-2001.
6. Ordinance No. AO 2001-6, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,780,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **public transportation and related capital improvements** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 1-23-01.
 - a. Information Memorandum No. AIM 10-2001.
7. Ordinance No. AO 2001-7, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,790,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 1-23-01.
 - a. Information Memorandum No. AIM 10-2001.
8. Ordinance No. AO 2001-8, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$39,360,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **road, storm drainage and related capital improvements in the Anchorage Roads and Drainage Service Area** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 1-23-01.
 - a. Information Memorandum No. AIM 10-2001.
9. Ordinance No. AO 2001-9, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,365,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **fire protection and related capital improvements in the Anchorage Fire Service Area** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 1-23-01.
 - a. Information Memorandum No. AIM 10-2001.
10. Ordinance No. AO 2001-10, an ordinance amending Anchorage Municipal Code Section 21.90.020 to **expand the area within the Municipality subject to utility undergrounding requirements**, Assemblymembers Abney, Tesche, and Tremaine.

(Clerk's Note: A motion to reconsider action on this item was considered later in the meeting. See after item 8.E.)

11. Resolution No. AR 2001-4, a resolution of the Municipality of Anchorage re-appropriating \$250,000 from Vehicle Inspection and Maintenance Program Revenues Fund (101) to the Federal Categorical Grants Fund (241) for the **purchase, installation and calibration of equipment for the Vehicle Inspection Program and Air Quality Program**, Health and Human Services. public hearing 1-23-01.
 - a. Assembly Memorandum No. AM 13-2001.
12. Resolution No. AR 2001-5, a resolution confirming and levying special assessments for **Special Assessment District No. 1P99, which constructed the south portion of 31st Avenue between A Street and C Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works. public hearing 1-30-01.

- a. Assembly Memorandum No. AM 14-2001.
- 13. Resolution No. AR 2001-7, a resolution of the Municipality of Anchorage appropriating \$425,000 to Areawide General Fund (101), Non-Departmental, for **contribution to the Anchorage Convention and Visitors Bureau** for 50% of the estimated increase in Hotel-Motel Tax Revenue Collections for 2000, Office of Management and Budget. public hearing 1-23-01.
 - a. Assembly Memorandum No. AM 17-2001.
- 14. Resolution No. AR 2001-8, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #52** located at 1340 Gambell Street provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 25-2001.

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

- 15. Resolution No. AR 2001-9, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #55** located at 1650 W. Northern Lights Blvd. provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 26-2001.

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

- 16. Resolution No. AR 2001-10, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #56** located at 660 E. Northern Lights Blvd. provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 27-2001.

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

- 17. Ordinance No. AO 2001-11, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.330 and 27.30.600, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 18. Ordinance No. AO 2001-12, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.280 and 27.30.360, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 19. Ordinance No. AO 2001-13, an ordinance submitting to the qualified voters residing in the **Mountain Park Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.250 and 27.30.330, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 20. Ordinance No. AO 2001-14, an ordinance submitting to the qualified voters residing in the **Raven Woods/ Bubbling Brook Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.270 and 27.30.350, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 21. Ordinance No. AO 2001-15, an ordinance submitting to the qualified voters residing in the **Rabbit Creek View and Rabbit Creek Heights Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.160 and 27.30.240, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 22. Ordinance No. AO 2001-16, an ordinance submitting to the qualified voters residing in the **Rockhill Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.320 and 27.30.590, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 23. Ordinance No. AO 2001-17, an ordinance submitting to the qualified voters residing in the **Skyranch Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.240 and 27.30.320, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
- 24. Ordinance No. AO 2001-18, an ordinance submitting to the qualified voters residing in the **Totem Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three

years and amending Anchorage Municipal Code Sections 27.20.340 and 27.30.610, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**

- a. Assembly Memorandum No. AM 31-2001.
25. Ordinance No. AO 2001-19, an ordinance submitting to the qualified voters residing in the **Upper Grover Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Sections 27.20.260 and 27.30.340, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
26. Ordinance No. AO 2001-20, an ordinance submitting to the qualified voters residing in the **Valli Vue Estates Limited Road Service Area** at the Regular Municipal Election April 3, 2001 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years and amending Anchorage Municipal Code Section 27.30.310, Assemblymembers Abney and Tremaine. public hearing 1-23-01. **(addendum)**
 - a. Assembly Memorandum No. AM 31-2001.
27. Ordinance No. AO 2001-21, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, the question of issuance of \$9,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **design, construction, and right-of-way acquisition for roadway access between Gambell St./Ingra St. Extension-Ship Creek Avenue to Third Avenue**, Assemblymember Tesche. public hearing 1-23-01. **(addendum)**

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-11, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Chrystal Carr Jeter for her 23 years of service** with the Municipality of Anchorage, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Sullivan, Tesche, Tremaine, Van Etten, Von Gemmingen.

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

2. Resolution No. AR 2001-1, a resolution of the Anchorage Municipal Assembly approving the **preliminary design for Denali Replacement Elementary School**, Anchorage School District
 - a. Assembly Memorandum No. AM 1-2001.

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

3. Resolution No. AR 2001-2, a resolution of the Anchorage Municipal Assembly approving the **revised (schematic) design for the Service High School renewal project**, Anchorage School District.
 - a. Assembly Memorandum No. AM 2-2001.
4. Resolution No. AR 2001-6, a resolution of the Anchorage Municipal Assembly revising the 2001 General Government Operating Budget by appropriating the sum of ~~\$20,000~~ \$18,000 from Areawide General Fund (101) Balance to the Department of Assembly to provide **funding for close captioned contract**, Assembly Chair Von Gemmingen.
 - a. Assembly Memorandum No. AM 16-2001.

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

5. Resolution No. AR 2001-12, a resolution of the Municipality of Anchorage appropriating \$56,600 from the Partners for Downtown Progress to the Federal Categorical Grants Fund (241) for **Wellness Court Coordinator services** through the Department of Law, Municipal Prosecutor's Office. **(NOT SUBMITTED)**
 - a. Assembly Memorandum No. AM 28-2001.

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

6. Resolution No. AR 2001-3, a resolution adopting the **2001 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 12-2001.

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 18-2001, **Szechuan Restaurant** (Previously Peking House) - New Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Eagle River Community Council), Clerk's Office.
2. Assembly Memorandum No. AM 19-2001, 2001/2002 Liquor License Renewal for **Roscoe's Skyline Restaurant** (License No. 3788) for a Restaurant/Eating Place Liquor License (Spenard Community Council), Clerk's Office.
3. Assembly Memorandum No. AM 20-2001, 2001/2002 Liquor License Renewal for **Young Bin Restaurant** (License No. 2908) for a Restaurant/Eating Place Liquor License (Spenard Community Council), Clerk's Office.

4. Assembly Memorandum No. AM 21-2001, 2001/2002 Liquor License Renewals : **Alaskan Samovar Inn #598, Bear Tooth #4065, Carpentier's Cocktail Lounge #201, Chepo's Mexican Restaurant #3765, Don Jose's Mexican Rest. #3311, Gwennie's Old Alaskan Rest. #1478, Sheraton Anchorage Hotel (tourism) #1443, Voyager Lounge (tourism) #307-Beverage Dispensary; China Express #2925, El Rodeo Mexican Rest. #3082, Greek Corner Restaurant #3251, Sorrento's #1064, Tempura Kitchen #1125, Thai Village Restaurant #3576-Restaurant/Eating Place; Eagle River Liquors #1011-Package Store; VFW Post 10252 #1894-Club; Alaska Distributors #25-Wholesale/General (Fairview, Spenard, Mt. View, Eagle River, Rogers Park, Downtown, and Northeast Community Councils), Clerk's Office.**
5. Assembly Memorandum No. AM 22-2001, 2001/2002 Liquor License Renewals: **Bradley House #814, Bungalow Lounge #3781, Cabin Tavern #970, Carousel Lounge #200, Cheechako Bar #231, Club 210 East #2159, F Street Station #762, Fiori D'Italia #434, The Hub #149, King's X Lounge #615, Klondike Kate's #2024, Las Margaritas #3363, Lone Star Steakhouse #3494, Office Lounge #806, Pioneer Club #866, Rock U #2456, Sea Galley #1666, Stuart Anderson's Cattle Co. #1090, Tony Roma's #2344-Beverage Dispensary; Cafe Amsterdam #3961, Eric's Restaurant #1012, Sweet Basil Cafe #3897, Thai Siam Restaurant #3766-Restaurant/Eating Place; Grumpy's Liquor #855, Kmart 7569 #3349, Party Time/Boniface #834-Package Store; Moose's Tooth Brewing Co. #3972-Brewpub; Amvets Post 2 #2943, Amvets Post 49 #3588-Club (Bayshore/Klatt, Downtown, Northeast, Spenard, North Star, Fairview, Taku/Campbell, Rogers Park, Chugiak, Huffman/O'Malley, and Eagle River Community Councils), Clerk's Office.**

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

6. Assembly Memorandum No. AM 5-2001, approval to enter into a grant agreement with Anchor-Age, Inc. for **management operation of the Anchorage Senior Center** (\$348,500), Health and Human Services.
7. Assembly Memorandum No. AM 6-2001, proprietary purchase of **computer hardware and software maintenance support** from Hewlett Packard Company for the Municipality of Anchorage, Municipal Light and Power (\$140,000), Purchasing.
8. Assembly Memorandum No. AM 7-2001, amendment No. 3 to construction contract with Lynx Construction, Inc. for providing **construction services to renovate dispatch at Fire Station No. 12**, Contract No. C-200676 (\$12,695), Public Works.
9. Assembly Memorandum No. AM 8-2001, contract amendment No. 2 to 1999 **professional structural engineering contract with USKH Inc.**, RFP 99-P015 (\$100,000), Public Works.
10. Assembly Memorandum No. AM 9-2001, amendment No. 3 to professional services contract with ECI/Hyer for providing **architectural/engineering services for the design of the 6th Avenue Replacement Jail** for the Municipality of Anchorage, Project Management and Engineering Department, Project #00-32 (\$396,430), Public Works.

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

11. Assembly Memorandum No. AM 10-2001, proposed contract amendment No. 5 to professional services contract with Lounsbury & Associates for the **Gambell/Ingra Street Extension Design Study**, Project No. 92-83 (\$427,994), Public Works.
12. Assembly Memorandum No. AM 11-2001, approval of the Arts Advisory Commission's recommendations for **Year 2001 Arts Grants**, Cultural and Recreational Services.

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

13. Assembly Memorandum No. AM 29-2001, approval to enter into **grant agreements with the Association for Retarded Citizens of Anchorage, NorthEast Community Center, Anchorage Concert Association, Boys & Girls Clubs of Greater Anchorage-Mt. View Rec. Center, and Anchorage Opera Company**, Cultural and Recreational Services. **(addendum)**
14. Assembly Memorandum No. AM 33-2001, 2001/2002 Liquor License Renewals for **Klondike Kate's** (License No. 2024) and **Rock U** (License No. 2456) and **The Hub** (License No. 149) for Beverage Dispensary Liquor Licenses (Downtown, Abbott Loop, and Campbell Park Community Councils), Clerk's Office. **(addendum)**

E. INFORMATION AND REPORTS;

1. Information Memorandum No. AIM 2-2001, **correction to Sequoia Estates Limited Road Service Area Board of Supervisors appointment** (Dr. Regan Ramsey, Seat D), Municipal Clerk.
2. Information Memorandum No. AIM 3-2001, Internal Audit Report 2000-11 - **Cash Controls Procedures, Municipal Light and Power/Internal Audit**.
3. Information Memorandum No. AIM 1-2001, **Bar Violations/Quarterly Report** - Third Quarter/2000 (Asia Gardens/Brandy's; American Legion Post #34, Applebees Neighborhood Grill; Brown Jug/Chilkoots; Brown Jug/Fireweed; Stuart Anderson's Cattle Company; Cheechako Bar; Gallo's Mexican Restaurant; Jen's Restaurant/Bodega & Gallery; La Mex/Spenard; The Liquor Store; Lone Star Steakhouse & Saloon; New Party Time Liquor II/E. Tudor Rd.; Oaken Keg Spirit Shop #62/Diamond; Outback Restaurant; Pancho's Villa Restaurant; Sea Galley/Pepper Mill; Spirits of Alaska #1/Gambell; 2 Go Mart #2/Spenard; Value Liquor #4/Old Seward Hwy.), Anchorage Police Department.

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

4. Information Memorandum No. AIM 4-2001, 2001/2002 Liquor License Renewals: **APD List of "Uncontested Establishments"**, Clerk's Office.

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

5. Information Memorandum No. AIM 5-2001, 2001/2002 Package Store Liquor License Renewals for **Oaken Keg 52** (1340 Gambell), **Oaken Keg 55** (1650 W. Northern Lights Blvd.), and **Oaken Keg 56** (600 Northern Lights Blvd.), Clerk's Office.

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

6. Information Memorandum No. AIM 6-2001, 2001/2002 Liquor License Renewals: **Huffman/O'Malley Community Council**, Clerk's Office.

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

7. Information Memorandum No. AIM 7-2001, 2001/2002 Liquor License Renewals: **Downtown Community Council**, Clerk's Office.
8. Information Memorandum No. AIM 8-2001, waiver for formal procedures for the purchase of **video recording equipment to televise Municipal Assembly meetings** with Intelligent Media, Inc., Professional Video & Tape, Inc., and The Chariot Group for the Municipality of Anchorage, Anchorage Fire Department/ Purchasing.

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

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

8. REGULAR AGENDA;

A. BID AWARDS:

1. Assembly Memorandum No. AM 30-2001, recommendation of award to AHS, LLC for providing **services to operate a Community Service Patrol and Transfer Station** for the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B140) (\$685,164), Purchasing. **(addendum)**

Mr. Kendall moved, to approve AM 30-2001.
seconded by Ms. Clementson,

In response to Mr. Kendall's question, Purchasing Officer Bart Mauldin advised that the Purchasing Department was in receipt of the protest letter from Royce & Brain and were preparing a response. He advised that the contractor did not receive the bid package, but the RFP was advertised as required, and the plan review was available to bidders in the Purchasing Department. Citing §7.20.020(b) of the Municipal Code, Mr. Mauldin said it was bidders' responsibility to read the advertisements in order to ensure receiving Municipal bid packages in a timely manner. He said the protest had no affect on the results of the bid.

In response to Mr. Kendall, Mr. Mauldin advised that there was an automated bidder application system available through PeopleSoft which bidders could use to be included on the Municipality's bid list for different commodities.

Mr. Tesche asked the Administration to check with Salvation Army to see if it would be willing to continue providing these services for two weeks to give the Assembly an opportunity to have its questions answered.

Mr. Tesche moved, to postpone action on AM 30-2001 until not later than 10:00
seconded by Ms. Abney, p.m.
and it passed without
objection,

(Clerk's Note: See item 15, Unfinished Agenda, for further action on this item.)

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2001-1, an ordinance amending the zoning map and providing for the rezoning from R-1SL (Single-Family Residential District) with Special Limitations to PLI SL (Public Lands and Institutions District) with Special Limitations for **Turnagain View Estates East Subdivision, Tract B-1**; generally located south of Leyden Road and west of East Elmore Road (Site of Future South Anchorage High School) (Huffman/ O'Malley Community Council) (Planning and Zoning Commission Case 2000-117), Planning Department. public hearing ~~2-13-01~~ 1-30-01.
a. Assembly Memorandum No. AM 3-2001.

Mr. Tremaine, Ms. Clementson, and Ms. Abney joined in introducing this ordinance. The public hearing was scheduled for January 30, 2001.

Mr. Tremaine pointed out that this rezone and high school were the subjects of a lawsuit brought by residents of the area,. He said the lawsuit had been dropped, but it alleged that the Municipality had not followed ordinances and policies and that there

have been a large number of irregularities over the past 15 years in how the Municipality and the Anchorage School District have handled this piece of property.

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

to amend AO 2001-1 to correct "East Elmore Road" in the title
to read "Elmore Road."

Mr. Tremaine said it was his understanding that the Planning and Zoning (P&Z) Commission had made a decision on this item at its meeting of September 18, 2000; however, they did not approve it until November 6, 2000. He asked the reason of the delay light of the fact the Anchorage School District had presented this as an emergency rezoning.

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

to amend AO 2001-1 to correct the title to delete: "Turnagain
View Estates Subdivision, Tract B-1," to be replaced with
Turnagain View East Subdivision, Tract B-1."

Mr. Tremaine said this posed a problem in that P&Z had approved a rezone under a title that contained a reference to the wrong piece of property. Mr. Tremaine also pointed out that the ordinance change as well as the public notice for this meeting scheduled the public hearing for February 13, 2001. However, P&Z had mailed a Notice of Public Meeting to the residents of the area, and the date for that meeting was Tuesday, January 30, 2001. Mr. Tremaine expressed concern regarding these errors, pointing out that the lawsuit mentioned earlier was filed due to the Municipality's inattentiveness and alleged disregard for the public.

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

to amend AO 2001-1 to change the public hearing date from
February 13, 2001, to January 30, 2001.

Assistant Municipal Attorney Dennis Wheeler addressed Mr. Tremaine's concern regarding the delay between the P&Z's decision and final approval of the rezoning. He said it takes a couple of months to get the resolutions back to the P&Z once it has taken action on an item. He said the Law Department would need to address the defects in the notice.

Municipal Attorney Bill Greene said after reviewing the packet, it was clear to the parties involved which piece of property they were discussing and acting upon, and the map was correct and reflected the parcel accurately. He advised that the errors in the notice were harmless in the sense that it did not affect the public hearing, and it did not result in the P&Z acting on the wrong piece of property. He recommended, however, that the errors in the property description and the hearing date be corrected and that they not be compounded. He added that Mr. Tremaine's motions to amend adequately covered the corrections of these errors.

In response to Mr. Tremaine's question regarding how these types of errors would be avoided in the future, Mayor Wuerch pointed out that the Planning Department was under staffed, and many of the documents prepared for the Assembly were lengthy and complex. He said implementing electronic automation procedures would ease the burden on the Planning Department and would facilitate collection and maintenance of the data and paperwork. He said they have also been considering staffing solutions and had discussed them during the budget process.

Ms. Clementson recommended that when a well known property such as a school site was before the Assembly for consideration, the title should include that it was a rezoning for the particular Anchorage School District site so that it would be easily recognizable to the public.

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

to amend AO 2001-01 to read at line 6: "...**Tract B-1**; site of
future South Anchorage High School, generally located
south of Leyden Road...."

2. Resolution No. AR 2001-8, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #52** located at 1340 Gambell Street provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 25-2001.
3. Resolution No. AR 2001-9, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #55** located at 1650 W. Northern Lights Blvd. provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 26-2001.
4. Resolution No. AR 2001-10, a resolution of the Anchorage Assembly **waiving protest of renewal of a package store license for Oaken Keg #56** located at 660 E. Northern Lights Blvd. provided certain conditions are imposed by the Alcoholic Beverage Control Board under AS 04.11.480(C), Assemblymember Tesche. public hearing 1-30-01.
 - a. Assembly Memorandum No. AM 27-2001.

Mr. Tesche, Ms. Clementson, and Mr. Tremaine joined in introducing these resolutions. The public hearings were scheduled for January 30, 2001.

There was a suggestion to change the orders of the day to consider item 7.E.5, AIM 5-2001, and there were no objections.

Information Memorandum No. AIM 5-2001, 2001/2002 Package Store Liquor License Renewals for **Oaken Keg 52** (1340 Gambell), **Oaken Keg 55** (1650 W. Northern Lights Blvd.), and **Oaken Keg 56** (600 Northern Lights Blvd.), Clerk's Office.

Mr. Tesche moved, to accept AIM 5-2001.
seconded by Ms. Clementson,
and it passed without
objection,

Mr. Tesche said in light of the fact they had just scheduled the public hearings for the three liquor licenses in AR 2001-8, AR 2001-9, and AR 2001-10, he asked that the memorandum be corrected to refer to the correct public hearing date of January 30, 2001.

5. Ordinance No. AO 2001-21, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, the question of issuance of \$9,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **design, construction, and right-of-way acquisition for roadway access between Gambell St./Ingra St. Extension-Ship Creek Avenue to Third Avenue**, Assemblymember Tesche. public hearing 1-23-01. (addendum)

Mr. Tesche, Ms. Taylor, and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for January 23, 2001.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-11, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Chrystal Carr Jeter for her 23 years of service** with the Municipality of Anchorage, Assemblymembers Taylor, Abney, Clementson, Fairclough, Kendall, Sullivan, Tesche, Tremaine, Van Etten, Von Gemmingen.

Ms. Taylor moved, to approve AR 2001-11.
seconded by Mr. Tesche,
and it passed without
objection,

Ms. Clementson read the resolution, while Ms. Taylor presented it to Ms. Carr Jeter.

Kay Linton presented Ms. Carr Jeter a gift on behalf of the hundreds of volunteers of the library, Friends of the Library, and library patrons.

Ms. Carr Jeter said she was honored to accept the Assembly recognition and gift, and she had enjoyed serving the Municipality.

2. Resolution No. AR 2001-1, a resolution of the Anchorage Municipal Assembly approving the **preliminary design for Denali Replacement Elementary School**, Anchorage School District
a. Assembly Memorandum No. AM 1-2001.

Ms. Clementson moved, to approve AR 2001-1.
seconded by Mr. Kendall,

Ms. Clementson said this was an exciting project, and the web site address was www.kumin.ak.com.

Ms. Clementson moved, to amend AR 2001-1 in the attached memorandum,
seconded by Mr. Sullivan, AM 1-2001 at line 32 to delete the sentence that reads: "The projected student population at completion of construction is 403 students" and replace it with the following sentence: "The capacity of the new school will be 550 students."

Mr. Tesche declared a potential conflict of interest on this item. He said his 11-year-old daughter was enrolled in the Montessori Program at Denali Elementary School. He commended the design team, in conjunction with the teachers and parents, for an excellent job in putting the project together.

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

Question was called on the motion to approve AR 2001-1 as amended and it passed without objection.

3. Resolution No. AR 2001-6, a resolution of the Anchorage Municipal Assembly revising the 2001 General Government Operating Budget by appropriating the sum of ~~\$20,000~~ \$18,000 from Areawide General Fund (101) Balance to the Department of Assembly to provide **funding for close captioned contract**, Assembly Chair Von Gemmingen.
a. Assembly Memorandum No. AM 16-2001.

Mr. Sullivan moved, to approve AR 2001-6.
seconded by Mr. Kendall,

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

to amend AR 2001-6 to replace "\$20,000" in the title with
"\$18,000" and at line 26 on page 1 and lines 18, 23, and 27
on page 2 to make the same change.

Question was called on the motion to approve AR 2001-6 as amended and it passed without objection.

4. Resolution No. AR 2001-12, a resolution of the Municipality of Anchorage appropriating \$56,600 from the Partners for Downtown Progress to the Federal Categorical Grants Fund (241) for **Wellness Court Coordinator services** through the Department of Law, Municipal Prosecutor's Office. **(NOT SUBMITTED)**
 - a. Assembly Memorandum No. AM 28-2001.

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

to postpone action on AR 2001-12 indefinitely.

5. Resolution No. AR 2001-3, a resolution adopting the **2001 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 12-2001.

Mr. Tesche moved,
seconded by Ms. Taylor,

to approve AR 2001-3.

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

to amend AR 2001-3 on page 3-2 to insert the word "Alaskan"
before the words "natural gas" in the 'Natural Gas Pipeline'
paragraph, to read: "...adequate supply of Alaskan natural gas
at competitive prices...."

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

to amend AR 2001-3 on page 1-3 to move tax increment
financing from the priority legislative list to the lobbying list.

Ms. Fairclough noted that Ms. Abney and Mr. Van Etten had suggested including a long-range fiscal plan as part of the Assembly's lobbying priorities, and the Assembly had concurred. However page 3-2 states the Assembly supported a biannual state budget, and she did not recall discussed that issue.

Ms. Abney clarified she had submitted the biannual state budget in her list to the Legislative Chair and the Administration, and it was not discussed during the worksession.

Mr. Tesche stated his support for the long-range fiscal plan, and said the biannual budget process may prove beneficial and provide a cost savings. In response to Ms. Fairclough, Mr. Tesche explained the pros and cons of the biannual state budget issue.

Question was called on the motion to approve AR 2001-3 as amended and it passed:

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

There was a suggestion to change the orders of the day to consider item 10, Appearance Requests. There were no objections.

Stephen Conn-Alaska Public Interest Research Group, concerning electoral reforms; the Florida experience and its relevance to Anchorage; an agenda for change.

Mr. Conn, Executive Director of Alaska Public Interest Research Group (AKPIRG), presented a multi-faceted proposal regarding election reforms. His first recommendation was to do away with the punch card ballot. He said in light of recent events, the public was aware of this issue and it was time to progress to an active vote system while the public's attention and commitment exist. He urged the Assembly to implement an aggressive campaign to increase voter turnout, and he gave suggestions as to how elections could be made more convenient and accessible for voters. He said the Assembly should consider "instant runoff voting" as an alternative to expensive runoff elections. He reiterated that the Assembly should take advantage of the fact that the voting process now has the public's attention and use that in a productive manner to turn Anchorage into "The City That Votes."

Municipal Clerk Jane Ferguson advised that the Clerk's Office had been working toward implementation of the AccuVote system for the past two years and hoped to make it a reality by election time this year.

Mr. Tesche invited AKPIRG to participate in the Municipality's efforts to increase voter turnout.

In response to Ms. Fairclough, Ms. Ferguson said she would be happy to provide an update at the January 23, 2001 Assembly meeting on the status of the implementation of the AccuVote system.

Annie Cabelas Tagle, concerning school violence.

Ms. Cabezas Tagle said violence and drugs in the community's schools should be made a priority to ensure the safety of children. She said the problems in the schools should be taken seriously, and that we must not ignore them. She said children should not be afraid to go to school, and parents should not be afraid to send their children to school. Ms. Cabezas Tagle said family values are disappearing, and morale in our society is at an all-time low. She said the entire community needs to work together, and parents should make their children's safety a number one priority. She stressed the importance of family values and noted that love always begins at home. She said politicians place more priority and spend billions of dollars on highways, roads, and coastal trails, but children should be our biggest priority and investment. She said children should come before jobs and other outside pressures placed upon parents, and she emphasized the importance of parents opening their hearts and minds to their responsibility to and love for their children.

The Assembly then returned to item D.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 22-2001, 2001/2002 Liquor License Renewals: **Bradley House #814, Bungalow Lounge #3781, Cabin Tavern #970, Carousel Lounge #200, Cheechako Bar #231, Club 210 East #2159, F Street Station #762, Fiori D'Italia #434, ~~The Hub #149~~, King's X Lounge #615, ~~Klondike Kate's #2024~~, Las Margaritas #3363, Lone Star Steakhouse #3494, Office Lounge #806, Pioneer Club #866, ~~Rock U #2456~~, Sea Galley #1666, Stuart Anderson's Cattle Co. #1090, Tony Roma's #2344-Beverage Dispensary; Cafe Amsterdam #3961, Eric's Restaurant #1012, Sweet Basil Cafe #3897, Thai Siam Restaurant #3766-Restaurant/Eating Place; Grumpy's Liquor #855, Kmart 7569 #3349, Party Time/Boniface #834-Package Store; Moose's Tooth Brewing Co. #3972-Brewpub; Amvets Post 2 #2943, Amvets Post 49 #3588-Club (Bayshore/Klatt, Downtown, Northeast, Spenard, North Star, Fairview, Taku/Campbell, Rogers Park, Chugiak, Huffman/O'Malley, and Eagle River Community Councils), Clerk's Office.**

Ms. Clementson moved, to approve AM 22-2001.
seconded by Ms. Taylor,

Ms. Clementson moved, to amend AM 22-2001 on line 29 to delete "The Hub #149,"
seconded by Mr. Tesche, on line 31 to delete "Klondike Kate's #2024," and on line 36 to
delete "Rock U #2456."

Ms. Clementson explained that at line 46 it states there is a conditional use in place at these locations, but in fact, the three locations she had moved to strike from the memorandum do not have a conditional use in place.

Question was called on the motion to amend AM 22-2001 and it passed without objection.

Question was called on the motion to approve AM 22-2001 as amended and it passed without objection.

2. Assembly Memorandum No. AM 9-2001, amendment No. 3 to professional services contract with ECI/Hyer for providing **architectural/engineering services for the design of the 6th Avenue Replacement Jail** for the Municipality of Anchorage, Project Management and Engineering Department, Project #00-32 (\$396,430), Public Works.

Mr. Tremaine moved, to approve AM 9-2001.
seconded by Ms. Taylor,

Municipal Engineer Howard Holtan responded to Mr. Tremaine's questions and explained the change order methodology that was used in the implementation of this project. He introduced Martha Shoenwalther of RISE Alaska who addressed the furnishings and fixtures issues.

In response to Mr. Tremaine, Mr. Holtan said project costs are currently well within the total project cost limit.

Question was called on the motion to approve AM 9-2001 and it passed without objection.

3. Assembly Memorandum No. AM 11-2001, approval of the Arts Advisory Commission's recommendations for **Year 2001 Arts Grants**, Cultural and Recreational Services.

Ms. Clementson moved, to approve AM 11-2001.
seconded by Ms. Taylor,

Ms. Clementson moved, to amend AM 11-2001 to add the following sentence after
seconded by Mr. Kendall, line 25: "No organization receiving grant funds shall make a
and it was withdrawn, public acknowledgement to the Municipal Arts Advisory
Commission but, rather, to the Municipality of Anchorage as a
whole."

Ms. Clementson said while she appreciates the commission's work, it gives the wrong impression for the commission to be acknowledged as a financial sponsor by organizations who have received grant funds through the commission from the Municipality. She pointed out that those organizations who have received grant funds through the Arts Advisory Commission are recipients of taxpayer dollars.

Mayor Wuerch offered to resolve the matter by including in the cover letter that transmits the checks to these organizations a statement conveying the intent and purpose of the provision of the funds, along with a statement advising the source of the funds.

Ms. Clementson withdrew her motion with the concurrence of her second.

Question was called on the motion to approve AM 11-2001 and it passed without objection.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 1-2001, Bar Violations/Quarterly Report - Third Quarter/2000 (Asia Gardens/Brandy's; American Legion Post #34, Applebees Neighborhood Grill; Brown Jug/Chilkoots; Brown Jug/Fireweed; Stuart Anderson's Cattle Company; Cheechako Bar; Gallo's Mexican Restaurant; Jen's Restaurant/Bodega & Gallery; La Mex/Spenard; The Liquor Store; Lone Star Steakhouse & Saloon; New Party Time Liquor II/E. Tudor Rd.; Oaken Keg Spirit Shop #62/Dimond; Outback Restaurant; Pancho's Villa Restaurant; Sea Galley/Pepper Mill; Spirits of Alaska #1/Gambell; 2 Go Mart #2/Spenard; Value Liquor #4/Old Seward Hwy.), Anchorage Police Department.

Ms. Clementson moved, to accept AIM 1-2001.
seconded by Ms. Fairclough,

Ms. Clementson moved, to postpone action on AIM 1-2001 until January 23, 2001.
seconded by Ms. Abney,
and it passed without
objection,

2. Information Memorandum No. AIM 4-2001, 2001/2002 Liquor License Renewals: APD List of "Uncontested Establishments", Clerk's Office.

Ms. Clementson moved, to accept AIM 4-2001.
seconded by Ms. Fairclough,

Ms. Clementson moved, to postpone action on AIM 4-2001 until January 23, 2001.
seconded by Ms. Fairclough,
and it passed without
objection,

3. Information Memorandum No. AIM 6-2001, 2001/2002 Liquor License Renewals: Huffman/O'Malley Community Council, Clerk's Office.

Mr. Tremaine moved, to accept AIM 6-2001.
seconded by Ms. Abney,

In response to concerns expressed by Mr. Tremaine and Ms. Fairclough, Mayor Wuerch said the Administration would research the terms of the Anchorage O'Malley Golf Course lease and report back to the Assembly.

Mr. Tremaine moved, to postpone action on AIM 6-2001 until January 23, 2001.
seconded by Ms. Fairclough,
and it passed without
objection,

Ms. Fairclough moved, to reconsider action on item 7.B.10, AO 2001-10.
seconded by Ms. Taylor,
and it passed without
objection,

Ordinance No. AO 2001-10, an ordinance amending Anchorage Municipal Code Section 21.90.020 to **expand the area within the Municipality subject to utility undergrounding requirements**, Assemblymembers Abney, Tesche, and Tremaine.

Ms. Clementson noted that this item needed to be submitted to the Planning and Zoning Commission.

Ms. Abney requested that this item return to the Assembly before her term ends.

(Clerk's Note: See status report in AIM 26-2001.)

Mr. Tremaine moved, to change the orders of the day to consider item 14,
seconded by Ms. Fairclough, Special Orders.
and it passed without
objection,

Appointment to Assembly Seat 4G (Midtown).

Chair Von Gemmingen advised that Mr. Meyer had resigned from Seat 4G (Midtown) effective January 7, 2001, and the Assembly had adopted a resolution at a prior meeting establishing a process for the Assembly appointment of a new member to temporarily fill Seat 4G. She advised that they had advertised and received applications for Seat 4G from the following six applicants: Walter Arden, Brian Donaldson, Wilda Hudson, Jonathon Lack, Tom McGrath, and Dick Traini.

Ms. Clementson felt strongly that since this seat would be up for election in April, that to appoint someone who had filed with Alaska Public Offices Commission to run for this seat would not be fair and impartial. Ms. Clementson noted that Ms. Hudson had done an excellent job when she filled Mr. Wuerch's seat after his election to Mayor.

Mr. Tesche said they had received applications from worthy candidates, and he expressed his appreciation to those who had applied.

Ms. Fairclough echoed Mr. Tesche's comments.

Chair Von Gemmingen directed the Assembly to cast their vote for one of the six applicants.

Ms. Abney requested a personal privilege to welcome Todd, who was working on his last merit badge to become an Eagle Scout. Chair Von Gemmingen signed Todd's merit badge requirement, which was to attend an Assembly meeting.

Municipal Clerk Jane Ferguson announced the results of the vote: Wilda Hudson, 5; Tom McGrath, 1; Dick Traini, 4.

At the Chair's direction, the Assembly again cast their votes for one of the three finalists. Ms. Ferguson announced the results: Mr. Traini, 6; Ms. Hudson, 4.

Chair Von Gemmingen congratulated Mr. Traini on his temporary appointment to Seat 4G.

Assembly member Dick Traini was sworn in by Municipal Clerk Jane Ferguson.

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

- A. Assembly Memorandum No. AM 1146-2000, proprietary purchase with Muldoon Community Development Corporation to **sublease space for the Muldoon One Stop Career Center** for the Municipality of Anchorage, Planning Department (\$16,387.50), Purchasing.
(POSTPONED FROM 12-19-00)
- B. Resolution No. AR 2000-372(S), a revision to the 2000 General Government Operating Budget appropriating \$200,000 from Anticipated Unearned Revenue to the Development Services Department for **professional services contract for plan review services**, Development Services Department/Office of Management and Budget.
(FAILED 12-19-00; RECONSIDERATION WAS ENTERED ON THE MINUTES 12-19-00)

Items 9.A and 9.B were considered later in the meeting. See item 15, Unfinished Agenda.

10. APPEARANCE REQUESTS:

- A. **Stephen Conn-Alaska Public Interest Research Group**, concerning electoral reforms; the Florida experience and its relevance to Anchorage; an agenda for change.
- B. **Annie Cabelas Tagle**, concerning school violence.

Item 10 was considered earlier in the meeting. See after item 8.C.

11. CONTINUED PUBLIC HEARINGS:

- A. Resolution No. AR 2000-350, a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Beverage Dispensary-Tourism) located in Bond Subdivision on Lot 1, generally located on the south side of East Tudor Road and West of Folker Street (Mong Chen, Inc. dba **Fu Do Chinese Restaurant**) (Case 2000-224), Planning Department.
 - 1. Assembly Memorandum No. AM 1067-2000.
 - 2. Resolution No. AR 2000-350(S), a resolution of the Anchorage Municipal Assembly approving a conditional use for sales of alcoholic beverages (Beverage Dispensary) located in Bond Subdivision on Lot 1, generally located on the south side of East Tudor Road and West of Folker Street (Mong Chen, Inc. dba Fu Do Chinese Restaurant) (Case 2000-224), Planning Department.
 - 3. Assembly Memorandum No. AM 1140-2000.
 - 4. Information Memorandum No. AIM 123-2000.
 (CONTINUED FROM 12-12-00 AND 12-19-00)

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one. The public hearing was continued until January 23, 2001, at the request of the petitioner.

The meeting recessed at 6:45 p.m. and reconvened at 7:25 p.m.

- B. Ordinance No. AO 2000-143, an ordinance amending Anchorage Zoning Ordinance 94-235 (S-1) (aa), an ordinance that rezoned to PC (Planned Community) District approximately 530 acres, described as **Tract A of the Powder Reserve**, to amend the standards of development and site layout previously adopted in the Master Plan for Tract A of the Powder Reserve, generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway, in the Eagle River & Birchwood Area, located within portions of Sections 25, 26, 35 and 36, T15N, R2W, S.M., Alaska containing 530 acres more or less (Birchwood Community Council) (Planning and Zoning Commission Case 00-013), Community Planning and Development.
 - 1. Assembly Memorandum No. AM 880-2000.
 - 2. Ordinance No. AO 2000-143(S), an ordinance amending Anchorage Zoning Ordinance 94-235 (S-1) (aa), an ordinance that rezoned to PC (Planned Community) District approximately 530 acres,

- described as Tract A of the Powder Reserve, to amend the standards of development and site layout previously adopted in the Master Plan for Tract A of the Powder Reserve, generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway, in the Eagle River & Birchwood Area, located within portions of Sections 25, 26, 35 and 36, T15N, R2W, S.M., Alaska containing 530 acres more or less (Birchwood Community Council) (Planning and Zoning Commission Case 00-013), Assemblymember Kendall.
3. Ordinance No. AO 2000-143(S-2), an ordinance amending Anchorage Zoning Ordinance 94-235 (S-1) (aa), an ordinance that rezoned to PC (Planned Community) District approximately 530 acres, described as Tract A of the Powder Reserve, to amend the standards of development and site layout previously adopted in the Master Plan for Tract A of the Powder Reserve, generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway, in the Eagle River & Birchwood Area, located within portions of Sections 25, 26, 35 and 36, T15N, R2W, S.M., Alaska containing 530 acres more or less (Birchwood Community Council) (Planning and Zoning Commission Case 00-013). **(LAID ON THE TABLE)**
(CONTINUED FROM 10-24-00, 12-12-00, AND 12-19-00)

Chair Von Gemmingen reopened the public hearing and noted that a motion to adopt was on the floor. She asked if anyone wished to speak.

TIM POTTER of Dowl Engineers, representing Eklutna, introduced Dan Alex of Eklutna. Mr. Potter said they had tried to address most of the issues that had been raised at a previous Assembly meeting. He noted that Assembly members Fairclough and Kendall had accompanied Dowl and Eklutna representatives to a meeting with the community and neighbors of the Powder Ridge Subdivision. Mr. Potter said he believed the (S-2) version provided a compromise that responded to the concerns of the Powder Ridge first phase residents and, at the same time, addressed the issue of changing circumstances within the PC District for the next phases of this portion of Powder Ridge.

Ms. Fairclough reported on her and Mr. Kendall's attendance at the public meeting on this item. She and Mr. Potter explained the changes made by the (S-2) version.

In response to Ms. Fairclough, Assistant Municipal Attorney Dennis Wheeler advised that a letter should be provided by Dowl Engineers stating their understanding and intent to comply with the landscaping requirements for this project.

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

Ms. Fairclough moved, to substitute AO 2000-143(S-2).
seconded by Mr. Tesche,

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

Question was called on the motion to adopt AO 2000-143(S-2) and it passed:

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

- C. **Ordinance No. AO 2000-159**, an ordinance of the Anchorage Municipal Assembly **requiring a moratorium on zoning, site plan, and platting approvals involving cluster housing** until the Municipality's current cluster housing ordinance is rewritten and approved, Assemblymembers Fairclough, Tesche, Taylor, Abney, and Tremaine.
(CONTINUED FROM 12-12-00)

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

JOHN STEINER, President of the Eagle River Valley Community Council, expressed concern that there had been overly broad relaxation of platting standards without adequate guidance from Title 21 to protect the public welfare with respect to cluster plats. He said the Council was not against development but was interested in good public policy. He said that while a blanket moratorium would prevent abuses in cluster rules, it would also block highly desirable planning and platting innovations. He said he would support a conditional future moratorium that would allow development to continue for a specified period of time. He said this would give the Planning Department the opportunity to revise the cluster rules, but if the defects in the rules were not remedied within the specified time, the cessation of cluster plats should be imposed. He strongly urged the Assembly to pass a resolution encouraging the Planning Department to expedite the rewrite of the cluster housing rules. He further urged the Assembly to encourage the Planning Department and the Platting Board to be particularly vigilant in their consideration of cluster plats in accordance with the general plat approval standards of Municipal Code 21.75.010.

JOHN BERGERUN, a local developer, expressed the development community's willingness to come to the table to address this issue on an expedited basis. He shared Mr. Steiner's feeling that a blanket moratorium was overly blunt and may not send the right message. He requested that the Assembly review those cluster developments that had lots less than 6,000 square feet in size because R-1 development was common throughout the Anchorage Bowl, and this action would be punitive to cluster developments that are larger than 6,000 square feet. He said the rewrite of the cluster housing ordinance had a good start, and he encouraged the Assembly to allow the process to continue.

ADAM ROLAND, past President of the Anchorage Home Builders Association, spoke in support of jobs. He noted that approximately one-third of all new housing today is some type of cluster housing, so a moratorium on cluster housing would negatively impact one-third of the current housing projects and one-third of the 7,000 to 8,000 people employed in this industry. He said the building industry has been operating according to the laws as written, and Planning and Zoning has

been enforcing the laws as written. He said if the laws needed to be revised, then the Municipality should do so, but not at the expense of the building industry.

TOM DREYER, President of Lantech, said he did not feel anyone would say the cluster plats contained in the documents he had distributed were bad for the neighborhoods or negatively affected the community. Referring the Assembly to the document on the Autumn Ridge Subdivision, an R-6 cluster subdivision, Mr. Dreyer said this was a prime example of the proper use of the cluster housing section in Title 21. He noted that they had been able to tract out approximately 15 acres of greenbelt in this subdivision. Without the cluster housing ordinance, they would not have been able to do this, and that land would have been developed as lots. Mr. Dreyer pointed out that owners and developers of properties purchased for cluster housing development would be hurt financially by a moratorium if they were unable to develop their property in a timely manner. Mr. Dreyer requested that the Assembly not adopt this ordinance.

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

Ms. Fairclough moved,
seconded by Mr. Sullivan,

to postpone action on AO 2000-159 until the first meeting in
October, 2001.

In response to Ms. Fairclough, Mayor Wuerch stated that the Administration would make the rewrite of Title 21 a priority.

Office of Planning, Development and Public Works Director Craig Campbell provided an outline of the time line for the milestones in the Title 21 rewrite with respect to open space and cluster housing.

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

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

NAYS: Von Gemmingen, Clementson.

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 2000-374, a resolution of the Municipality of Anchorage appropriating \$132,550 as a contribution from the Areawide General Capital Improvement Program Fund (401) to the Public Transportation Capital Improvement Program Fund (485) for **public transportation capital improvements**, Office of Management and Budget.
1. Assembly Memorandum No. AM 1113-2000.

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. Traini moved,
seconded by Ms. Fairclough,

to approve AR 2000-374.

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

NAYS: None.

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

- B. Resolution No. AR 2000-377, a resolution of the Municipality of Anchorage appropriating \$137,800 of Areawide Fund Balance (Fund 101) to pay the Municipality's **initial contribution to a legal claim being pursued by the State of Alaska against the Bank of America** and authorizing the associated Joint Operating Agreement with the State of Alaska, Legal/Finance Departments.
1. Assembly Memorandum No. AM 1121-2000.

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. Abney moved,
seconded by Mr. Traini,

to approve AR 2000-377.

Mr. Tesche expressed concerns regarding the amount that may be recoverable in this action, the potential for successfully pursuing it, and the fee arrangement. He said, that on balance, although it was a close call, due to the seriousness of the allegations, this item probably warranted expenditure of the funds. He suggested careful monitoring, including status reports from the Administration and that the Assembly be consulted prior to any further action or expenditure of funds.

Question was called on the motion to approve AR 2000-377 and it passed:

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

NAYS: Tremaine.

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

Mayor Wuerch pointed out that it may be appropriate to address a companion item to AR 2000-377 at this time, the disposition of the tapes of the Executive session held during a worksession earlier in the day.

Municipal Attorney Bill Greene said the Law Department recommended that the tapes of today's Executive session be scheduled for release after all legal actions and potential litigation with respect to this matter, including appeals, are ultimately and finally resolved.

Mr. Tremaine moved,
seconded by Ms. Abney,

to schedule release of the tapes of the January 9, 2001 Executive session relating to AR 2000-377 after all legal actions and potential litigation, including appeals, are ultimately and finally resolved.

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

NAYS: None.

ABSTAIN: Traini.

(Clerk's Note: Mr. Kendall and Ms. Fairclough were out of the room at the time of the vote; Mr. Traini abstained because he was not present at the executive session in question.)

C. Ordinance No. AO 2000-114, an ordinance of the Anchorage Municipal Assembly **continuing or reestablishing the Urban Design Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department.

1. Assembly Memorandum No. AM 1111-2000.
2. Information Memorandum No. AIM 9-2001.

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

LARRY CASH advised that two documents, Board and Commission Three-Year Evaluation Board Chairman Information and Board and Commission Three-Year Evaluation Staff Information, had been included in the Assembly's packets for this meeting. He said he had reviewed and concurred with the information contained in the documents. He noted corrections to two typographical errors and highlighted the recommendations in item 8 with respect to resources that would enable the Commission to do a better job.

STUART HALL, Government Hill resident, expressed dismay regarding the federal government's insensitivity in building the FBI building without taking the surrounding area and businesses into consideration. He also took exception to the Office Depot in the block adjacent to the FBI building at 6th and Cordova as well as the hotel that abuts the Park Strip at 9th and L. He said construction of these buildings had imposed a visual disaster to the areas in which they were located. He said the Government Hill Community Council had been privileged to review the designs for the new downtown fire station. He expressed the hope that the Urban Design Commission would make improvements to the landscaping for the new fire station, because of the prominent location it will occupy at 4th and A Street, that would keep it from looking similar to the Office Depot and the FBI building. He concurred with earlier comments that the Urban Design Commission's function and duties should be expanded to include architectural controls over major public buildings and other structures that would impact the community. He urged the Assembly to give favorable consideration to expanding the Urban Design Commission's role with respect to urban design issues.

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

Mr. Tremaine moved,
seconded by Ms. Fairclough,

to adopt AO 2000-114.

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

NAYS: None.

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

D. Ordinance No. AO 2000-167, an ordinance amending Anchorage Municipal Code Sections 28.20.010 and 28.20.040 to **clarify the notice provisions for special election of candidates to municipal offices**, Legal Department/ Municipal Clerk.

1. Assembly Memorandum No. AM 1071-2000.

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,
seconded by Mr. Kendall,

to adopt AO 2000-167.

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

NAYS: None.

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

E. Resolution No. AR 2000-322, a resolution approving the **adoption of the 2000-2004 Public Transportation Development Plan** as a basis for the growth and development of public transportation, Public Transportation Department.

1. Assembly Memorandum No. AM 1012-2000.

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

ELAINE JANIAC, representing Transit Works for Anchorage, thanked the Assembly for its serious response to the five-year Public Transportation Development Plan. She felt the Plan appropriately reflected the importance of public transit to the economy of Anchorage and the financial and personal wellbeing of the residents of Anchorage. Ms. Janiak said Transit Works supported the expansion of service outlined in the five-year Plan but would suggest an addendum to the Public

Transportation Development Plan that would address events and initiatives that transpire in the future as a result of implementation of the Anchorage 2020 Comprehensive Plan. She said this would provide integration of all of the Municipality's plans that in one way or another address transit issues.

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

Mr. Sullivan moved, to approve AR 2000-322.
seconded by Mr. Tremaine,

Mr. Tesche moved, to amend AR 2000-322 to add a new paragraph in Section 1
seconded by Mr. Tre maine, to read: "The Administration will, within approximately two
months, present a supplement to the Plan for Assembly
approval. The supplement shall address coordination with the
Anchorage 2020 Comprehensive Plan, strategic funding for
operations of the transit system, and rail links."

Mr. Tremaine moved, to amend the amendment to add another sentence to read:
and it was accepted as a "In addition, the Administration will prepare amendments
friendly amendment, that reflect the findings of the Transit Service Needs Study for
Assembly approval by March 2002."

Question was called on the motion to amend AR 2000-322 as amended and it passed:

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

Question was called on the motion to approve AR 2000-322 as amended and it passed:

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

- F. Ordinance No. AO 2000-176, an ordinance authorizing the **conveyance of that certain municipal land described as the West 1/3 Lot 17, Block 37 of the Third Addition to the Townsite of Anchorage**, according to Plat C-26, Tax #003-146-49, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1129-2000.

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 2000-176.
seconded by Mr. Kendall,

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

- G. Resolution No. AR 2000-363, a resolution confirming and levying special assessments for **Special Assessment District No. 8SR98, which reconstructed the 4th/5th Avenue Alley between 'C' Street and 'D' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1092-2000.

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. Clementson moved, to approve AR 2000-363.
seconded by Mr. Kendall,

Mr. Kendall moved, to amend AR 2000-363 to insert the date on line 23 of
seconded by Ms. Abney, "January 9, 2001," on line 33, to insert "1st" in the first blank
and it passed without and "April" in the second blank, and on line 34, the date
objection, "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-363 as amended and it passed:

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

- H. Resolution No. AR 2000-364, a resolution confirming and levying special assessments for **Special Assessment District No. 7SR98, which reconstructed the 4th/5th Avenue Alley between 'D' Street and 'E' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1093-2000.

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 2000-364.
seconded by Ms. Taylor,

Mr. Kendall moved, to amend AR 2000-364 to insert the date on line 23 of
seconded by Mr. Sullivan, "January 9, 2001," on line 33, to insert "1st" in the first blank
and it passed without and "April" in the second blank, and on line 34, the date
objection, "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-364 as amended and it passed:

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

- I. Resolution No. AR 2000-365, a resolution confirming and levying special assessments for **Special Assessment District No. 4SR98, which reconstructed the 4th/5th Avenue Alley between 'F' Street and 'G' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1094-2000.

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 2000-365.
seconded by Mr. Kendall,

Mr. Kendall moved, to amend AR 2000-365 to insert the date on line 23 of
seconded by Ms. Fairclough, "January 9, 2001," on line 33, to insert "1st" in the first blank
and it passed without and "April" in the second blank, and on line 34, the date
objection, "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-365 as amended and it passed:

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

- J. Resolution No. AR 2000-366, a resolution confirming and levying special assessments for **Special Assessment District No. 1SR98, which reconstructed the 4th/5th Avenue Alley between 'G' Street and 'H' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1095-2000.

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 approve AR 2000-366.
seconded by Mr. Tesche,

Mr. Kendall moved, to amend AR 2000-366 to insert the date on line 23 of
seconded by Ms. Fairclough, "January 9, 2001," on line 33, to insert "1st" in the first blank
and it passed without and "April" in the second blank, and on line 34, the date
objection, "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-366 as amended and it passed:

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

- K. Resolution No. AR 2000-367, a resolution confirming and levying special assessments for **Special Assessment District No. 5SR98, which reconstructed the 5th/6th Avenue Alley between 'G' Street and 'H' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1098-2000.

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 approve AR 2000-367.
seconded by Mr. Tesche,

Mr. Kendall moved, seconded by Mr. Traini, and it passed without objection,	to amend AR 2000-367 to insert the date on line 23 of "January 9, 2001," on line 33, to insert "1st" in the first blank and "April" in the second blank, and on line 34, the date "April 1st" be inserted in the blank.
--	--

Question was called on the motion to approve AR 2000-367 as amended and it passed:

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

- L. **Resolution No. AR 2000-368**, a resolution confirming and levying special assessments for **Special Assessment District No. 2SR98, which reconstructed the 5th/6th Avenue Alley between 'H' Street and 'T' Street**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1099-2000.

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, seconded by Mr. Traini,	to approve AR 2000-368.
Mr. Kendall moved, seconded by Mr. Tesche, and it passed without objection,	to amend AR 2000-368 to insert the date on line 23 of "January 9, 2001," on line 33, to insert "1st" in the first blank and "April" in the second blank, and on line 34, the date "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-368 as amended and it passed:

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

- M. **Resolution No. AR 2000-369**, a resolution confirming and levying special assessments for **Special Assessment District No. 3SR96, which reconstructed streets in the Devonshire Subdivision Area**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1100-2000.

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, seconded by Mr. Tesche,	to approve AR 2000-369.
Mr. Kendall moved, seconded by Mr. Traini, and it passed without objection,	to amend AR 2000-369 to insert the date on line 23 of "January 9, 2001," on line 33, to insert "1st" in the first blank and "April" in the second blank, and on line 34, the date "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-369 as amended and it passed:

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

- N. **Resolution No. AR 2000-370**, a resolution confirming and levying special assessments for **Special Assessment District No. 1P98, which provided for paving of the H Street/ I Street Alley between 15th and 16th Avenues**, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 1101-2000.

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, seconded by Mr. Tesche,	to approve AR 2000-370.
Mr. Kendall moved, seconded by Mr. Sullivan, and it passed without objection,	to amend AR 2000-370 to insert the date on line 23 of "January 9, 2001," on line 33, to insert "1st" in the first blank and "April" in the second blank, and on line 34, the date "April 1st" be inserted in the blank.

Question was called on the motion to approve AR 2000-370 as amended and it passed:

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

- O. 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.
1. Assembly Memorandum No. AM 1026-2000.

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

STUART HALL, President of the Government Hill Community Council, said the Council had considered this item at its December 21, 2000 meeting and had voted to take no formal position on this proposed rezoning, but they had several concerns. Mr. Hall said Whitney Road was in need of realignment and reconstruction. He said it was presently heavily trafficked and dangerous, particularly in the wintertime. He said it was his understanding there were no similar large vehicle wash services anywhere in Anchorage, and it was a much needed service. However, the Assembly should take into consideration the additional commercial traffic that it would draw to this area, especially in light of the poor condition of Whitney Road. He pointed out that the owner of the proposed facility for the commercial vehicle wash has had several proposed uses for the building in the recent past, none of which have come to fruition. He said the community council supports vibrant, active, and attractive development of the Ship Creek area. He said they need to ensure that whatever commercial business operates in this building, it is compatible with the existing commercial traffic, the pedestrian traffic, and the fish viewing and sport fishing opportunities in the area.

GEORGE TREFRY said he was the operator of the facility in question, and he briefly outlined his qualifications to operate successfully at this location. With respect to the sport fishing and fish viewing opportunities, he said the commercial vehicles would enter and exit the property at locations that would not conflict with the location of the fish ladder and sport fishing access sites. He concurred with Mr. Hall's statements regarding the need to realign and upgrade Whitney Road. With respect to the drip factor, he stated he would have the exit heated, and a storm drain would be installed to assist in that effort. He said he also puts sand in the street when necessary at his car wash and would do so, if permitted, at this location as well. Mr. Trefry said any pollutants utilized in the commercial truck wash business would be disposed of into the sanitary sewer. He emphasized the need for this type of a facility in Anchorage and stated that large vehicles such as buses and trucks are currently being washed in an unregulated fashion in parking lots. The runoff is going into the storm drains, and the pollutants from the runoff end up in our streams.

BILL BOBERICK, registered lobbyist for Mark Marlow, advised that Mr. Marlow was on his way from Palmer to attend the meeting. Mr. Boberick said neither he nor Mr. Marlow had expected the Assembly to get to this item so quickly tonight. He said if there were questions the Assembly needed answered before taking action on this item, they may wish to postpone it until Mr. Marlow could be available.

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

Mr. Sullivan moved, to adopt AO 2000-164.
seconded by Mr. Tesche,

Ms. Fairclough stated that letters had been received in support of this item, and one letter in opposition had been received. She recommended postponing so Mr. Marlow could be available to address concerns and respond to questions.

Ms. Clementson moved, to amend AO 2000-164 to change it from a permitted use to a
seconded by Mr. Traini, conditional use for the purpose of housing a car and large
vehicle wash.

In response to Ms. Abney, Ms. Clementson said the owner and operator of the proposed facility would be required to go through the public hearing process before the Planning and Zoning Commission if this item was changed from a permitted use to a conditional use.

Question was called on the motion to amend AO 2000-164 and it failed:

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

Question was called on the motion to adopt AO 2000-164 and it passed:

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

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

- A. **Appointment to Assembly Seat 4G (Midtown).**

This item was considered earlier in the meeting. See after item 8.E.

B. **Election of Assembly Vice Chair.**

Chair Von Gemmingen opened the floor for nominations for Assembly Vice Chair.

Ms. Clementson moved, to nominate Ms. Fairclough for Vice Chair.
seconded by Mr. Kendall,

Ms. Fairclough moved, to nominate Mr. Tremaine for Vice Chair.
seconded by Mr. Tesche,

There were no other nominations and the nominations were closed. Chair Von Gemmingen directed the Assembly members to vote and to sign their votes.

Municipal Clerk Jane Ferguson announced Mr. Tremaine received 8 votes and Ms. Fairclough 3 votes. Mr. Tremaine was elected as the Assembly Vice Chair.

Chair Von Gemmingen congratulated Mr. Tremaine.

15. UNFINISHED AGENDA:

- A. Assembly Memorandum No. AM 30-2001, recommendation of award to AHS, LLC for providing **services to operate a Community Service Patrol and Transfer Station** for the Municipality of Anchorage, Department of Health and Human Services (ITB 20-B140) (\$685,164), Purchasing. (**addendum**)

Chair Von Gemmingen gave the history of the memorandum and noted a motion to approve was on the floor.

Mr. Tesche said after having discussed this item with staff and legal counsel, and for a number of reasons, including public comments made earlier in the meeting and explanations provided by the Purchasing Officer, he would support approval of this item.

Question was called on the motion to approve AM 30-2001 and it passed:

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

- B. Assembly Memorandum No. AM 1146-2000, proprietary purchase with Muldoon Community Development Corporation to **sublease space for the Muldoon One Stop Career Center** for the Municipality of Anchorage, Planning Department (\$16,387.50), Purchasing.
(POSTPONED FROM 12-19-00)

Mr. Kendall moved, to postpone action on AM 1146-2000 indefinitely.
seconded by Mr. Traini,

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

- C. Resolution No. AR 2000-372(S), a revision to the 2000 General Government Operating Budget appropriating \$200,000 from Anticipated Unearned Revenue to the Development Services Department for **professional services contract for plan review services**, Development Services Department/Office of Management and Budget.
(FAILED 12-19-00; RECONSIDERATION WAS ENTERED ON THE MINUTES 12-19-00)

Chair Von Gemmingen gave the history of the resolution and noted a question of whether to reconsider was before the body.

Mr. Greene advised that the Municipality would be reimbursed this expenditure by the State of Alaska once the work on the plan review had been completed.

Question was called on whether to reconsider action on AR 2000-372(S) and it passed:

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

Mr. Kendall moved, to approve AR 2000-372(S).
seconded by Mr. Sullivan,

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

D.

Ms. Clementson moved, that when the final recommendation on the Anchorage 2020
seconded by Mr. Sullivan, Anchorage Bowl Comprehensive Plan is received from the
and it was withdrawn, Planning Department, it be distributed for public review and
sent to the appropriate agencies and a special meeting be

scheduled for a public hearing on this issue on February 20, 2001.

Ms. Clementson withdrew her motion with the consent of Mr. Sullivan.

Ms. Clementson moved, seconded by Mr. Sullivan,	to schedule a special meeting for February 20, 2001 at 5:00 p.m. for the purpose of taking action on the Anchorage 2020 Anchorage Bowl Comprehensive Plan.
--	--

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

E.

Mr. Sullivan moved, seconded by Mr. Traini,	to cancel the special meeting scheduled for January 16, 2001, and to schedule a worksession at 11:00 a.m. on January 16, 2001, for the purpose of review and final mark-up of the final draft of the Anchorage 2020 Anchorage Bowl Comprehensive Plan.
--	--

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

16. AUDIENCE PARTICIPATION:

BILL BOBERICK commended the Assembly for its wisdom and praised Ms. Fairclough for her stateswoman qualities when she addressed the issue of cluster housing. Mr. Boberick said Mr. Marlow was the largest provider of private senior housing in the state of Alaska, and he had earned that reputation by working diligently to produce quality projects. He said taking an existing building and improving or upgrading it into a quality facility was much more difficult than constructing a building from scratch or demolishing a rundown building. He said Mr. Marlow had the ability to take an existing structure and improve it or make it better, but sometimes in the process, plans change. Mr. Boberick offered to update the Assembly as often as necessary on Mr. Marlow's proposed projects. Mr. Boberick congratulated Mr. Tremaine and said he thought he would make a great Vice Chairman.

17. ASSEMBLY COMMENTS:

Ms. Taylor concurred with Mr. Boberick's comments regarding Ms. Fairclough's handling of the cluster housing issue. She expressed her appreciation to Ms. Fairclough for bringing it to the table and to the Administration's attention, which will result in a newly revised cluster housing ordinance.

Ms. Fairclough announced that the 2001 Economic Forecast luncheon was scheduled the following day at the Egan Center beginning at 11:30 a.m. She reminded everyone that the students from Polaris would be there at 12:00 to 1:00 p.m. for a brown bag lunch.

Mr. Traini said he was glad to be back on board, and he looked forward to working with his old friends as well as some new ones.

Ms. Abney welcomed Mr. Traini back to the Assembly. She briefly reported on the National League of Cities Conference in Boston. She said there had been some interesting programs relating to youth, education, and a holistic approach that she would be happy to share with the Assembly at a later date.

Mr. Tremaine thanked the Assembly for electing him Vice Chair, and he said he would do everything he could to support the Chair. He said the Assembly should heed a comment made earlier by Ms. Taylor that the Assembly should devote some time, in conjunction with the Administration, to developing a legislative agenda for Washington, D.C., with respect to transportation projects.

Mr. Sullivan welcomed Mr. Traini back and congratulated Mr. Tremaine on his being elected Vice Chair.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 11:00 p.m.

ATTEST:	_____
	Chairman

Municipal Clerk

Date Minutes Approved: May 8, 2001

LF/ccarl

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