

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of January 23, 2001

1. CALL TO ORDER:

The meeting was convened at 5:00 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, Dick Traini, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.  
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Van Etten.

4. MINUTES OF PREVIOUS MEETING:

- A. Special Meeting - August 23, 2000
- B. Regular Meeting - August 29, 2000

Mr. Tesche moved, seconded by Ms. Taylor, and it passed without objection, to approve the minutes of the August 23, 2000 special meeting.

Ms. Fairclough moved, seconded by Ms. Taylor, and it passed without objection, to approve the minutes of the August 29, 2000 regular meeting.

5. MAYOR'S REPORT:

Mayor Wuerch announced a demonstration of the new on-line zoning and platting system was scheduled for January 26, 2001. He reported on his recent visits to Louisville, Kentucky, where he met UPS officials and Memphis, Tennessee, where he met with FedEx officials. He felt Anchorage's relationship with these companies is very secure.

6. ADDENDUM TO AGENDA:

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

Chair Von Gemmingen read the addendum items.

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

7. CONSENT AGENDA:

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

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 53-2001, recommendation of award to Service Oil & Gas, Inc. for furnishing **various fuel products** to the Municipality of Anchorage, Purchasing Department (ITB 20-B122) (\$1,500,000), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2001-24, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential District) to B-3 SL (General Business District with Special Limitations) for approximately 37 acres of a 69 acre parcel, the eastern half of **The Alaskan Village Subdivision** platted as Tract A, The Alaskan Village #1 Subdivision and Lots 32 thru 45, Block 1, Lots 20 thru 47, Block 2 and a portion of the NE 1/4, NW 1/4, The Alaskan Village Subdivision, all located within Section 24, T13N, R3W, S.M., AK; generally located on the southwest corner of DeBarr Road and the west side of Muldoon Road (Northeast Community Council) (Planning and Zoning Commission Case 2000-051), Planning Department. public hearing ~~3-20-01~~ 2-27-01.

- a. Assembly Memorandum No. AM 66-2001.

Municipal Manager Harry Kieling requested this item be considered on the Regular Agenda. See item 8.B.

- 2. Ordinance No. AO 2001-25, an ordinance approving the rezoning of 30.3 acres from R-3 (Multi-Family Residential) Zoning District to B-3 SL (General Business with Special Limitations) for the eastern 15.15 acres of the 30.3 acre site and to R-4SL (Multi-Family Residential) for the western 15.15 acres of the 30.3 acre site for the **Modern Age Estates Subdivision, Tract C1**, generally located on the west side of C Street, north of West 40th Avenue and south of West 36th Street (Spenard Community Council) (Planning and Zoning Commission Case 2000-191), Planning Department. public hearing public hearing ~~3-20-01~~ 2-27-01.
  - a. Assembly Memorandum No. AM 67-2001.

Municipal Manager Harry Kieling requested this item be considered on the Regular Agenda. See item 8.B.

- 3. Resolution No. AR 2001-24, a resolution of the Municipality of Anchorage committing itself as a signatory to the **Memorandum of Understanding regarding a Comprehensive Wildlife Management Plan, "Living with Wildlife in Anchorage: A Cooperative Planning Effort"**, Assemblymembers Tremaine and Abney. (**addendum**)

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

- 4. Ordinance No. AO 2001-26, 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 and the question of an increase in the Municipal tax cap limitations to pay associated operations and maintenance costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 2-13-01. (**addendum**)

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

#### C. RESOLUTIONS FOR ACTION:

- 1. Resolution No. AR 2001-14, a resolution of the Municipality of Anchorage appropriating \$1,304 of revenues from reimbursement of prior year expenses within the State Categorical Grants Fund (231) Planning Department for **support of WIA Title IIA Adult Programs**, Planning Department.
  - a. Assembly Memorandum No. AM 43-2001.
- 2. Resolution No. AR 2001-15, a resolution of the Municipality of Anchorage providing for the appropriation of \$6,040 from donations to the Miscellaneous Operational Grants Fund (261), Cultural and Recreational Services Department, for the **purchase of library books and materials**, Cultural and Recreational Services/Library.
  - a. Assembly Memorandum No. AM 44-2001.

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

- 3. Resolution No. AR 2001-16, a resolution authorizing the Municipality to **grant a 20' wide electrical easement within Eagle River Commons Park**, Tract R-2, Regional Park Unit No. 3 Subdivision, located near Business Park Boulevard and Regency Drive in Eagle River, Tax #050-101-35, Office of Planning, Development, and Public Works.
  - a. Assembly Memorandum No. AM 45-2001.
- 4. Resolution No. AR 2001-17, a resolution authorizing the Municipality to **grant 50' wide underground utility easement across a portion of Kincaid Park** located within Section 5, T12N, R4W, S.M., Alaska, Tax #010-411-16, Office of Planning, Development, and Public Works.
  - a. Assembly Memorandum No. AM 56-2001.

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

- 5. Resolution No. AR 2001-18, 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** in the Department of Law, Municipal Prosecutor's Office/Legal Department.
  - a. Assembly Memorandum No. AM 57-2001.
- 6. Resolution No. AR 2001-19, a resolution of the Municipality of Anchorage **modifying the conditions of renewal for the beverage dispensary liquor license for Anna's Place**, Assemblymember Sullivan. (**addendum**)

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

- 7. Resolution No. AR 2001-20, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Sergeant Gilbert K. Cordell for his 17 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

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

8. Resolution No. AR 2001-21, a resolution of the Anchorage Municipal Assembly revising the 2001 General Government Operating Budget by appropriating the sum of \$35,000 from Areawide General Fund (101) Balance to Non-Departmental to provide funding for a pass-through grant to the Anchorage School District for the **Youth Restitution Program**, Assemblymembers Abney and Taylor. (**addendum**)
  - a. Assembly Memorandum No. AM 72-2001.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 50-2001, **Chugiak, Birchwood, Eagle River Rural Road Service Area Board of Supervisors** (Richard Rochin), Mayor's Office.
2. Assembly Memorandum No. AM 51-2001, **Police and Fire Retiree Medical Funding Program Board of Trustees appointments** (Jerome Jury, Nancy Potter), Mayor's Office.
3. Assembly Memorandum No. AM 52-2001, **Police and Fire Retirement Board of Trustees appointment** (Jim Bauman), Mayor's Office.
4. Assembly Memorandum No. AM 58-2001, **appointment to 401(k) Retirement Committee** (David Lundeby), Mayor's Office.
5. Assembly Memorandum No. AM 59-2001, **confirmation of appointments to 457 Deferred Compensation Committee** (Charles Laird, Anthony Price), Mayor's Office.
6. Assembly Memorandum No. AM 46-2001, 2001/2002 Liquor License Renewals: **Ah Sa Wan Restaurant** [NO PREMISE] #2998, **Carlos Mexican Restaurant** #3538, **George's Homestead Lounge** #321 (Beverage Dispensary); **Muldoon Pizza** #761, **Peggy's Restaurant** #1821 (Restaurant/Eating Place); **George's Homestead Liquor Store** #322, **Oaken Keg 60** (1810) #798, **Oaken Keg 47** (1817) #2094, **Oaken Keg 59** (1807) #1464, **Oaken Keg 62** (1812) #1397, **Sam's Club 6601** #3303, **Oaken Keg 61** (1809) #799, **Oaken Keg 54** (1813) #1799, **Sam's Club 6602** #2386 (Package Store) (Bayshore/Klatt, Huffman/O'Malley, Taku/Campbell, Northeast, Mt. View, Scenic Park, Eagle River, Sand Lake, Russian Jack, and Old Seward/Oceanview Community Councils), Clerk's Office.

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

7. Assembly Memorandum No. AM 35-2001, proprietary purchase to Cardinal Health Company, Allegiance Healthcare Division, and SmithKline Beecham Pharmaceuticals for furnishing **medical supplies** to the Municipality of Anchorage, Department of Health and Human Services (\$130,000), Purchasing.
8. Assembly Memorandum No. AM 36-2001, change order No. 1 to purchase order 200786 to exercise the first option period with Ace Building Maintenance for **custodial service** at the Z.J. Loussac Library for the Municipality of Anchorage, Department of Property and Facility Management (\$119,640), Purchasing.
9. Assembly Memorandum No. AM 37-2001, change order No. 5 to the contract with Christensen Builders, Inc. for the **Eagle River Fire Station #11**, Contract No. C-201304 (\$42,580.25), Property and Facility Management.
10. Assembly Memorandum No. AM 38-2001, change order No. 1 to the contract with Pinnacle Construction, Inc. for **Transit Maintenance underground tank replacements** (\$88,796.66), Property and Facility Management.
11. Assembly Memorandum No. AM 39-2001, grant sub-recipient agreement with Anchorage Neighborhood Housing Services to **administer the World Changers Housing Rehabilitation Project** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (\$41,200), Purchasing.

Municipal Manager Harry Kieling requested this item be considered on the Regular Agenda. See item 8.D.

12. Assembly Memorandum No. AM 40-2001, contract amendment No. 2 to professional services contract with USKH, Inc. for the **Business Boulevard Pedestrian Safety Improvements**, Project #96-17 (\$204,100), Public Works.
13. Assembly Memorandum No. AM 54-2001, recommendation of award to various carriers for providing **group health and related insurance programs** for the Municipality of Anchorage, Employee Relations Department (RFPs 20-P039, 20-P040 and 20-P041) (\$17,703,895), Purchasing.

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

14. Assembly Memorandum No. AM 55-2001, approval to contract with University of Alaska, Anchorage for a \$37,500 grant for support of the **2001 Mayor's Midnight Sun Marathon**, Cultural and Recreational Services.

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

15. Assembly Memorandum No. AM 41-2001, **2001 Support Services for Federation of Community Councils** (\$108,000), Municipal Clerk.
16. Assembly Memorandum No. AM 42-2001, **professional 2001 Federal lobbying services** with Birch, Horton, Bittner and Cherot by William P. Horn (\$48,000), Office of Management and Budget.

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

17. Assembly Memorandum No. AM 68-2001, **increase to 2000 indigent defense contracts** (\$62,000), Office of Management and Budget. **(addendum)**

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 13-2001, Municipal Budget Advisory Commission **comments on revenue related issue on the April 2001 ballot**, Office of Management and Budget. **(addendum)**

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

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

8. **REGULAR AGENDA:**

A. BID AWARDS: None.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2001-24, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential District) to B-3 SL (General Business District with Special Limitations) for approximately 37 acres of a 69 acre parcel, the eastern half of **The Alaskan Village Subdivision** platted as Tract A, The Alaskan Village #1 Subdivision and Lots 32 thru 45, Block 1, Lots 20 thru 47, Block 2 and a portion of the NE 1/4, NW 1/4, The Alaskan Village Subdivision, all located within Section 24, T13N, R3W, S.M., AK; generally located on the southwest corner of DeBarr Road and the west side of Muldoon Road (Northeast Community Council) (Planning and Zoning Commission Case 2000-051), Planning Department. public hearing ~~3-20-01~~ 2-27-01.
  - a. Assembly Memorandum No. AM 66-2001.

Mr. Kendall, Mr. Sullivan and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for February 27, 2001.

2. Ordinance No. AO 2001-25, an ordinance approving the rezoning of 30.3 acres from R-3 (Multi-Family Residential) Zoning District to B-3 SL (General Business with Special Limitations) for the eastern 15.15 acres of the 30.3 acre site and to R-4SL (Multi-Family Residential) for the western 15.15 acres of the 30.3 acre site for the **Modern Age Estates Subdivision, Tract C1**, generally located on the west side of C Street, north of West 40th Avenue and south of West 36th Street (Spenard Community Council) (Planning and Zoning Commission Case 2000-191), Planning Department. public hearing ~~3-20-01~~ 2-27-01.
  - a. Assembly Memorandum No. AM 67-2001.

Municipal Manager Harry Kieling recommended February 27, 2001 for the public hearing on this item.

Mr. Kendall, Mr. Sullivan and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for February 27, 2001.

3. Resolution No. AR 2001-24, a resolution of the Municipality of Anchorage committing itself as a signatory to the **Memorandum of Understanding regarding a Comprehensive Wildlife Management Plan, "Living with Wildlife in Anchorage: A Cooperative Planning Effort"**, Assemblymembers Tremaine and Abney. **(addendum)**

Mr. Tremaine moved, to postpone action on AR 2001-24 indefinitely.  
seconded by Ms. Abney,  
and it passed without  
objection,

Mr. Tremaine said he would introduce an ordinance on this topic at a later date.

4. Ordinance No. AO 2001-26, 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 and the question of an increase in the Municipal tax cap limitations to pay associated operations and maintenance costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Office of Management and Budget. public hearing 2-13-01. **(addendum)**

Ms. Clementson, Mr. Kendall and Mr. Traini joined in introducing this ordinance. The public hearing was scheduled for February 13, 2001.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-15, a resolution of the Municipality of Anchorage providing for the appropriation of \$6,040 from donations to the Miscellaneous Operational Grants Fund (261),

Cultural and Recreational Services Department, for the **purchase of library books and materials**, Cultural and Recreational Services/Library.

a. Assembly Memorandum No. AM 44-2001.

Mr. Tesche moved, to approve AR 2001-15.  
seconded by Ms. Taylor,  
and it passed without  
objection,

Mr. Tesche requested a report on the total amount of money expended in 2001 for acquisition library materials.

2. Resolution No. AR 2001-17, a resolution authorizing the Municipality to **grant 50' wide underground utility easement across a portion of Kincaid Park** located within Section 5, T12N, R4W, S.M., Alaska, Tax #010-411-16, Office of Planning, Development, and Public Works.
  - a. Assembly Memorandum No. AM 56-2001.

Mr. Tesche moved, to postpone action on AR 2001-17 until January 30, 2001  
seconded by Ms. Fairclough, at the suggestion of Federal Aviation Administration (FAA)  
officials, pending a meeting with Municipal officials.

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

NAYS: Von Gemmingen.

3. Resolution No. AR 2001-19, a resolution of the Municipality of Anchorage **modifying the conditions of renewal for the beverage dispensary liquor license for Anna's Place**, Assemblymember Sullivan. (**addendum**)

Mr. Tremaine moved, to approve AR 2001-19.  
seconded by Mr. Tesche,

Mr. Sullivan noted the Assembly placed several conditions on this license last May; some of the conditions were lifted four months later. He recommended the Assembly now remove the remaining restrictions on hours for selling alcoholic beverages. Mr. Sullivan noted there have been no violations at Anna's Place since the conditions were placed on the license.

Question was called on the motion to approve AR 2001-19 and it passed with Ms. Clementson objecting.

4. Resolution No. AR 2001-20, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Sergeant Gilbert K. Cordell for his 17 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Mr. Tesche moved, to approve AR 2001-20.  
seconded by Mr. Kendall,  
and it passed without  
objection,

#### D. NEW BUSINESS:

1. Assembly Memorandum No. AM 46-2001, 2001/2002 Liquor License Renewals: **Ah Sa Wan Restaurant** [NO PREMISE] #2998, **Carlos Mexican Restaurant** #3538, **George's Homestead Lounge** #321 (Beverage Dispensary); **Muldoon Pizza** #761, **Peggy's Restaurant** #1821 (Restaurant/Eating Place); **George's Homestead Liquor Store** #322, **Oaken Keg 60** (1810) #798, **Oaken Keg 47** (1817) #2094, **Oaken Keg 59** (1807) #1464, **Oaken Keg 62** (1812) #1397, **Sam's Club 6601** #3303, **Oaken Keg 61** (1809) #799, **Oaken Keg 54** (1813) #1799, **Sam's Club 6602** #2386 (Package Store) (Bayshore/Klatt, Huffman/O'Malley, Taku/Campbell, Northeast, Mt. View, Scenic Park, Eagle River, Sand Lake, Russian Jack, and Old Seward/Oceanview Community Councils), Clerk's Office.

Mr. Tremaine moved, to approve AM 46-2001.  
seconded by Mr. Tesche,

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

2. Assembly Memorandum No. AM 39-2001, grant sub-recipient agreement with Anchorage Neighborhood Housing Services to **administer the World Changers Housing Rehabilitation Project** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (\$41,200), Purchasing.

Office of Planning, Development and Public Works Director Craig Campbell requested action on this item be postponed until February 27, 2001, to allow time to make necessary changes to the Action Plan component of the Housing and Community Development Consolidated Plan.

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

to postpone action on AM 39-2001 until February 27, 2001.

3. Assembly Memorandum No. AM 54-2001, recommendation of award to various carriers for providing **group health and related insurance programs** for the Municipality of Anchorage, Employee Relations Department (RFPs 20-P039, 20-P040 and 20-P041) (\$17,703,895), Purchasing.

Ms. Taylor moved,  
seconded by Mr. Traini,

to approve AM 54-2001.

In response to Ms. Taylor, Employee Relations Director David Otto explained there will be about \$577,000 savings due to the unbundling process. There is no change to existing benefits. He introduced Karen Moore.

Ms. Moore added there would be no change to employee premiums for this year.

Question was called on the motion to approve AM 54-2001 and it passed without objection.

4. Assembly Memorandum No. AM 55-2001, approval to contract with University of Alaska, Anchorage for a \$37,500 grant for support of the **2001 Mayor's Midnight Sun Marathon**, Cultural and Recreational Services.

In response to Mr. Sullivan, Cultural and Recreational Services Director Jim Posey said this was the first year of this grant. He explained it was an experiment in a public-private partnership to improve the race and allow it to expand without costing additional tax dollars. Mr. Posey did not anticipate any profit, but if there is, the profit will be applied to racing.

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

to approve AM 55-2001.

5. Assembly Memorandum No. AM 42-2001, **professional 2001 Federal lobbying services** with Birch, Horton, Bittner and Cherot by William P. Horn (\$48,000), Office of Management and Budget.

Ms. Fairclough moved,  
seconded by Ms. Taylor,

to approve AM 42-2001.

In response to Ms. Fairclough, Mayor Wuerch said he would provide Assembly members with the list of Federal lobbyists used by the Administration. Items on the project list are in part derived from Alaska Municipal League priorities.

Question was called on the motion to approve AM 42-2001 and it passed without objection.

E. INFORMATION AND REPORTS: None.

The Assembly then considered item 10, Appearance Requests.

**Steve Landers**, regarding mandatory billing for solid waste services.

Mr. Landers said he was involved in a suit by the Municipality regarding his garbage collection bill.

Municipal Attorney Bill Greene said it was acceptable for the Assembly to hear Mr. Landers' comments. However, the Assembly cannot take any action.

Mr. Landers continued and explained he was being sued for payment of services that he does not utilize. He noted residents in the Solid Waste Services utility service area are charged for garbage collection regardless of whether the service is used. Mr. Landers pointed out the law is never enforced except for the purpose of collecting revenues. He asked the Assembly consider repealing or changing the law to provide exemptions for citizens who do not wish to utilize garbage collection. He felt it was unfair that other citizens have the right to choose whether or not to utilize garbage collection services. Mr. Landers added the boundaries of the Solid Waste Services collection area were established 30 years ago, and have no relevance today. He felt the law was outdated and discriminatory.

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

- A. 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.  
(POSTPONED FROM 1-9-01)

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

Ms. Clementson felt the quarterly violation report was not current, and did not provide the Assembly information needed to make decisions on license activities.

Question was called on the motion to accept AIM 1-2001 and it passed without objection.

The Assembly then returned to item 8.D.1, AM 46-2001.

Assembly Memorandum No. AM 46-2001, 2001/2002 Liquor License Renewals: **Ah Sa Wan Restaurant** [NO PREMISE] #2998, **Carlos Mexican Restaurant** #3538, **George's Homestead Lounge** #321 (Beverage Dispensary); **Muldoon Pizza** #761, **Peggy's Restaurant** #1821 (Restaurant/Eating Place); **George's Homestead Liquor Store** #322, **Oaken Keg 60** (1810) #798, **Oaken Keg 47** (1817) #2094, **Oaken Keg 59** (1807) #1464, **Oaken Keg 62** (1812) #1397, **Sam's Club 6601** #3303, **Oaken Keg 61** (1809) #799, **Oaken Keg 54** (1813) #1799, **Sam's Club 6602** #2386 (Package Store) (Bayshore/Klatt, Huffman/O'Malley, Taku/Campbell, Northeast, Mt. View, Scenic Park, Eagle River, Sand Lake, Russian Jack, and Old Seward/Oceanview Community Councils), Clerk's Office.

Mr. Kendall moved, to approve AM 46-2001.  
seconded by Mr. Tesche,  
and it passed without  
objection,

B. Information Memorandum No. AIM 4-2001, 2001/2002 Liquor License Renewals: **APD List of "Uncontested Establishments"**, Clerk's Office.  
(POSTPONED FROM 1-9-01)

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

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

Ms. Clementson moved, to postpone action on AIM 4-2001 until January 30, 2001.  
seconded by Ms. Taylor,  
and it passed without  
objection,

C. Information Memorandum No. AIM 6-2001, 2001/2002 Liquor License Renewals: **Huffman/O'Malley Community Council**, Clerk's Office.  
(POSTPONED FROM 1-9-01)

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

John Rodda of Cultural and Recreational Services Department clarified this was a license renewal, and there would be no changes to the policy of alcohol sales at O'Malley's On The Green golf course. Sales on the course are not allowed.

In response to Mr. Tremaine, Municipal Attorney Bill Greene addressed the question of alcohol sales in Municipal parks. Although the golf course is considered parkland, alcohol sales are allowed. The Municipal Manager has the authority to permit consumption of alcoholic beverages in public parks.

Question was called on the motion to accept AIM 6-2001 and it passed without objection.

D. **NOTICE OF RECONSIDERATION:** 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.  
(APPROVED 1-9-01; NOTICE OF RECONSIDERATION GIVEN BY MS. VON GEMMINGEN 1-10-01)

Vice Chairman Tremaine assumed the Chair.

Ms. Von Gemmingen explained why she gave notice of reconsideration. The ordinance allows light industrial uses, where facilities must be available for public viewing without charge. Also, car washes and other drive-in businesses are prohibited. She felt the ordinance should be revisited.

Mr. Tesche agreed clarification of the ordinance provisions would be helpful, but did not feel reconsideration was necessary.

Ms. Clementson spoke in support of reconsideration.

Question was called on whether to reconsider action on AO 2000-164 and it failed:

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

Chair Von Gemmingen returned to the Chair.

- E. Ordinance No. AO 2000-97, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Subsection 21.15.005 B. regarding **public hearing notices for Title 21 provisions** (Planning and Zoning Commission Case 2000-121), Assemblymember Sullivan.
1. Assembly Memorandum No. AM 573-2000.
  2. Information Memorandum No. AIM 92-2000, Community Planning and Development. (POSTPONED FROM 8-15-00, 8-29-00, AND 12-19-00)

Chair Von Gemmingen gave the history of the ordinance and noted no motions were pending.

Mr. Sullivan pointed out there is now access on the Municipal website to planning and zoning items. He felt this access would address most needs in the community. The Assembly would retain the ability to delay action on zoning cases to allow consideration by community councils if necessary.

Mr. Sullivan moved, to postpone action on AO 2000-97 indefinitely.  
seconded by Ms. Clementson,  
and it was withdrawn,

Mr. Traini spoke against the motion. He pointed out not all citizens have Internet access.

Office of Planning, Development and Public Works Director Craig Campbell explained why the Administration opposed the ordinance. He said the proposal to extend the existing 21-day public hearing notice to 35 days would delay the development process significantly, in some cases to the next construction season. He noted Anchorage's 21-day notice was the most generous among several other U.S. communities researched.

Ms. Taylor, Ms. Abney and Mr. Traini spoke in support of the ordinance.

Mr. Tremaine moved, to postpone action on AO 2000-97 until June 5, 2001.  
seconded by Ms. Clementson,

Mayor Wuerch spoke in opposition to the ordinance. He felt the new on-line system would provide everyone needed access to pending zoning actions. The Federation of Community Councils has a plan to provide this information to those without Internet access.

Ms. Clementson moved, to amend the motion to postpone to include re-opening of  
and it was accepted as a the public hearing on AO 2000-97.  
friendly amendment,

Mr. Sullivan withdrew his motion. Ms. Clementson concurred.

Mr. Sullivan moved, to postpone action on AO 2000-97 until August 1, 2001.  
seconded by Mr. Kendall,

AYES: Sullivan, Kendall, Tesche, Von Gemmingen.

NAYS: Tremaine, Abney, Traini, Fairclough, Taylor, Van Etten, Clementson.

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

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

NAYS: Sullivan, Traini, Taylor, Van Etten.

- F. Ordinance No. AO 2000-124, an ordinance **adopting the Girdwood Commercial Areas and Transportation Master Plan** as an element of the Anchorage Comprehensive Plan and amending Chapter 21.05 of the Anchorage Municipal Code (Girdwood) (Planning and Zoning Commission Case 2000-032), Community Planning and Development.
1. Assembly Memorandum No. AM 742-2000.
  2. Assembly Memorandum No. AM 1127-2000.
  3. Assembly Memorandum No. AM 75-2001, Assemblymember Tremaine. (**addendum**) (CONTINUED FROM 9-26-00; POSTPONED FROM 10-3-00 AND 12-19-00)

This item was considered later in the meeting. See item 15, Unfinished Agenda.

**10. APPEARANCE REQUESTS:**

- A. **John Kersbergen**, concerning solid waste.

Mr. Kersbergen did not appear.

- B. **Steve Landers**, regarding mandatory billing for solid waste services.

Mr. Landers appeared earlier in the meeting. See after item 8.

**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, 12-19-00, AND 1-9-01)

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

DAN COFFEY, speaking on behalf of the applicant, noted Ms. Ma, the owner, has been trying to sell the license for Ah Sa Wan for five years without success. He said if the license is not operated, it will be subject to forfeiture under State Alcoholic Beverage Control (ABC) Board rules. Mr. Coffey noted conditions proposed by the Community Council were accepted by the applicant.

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

Mr. Kendall moved, to approve AR 2000-350(S).  
seconded by Mr. Tremaine,

Mr. Traini moved, to amend AR 2000-350(S) in Section 1 to add two  
seconded by Ms. Clementson, conditions requested by the Campbell Park Community  
Council and accepted by the applicant, to read: “**5.** The hours  
are to remain the same as they are now. Sunday – Thursday  
11 am to 10 pm, and Friday – Saturday 11 am to 11 pm.  
**6.** The existing area is not to be expanded – no bar will be  
added.”

Mr. Van Etten suggested a member other than Mr. Traini make the amendment.

Mr. Kendall questioned whether Mr. Van Etten was raising a conflict of interest issue.

Mr. Traini felt his relationship with the Community Council president did not fall under conflict of interest provisions.

Chair Von Gemmingen ruled Mr. Traini’s motion was in order.

Question was called on Mr. Traini’s motion to amend and it passed without objection.

Question was called on the motion to approve AR 2000-350(S) as amended and it passed:

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

The meeting recessed at 7:15 p.m. and reconvened at 7:50 p.m.

**12. NEW PUBLIC HEARINGS:**

- A. 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.
1. Assembly Memorandum No. AM 13-2001.

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 2001-4.  
seconded by Mr. Traini,

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

- B. Resolution No. AR 2001-7, a resolution of the Municipality of Anchorage appropriating \$425,000 to Areawide General Fund (101), NonDepartmental 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.
1. Assembly Memorandum No. AM 17-2001.

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

PAUL LAVERTY questioned whether the language in the Code states hotel/motel tax revenues “should” or “shall” be dedicated to promotion of the tourist industry. He felt the distinction may be important. Also, Mr. Laverty felt the tradition of giving tourism dollars to the Anchorage Convention and Visitors Bureau (ACVB) should be examined. There should be

thought about why this tradition began and whether it should continue with the same organization. He felt ACVB should be accountable and competitive when utilizing tax dollars, especially since tax dollar distribution to ACVB has increased about 48 percent over the last 5 years. Mr. Lavery asked that ACVB's share of the bed tax be reduced to 1997 levels, and any excess be applied to the general government budget.

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

Mr. Kendall moved, to approve AR 2001-7.  
seconded by Mr. Tesche,

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

- C. 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.
1. Assembly Memorandum No. AM 23-2001.
  2. Assembly Memorandum No. AM 70-2001, approval of subordination of Municipal leasehold interest in Alaska Native Heritage Center land to National Bank of Alaska in conjunction with not to exceed \$4,200,000 Nonrecourse Revenue Bond 2001 (Alaska Native Heritage Center), Legal Department. (**addendum**)

Municipal Attorney Bill Greene advised the accompanying memorandum, AM 70-2001, must also be approved if the ordinance is adopted.

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

MARGARET NELSON, president and CEO of the Alaska Native Heritage Center, asked the Assembly adopt the proposed ordinance. She explained the proposed bonds would allow the Center to access bonds at a lower interest rate than would otherwise be available.

CHRIS BIRCH, of the Mid-Hillside Community Council, encouraged Assembly support of the ordinance.

EARLE CARSON, of Wells Fargo Bank, asked the Assembly to vote in favor of the ordinance. In response to Mr. Sullivan, Mr. Carson confirmed the Bank would have responsibility for liability, rather than the Municipality. There is no recourse at all to the Municipality in this situation.

ROD MCCOY, of the Northeast Community Council, spoke on his own behalf. He said in the past, the Council has supported the Alaska Native Center at all phases of development, and the grounds are now within the Council boundaries.

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

Mr. Kendall moved, to adopt AO 2001-3.  
seconded by Mr. Tremaine,

In response to Ms. Clementson, Chief Fiscal Officer Kate Giard said the Administration would prepare a policy on these types of loans, and present it to the Assembly by the end of March.

Ms. Clementson felt the project was worthy. However, she voiced concern about the potential for negative impact on the Municipality's bond rating.

In response to Mr. Tesche, Ms. Giard confirmed this type of loan would not endanger the Municipality's bond rating in any way.

Mr. Kendall spoke in support of the ordinance.

Question was called on the motion to adopt AO 2001-3 and it passed:

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

Ms. Fairclough moved, to approve AM 70-2001.  
seconded by Mr. Traini,  
and it passed without  
objection,

- D. Resolution No. AR 2000-378, a resolution of the Anchorage Assembly **adopting recommendations to be forwarded to the Anchorage Metropolitan Area Transportation Study (AMATS) Policy Committee** regarding an amendment to FFY 2001-2003 Transportation Improvement Program (TIP), Planning Department.
1. Assembly Memorandum No. AM 1122-2000.

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

CHERYL RICHARDSON felt Anchorage’s capital spending program for transportation is out of balance and needs to be fixed. She asked the Assembly address funding inequity for trails, sidewalks and public transit versus road construction projects.

PAUL LAVERTY asked the Assembly to approve the resolution, with the amendments listed in the accompanying memorandum, AM 1122-2000.

STUART HALL, president of the Government Hill Community Council, spoke in support of the amendments to the resolution proposed by the Administration. He noted the proposed amendments include the Ship Creek Trail development and construction, a priority for the Council.

GEORGE GAGUZIS, a Muldoon resident, expressed concern about delays and under-funding of the Muldoon Beautification Plan. He explained area residents made every effort to follow the process within all the rules. The result has been disappointing. He discussed the importance of beautification improvements in the Muldoon area.

ROD MCCOY, chair of the Northeast Community Council, noted the Council has had a long-standing position in support of Muldoon beautification construction for 2002. He noted letters in support of this schedule from area State Legislators have been submitted. Residents of the Council area were appalled when they learned last fall that funding for the project had been removed. He asked the funding be replaced.

KATHLEEN STEVENSON, chair of the Bartlett Parents Group and member of the Muldoon Beautification Committee, echoed remarks of previous speakers regarding the Muldoon Beautification project. Ms. Stevenson also noted a traffic safety hazard on the road to Bartlett High School. The section of Muldoon north of the Glenn Highway, leading to the school, is very dark and narrow. The turnoff to Bartlett needs turn lanes and lighting. Despite advocating for these needs, no progress has been made so far. Ms. Stevenson felt this road needed to be addressed. There is much more traffic on the road, which also serves Fort Richardson Army Base, because public access to the Base has been expanded.

BOB RUPKE, of the Northeast Community Council Bartlett Advisory Committee, concurred with Ms. Stevenson’s comments regarding the need for safety improvements on north Muldoon Road. Mr. Rupke also spoke in support of funding for Muldoon Road beautification enhancement projects.

STU GRENIER, a Muldoon resident, spoke in support of funding for Muldoon beautification projects. He discussed the importance of beautification for this area of town.

AINSLEY PHILLIPS spoke in support of funding for Muldoon beautification. She described the importance of community support for this effort.

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

Ms. Clementson moved, to approve AR 2000-378.  
seconded by Ms. Fairclough,

Ms. Clementson moved, to amend AR 2000-378 in the attached Table 4, item  
seconded by Ms. Taylor, #12, to read: “Muldoon Road Landscaping and Pedestrian  
Improvements [**Bartlett Drive** to 36<sup>th</sup> Avenue]...”

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

Ms. Taylor moved, to amend AR 2000-378 in the attached Table 4, item  
seconded by Ms. Clementson, #4 Campbell Creek Trail Connection, to move \$2 million from  
2003 to project #12, Muldoon Road, in 2003.

Ms. Clementson noted there was time to arrange to use \$2 million in bond funds used for Campbell Creek Trail.

Mr. Tremaine moved, to amend AR 2000-378 in the attached Table 4, item  
seconded by Ms. Abney, #12, to move \$1.15 million from 2004 to 2002, and in Table 3,  
item #11, to move \$1.1 million from 2002 to 2004.

Mayor Wuerch noted item #11 in Table 3, the East Anchorage Transportation Facilities Report, was important. It would affect the road which serves the new south Anchorage high school. He felt there would be serious consequences if the funding is delayed.

Question was called on Mr. Tremaine’s motion to amend and it failed:

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

Question was called on Ms. Taylor’s motion to amend and it passed:

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

Mr. Traini moved,  
seconded by Ms. Abney,

to amend AR 2000-378 in the attached Table 3, item #19  
to read: “Abbott Loop Road extension, [48<sup>th</sup> Avenue to  
**Abbott Road**].”

Mr. Traini explained there was no cost associated with this project; he wanted to call attention to the problems on Abbott Loop Road.

Question was called on Mr. Traini’s motion to amend and it passed without objection.

Ms. Clementson moved,  
seconded by Mr. Kendall,

to amend AR 2000-378 in the attached Table 3, item #5a,  
Boniface Parkway Rehabilitation to read: “...existing  
pedestrian facilities, adding a sidewalks on east and west sides  
**and landscaping.**”

Ms. Clementson explained she verified with staff that the word “landscaping” was originally included in this project description; it was omitted because of a typographical error.

Question was called on Ms. Clementson’s motion to amend and it passed without objection.

Question was called on the motion to approve AR 2000-378 as amended and it passed:

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

NAYS: Tremaine, Abney, Tesche.

Ms. Taylor moved,  
seconded by Ms. Fairclough,

immediate reconsideration of action on AR 2000-378.

AYES: Tremaine, Abney, Clementson.

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

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

This item was considered later in the meeting. See item 15, Unfinished Agenda.

- F. 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.
  - 1. Assembly Memorandum No. AM 24-2001.

This items was continued to January 30, 2001.

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

to combine the public hearings for items 12.G through  
12.P, AO 2001-11, AO 2001-12, AO 2001-13, AO 2001-14,  
AO 2001-15, AO 2001-16, AO 2001-17, AO 2001-18,  
AO 2001-19 and AO 2001-20.

- G. 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.
  - 1. Assembly Memorandum No. AM 31-2001.
- H. 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.
  - 1. Assembly Memorandum No. AM 31-2001.
- I. 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.
  - 1. Assembly Memorandum No. AM 31-2001.
- J. 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.
  - 1. Assembly Memorandum No. AM 31-2001.
- K. 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.

1. Assembly Memorandum No. AM 31-2001.
- L. 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.
  1. Assembly Memorandum No. AM 31-2001.
- M. 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.
  1. Assembly Memorandum No. AM 31-2001.
- N. 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.
  1. Assembly Memorandum No. AM 31-2001.
- O. 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.
  1. Assembly Memorandum No. AM 31-2001.
- P. 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.
  1. Assembly Memorandum No. AM 31-2001.

Chair Von Gemmingen opened the public hearing for AO 2001-11, AO 2001-12, AO 2001-13, AO 2001-14, AO 2001-15, AO 2001-16, AO 2001-17, AO 2001-18, AO 2001-19 and AO 2001-20 and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Mr. Traini moved, to adopt AO 2001-11.  
seconded by Mr. Tesche,

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

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

Mr. Traini moved, to adopt AO 2001-12.  
seconded by Mr. Sullivan,

AYES: Sullivan, Tremaine, Abney, Tesche, Von Gemmingen, Traini, Fairclough.  
NAYS: None.

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

Mr. Traini moved, to adopt AO 2001-13.  
seconded by Ms. Fairclough,

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

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

Mr. Tesche moved, to adopt AO 2001-14.  
seconded by Mr. Tremaine,

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

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

Mr. Traini moved, to adopt AO 2001-15.  
seconded by Mr. Tesche,

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

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

Mr. Traini moved, to adopt AO 2001-16.  
seconded by Mr. Tremaine,

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

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

Mr. Traini moved, to adopt AO 2001-17.  
seconded by Mr. Tesche,

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

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

Mr. Traini moved, to adopt AO 2001-18.  
seconded by Mr. Tesche,

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

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

Mr. Traini moved, to adopt AO 2001-19.  
seconded by Mr. Tesche,

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

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

Mr. Tesche moved, to adopt AO 2001-20.  
seconded by Mr. Tremaine,

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

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

Mr. Tremaine moved, to change the orders of the day to consider item 9.F,  
seconded by Mr. Tesche, AO 2000-124.  
and it passed without  
objection,

- Q. 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.
1. Assembly Memorandum No. AM 60-2001.
  2. Information Memorandum No. AIM 12-2001, April 2001 Municipal General Government Bond Proposition Fact Sheets, Office of Management and Budget. (**addendum**)
- R. 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.
1. Assembly Memorandum No. AM 61-2001.
  2. Information Memorandum No. AIM 12-2001. (**addendum**)
- S. 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.
1. Assembly Memorandum No. AM 62-2001.
  2. Information Memorandum No. AIM 12-2001. (**addendum**)
- T. 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.
1. Assembly Memorandum No. AM 63-2001.
  2. Information Memorandum No. AIM 12-2001. (**addendum**)
- U. 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.

1. Assembly Memorandum No. AM 64-2001.
  2. Information Memorandum No. AIM 12-2001. (**addendum**)
- V. 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.
1. Assembly Memorandum No. AM 65-2001.

Items 12.Q through 12.V were continued to January 30, 2001.

**13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.

**14. SPECIAL ORDERS:** None.

**15. UNFINISHED AGENDA:**

- A. Ordinance No. AO 2000-124, an ordinance **adopting the Girdwood Commercial Areas and Transportation Master Plan** as an element of the Anchorage Comprehensive Plan and amending Chapter 21.05 of the Anchorage Municipal Code (Girdwood) (Planning and Zoning Commission Case 2000-032), Community Planning and Development.
1. Assembly Memorandum No. AM 742-2000.
  2. Assembly Memorandum No. AM 1127-2000.
  3. Assembly Memorandum No. AM 75-2001, Assemblymember Tremaine. (**addendum**)  
(CONTINUED FROM 9-26-00; POSTPONED FROM 10-3-00 AND 12-19-00)

Chair Von Gemmingen gave the history of the ordinance and noted no motions were pending.

Ms. Abney moved, to adopt AO 2000-124.  
seconded by Mr. Tremaine,

Mr. Tremaine moved, to amend AO 2000-124 by incorporating AM 75-2001,  
seconded by Ms. Abney, and substitute staff's Private Sector Economic Effects  
statement for the one in AM 75-2001.

There was a lengthy discussion of the merits of the amendment.

Ms. Clementson moved, to extend the public hearing portion of the meeting until  
seconded by Mr. Tremaine, midnight.  
and it passed without  
objection,

There was further lengthy discussion on the amendment.

Mr. Traini moved, to postpone action on AO 2000-124 until March 13, 2001  
seconded by Mr. Kendall, and schedule another worksession on the topic.

Mr. Tremaine moved, to substitute a motion to reinstate the regular meeting of  
seconded by Mr. Tesche, February 6, 2001, and postpone action on AO 2000-124 until  
and it passed without February 6, 2001.  
objection,

Question was called on the motion to reinstate the regular meeting of February 6, 2001 and postpone action on AO 2000-124 until that date and it passed:

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

NAYS: Sullivan, Kendall, Von Gemmingen.

Ms. Fairclough moved, to schedule a worksession to discuss AO 2000-124 on  
seconded by Ms. Clementson, February 6, 2001 at 4:00 p.m.  
and it passed without  
objection,

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

DICK DWORSKY spoke representing the Heritage Land Bank. He explained in 1996, the Heritage Land Bank (HLB) Commission established a wetlands mitigation bank in Klatt Bog. In 1997, the land was transferred to the Municipality. Then Anchorage International Airport officials submitted a memorandum of understanding to HLB, for use of Klatt Bog as Airport mitigation. In July 2000, a revised memorandum of understanding was submitted. The HLB has recommended sale of the land. The question is whether the Municipality should give a conservation easement to protect Klatt Bog. The subject

land was appraised at \$1.5 million. The total Airport contribution is approximately \$1.8 million. Also, the Airport conveyed a 5-acre easement to the Municipality to upgrade Raspberry Road for the 2001 Winter Special Olympics, an estimated value of over \$2 million. The Administration supports the proposal, which will protect Klatt Bog forever.

TOM MIDDENDORF, planning manager at Anchorage International Airport, provided background on the need for the sale. He discussed why the deal will benefit both the Municipality and the Airport.

GAYLE KNEPPER, chair of the HLB Commission, summarized the Commission's actions on this topic. She confirmed the Commission held public hearings and discussions and approved a resolution. Ms. Knepper clarified Commission members addressed only the question of whether sale of development rights to Klatt Bog and establishing a conservation easement was appropriate. Their role was not to decide on the issues of whether the land should be filled; The U.S. Army Corps of Engineers will decide that issue.

Vice Chairman Tremaine assumed the Chair.

In response to Ms. Clementson, Mr. Middendorf said his understanding was current zoning for Klatt Bog was residential; it was not a preservation wetland.

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

TOM POOLE, a resident of Pioneer West Subdivision, expressed concern about raising the groundwater level in the area. He felt it would have an adverse effect on his house and potential resale value. Mr. Poole added there does not appear to be any barrier to keep groundwater from flooding the roads. He asked this issue be studied carefully before the Assembly acts.

KAREN LAUER, a resident on Suncrest Drive, spoke in opposition to the planned re-hydration of Klatt Bog. She explained since light development in the area began a few years ago, there have been major flooding and drainage problems. These problems have caused crawl spaces, yards, gardens, carpets and other valuable property to be ruined. There have also been significant stagnant water problems in affected subdivisions, including terrible smell all summer, and skin rashes on children who play in the water. In response to Ms. Clementson, Ms. Lauer said if the re-hydration was removed from the deal, she would support the project.

SCOTT MCMURREN spoke in support of a diversified economy, which includes a growing, vibrant air cargo and logistics industry. He noted the Airport was the crown jewel of Alaska's growing global logistics industry. He felt we must not stifle one of Anchorage's precious opportunities to foster this industry. He asked the Assembly to approve the ordinance.

APRIL JENSEN, president of the Anchorage Chamber of Commerce, noted the Chamber passed a resolution supporting the HLB easement sale. Ms. Jensen explained the proposed mitigation will allow the Airport to continue providing jobs and services. She noted the proposed mitigation is consistent with the Comprehensive Plan.

Chair Von Gemmingen returned to the Chair.

DIANE HOLMES felt trading Class A wetlands for Class B wetlands was not an equal trade. She noted Klatt Bog has been documented as an important wetland, to be protected, developed and re-hydrated regardless of the Airport's plans to use it for mitigation. Ms. Holmes felt adoption of the proposed ordinance would erode the intent of the Comprehensive Plan. Existing neighborhoods deserve protection, and a buffer from the Airport.

HOWARD LEVINE, representing Carr-Gottstein Properties, felt the proposed re-hydration of the Klatt Bog would worsen existing problems with water damage and flooding in homes around the Bog. He recommended the Assembly require the memorandum of understanding include hold harmless provisions for both surface and groundwater flooding, and the hold harmless be extended to all affected property owners. Mr. Levine also suggested the Municipality require that the conveyance of development rights contain provisions which protect adjacent residents and provide a local mechanism for addressing problems that may arise. Finally, he requested the Assembly impose a condition on the proposed conveyance which would require that Airport activities do not result in adverse offsite effects. He believed the proposed Airport activities would cause harm to a great many citizens. It is not fair to require citizens to deal with the State of Alaska to address problems; the Municipality should take the lead and coordinate remediation or compensation for damages. He suggested the Municipality establish a fund supported by an irrevocable letter of credit, which could be used to settle legitimate claims of affected property owners. In response to Ms. Clementson, Mr. Levine said if the re-hydration was removed from the deal, his concerns would be alleviated.

RANDY VIRGIN, executive director for the Alaska Center for the Environment, felt residents of the affected area would be very angry if the proposed ordinance was adopted. He clarified Klatt Bog is a Class B wetland; Turnagain Bog is a Class A wetland. Klatt Bog must be re-hydrated to bring it up to a certain level, to receive the necessary mitigation credits. He said the Center was not opposed to the Airport or Airport expansion. However, they are opposed to a major community member showing total disregard for local planning and land use authority. Mr. Virgin said Center members were also opposed to filling one of Anchorage's last large, Class A wetlands, especially in light of other expansion options available to the Airport. He spoke in opposition to the proposal to protect a Class B wetland eight miles from the fill location, while there is no discussion of protecting even portions of Turnagain Bog. He asked the Assembly defeat the ordinance.

DIRK SISSON, founding member of Friends of Turnagain Bog, explained the group was a coalition of residents and various organizations including the Audubon Society, National Wildlife Federation and Anchorage Waterways Council. Mr. Sisson felt the proposal was in violation of the current and proposed Comprehensive Plans. He proposed an alternative which should be a win-win situation. Mr. Sisson recommended a portion of Turnagain Bog east of Postmark Drive be granted protected status.

ALAN CLEVELAND spoke in support of the ordinance. He felt the Airport was very valuable to Anchorage. Mr. Cleveland pointed out the Airport will proceed as they see fit, and do not have to cater to resident concerns. The fact Airport



officials are trying to work with residents is good, and should be taken advantage of. He felt some of the “environmentalist” speakers made some very good points, such as the fact there is no specific plan for the Airport expansion. He agreed this was a troublesome point. He asked the Assembly encourage Airport officials to increase their support of local business.

Chair Von Gemmingen announced the public hearing would be continued at the next meeting, January 30, 2001.

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

The meeting adjourned at midnight.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Municipal Clerk

Date Minutes Approved: June 19, 2001

VC/db

**INDEX**

<i>Subject</i>	<i>Page</i>
Air Quality Program.....	9
Anchorage Bowl Comprehensive Plan.....	2, 4, 8, 15
Anchorage Convention And Visitors Bureau.....	9
Anchorage Metropolitan Area Transportation Study (AMATS).....	10
APPEARANCE REQUESTS	
John Kersbergen, Concerning Solid Waste .....	8
Steve Landers, Regarding Mandatory Billing For Solid Waste Services .....	6, 8
Appropriations .....	2, 3, 4, 9
Ballot Propositions .....	2, 4, 12, 13, 14, 15
Bar Violations Report .....	6
Board Or Commission Appointments .....	3
Bond Issuance .....	2, 4, 10, 14, 15
Budget Advisory Commission .....	4
Business Boulevard Pedestrian Safety Improvements .....	3
Chugiak, Birchwood, Eagle River Rural Road Service Area Board Of Supervisors.....	3
Code Changes.....	8, 12, 13, 15
Committee Appointments .....	3
Conditional Use For Sales Of Alcoholic Beverages.....	8, 9
Conflict Of Interest.....	9
Custodial Services .....	3
Eagle River Commons Park.....	2
Federation Of Community Councils .....	3
Fire Stations.....	3
Fuel Products .....	1
Gambell/Ingra Road Extension .....	15
General Government Operating Budget .....	3
Girdwood Commercial Areas And Transportation Master Plan.....	8, 15
Health And Related Insurance Programs .....	3, 6
Heritage Land Bank.....	12, 15
Indigent Defense Services .....	4
Kincaid Park.....	2, 5
Land Sale, Purchase, Lease, Conveyance Or Donation .....	12, 15
Library Books And Materials .....	2, 5
Limited Road Service Areas .....	12, 13
Liquor Licenses.....	2, 3, 5, 7
Lobbying Services .....	3, 6
Maintenance Underground Tank Replacements .....	3
Mayor's Midnight Sun Marathon .....	3, 6
Medical Supplies.....	3
Permitted Use Changes.....	7
Planning And Zoning Commission .....	1, 2, 4, 7, 8, 15
Police Department.....	2, 5, 6
Public Hearing Notices .....	8
RECOGNITION	
Sergeant Gilbert K. Cordell.....	2, 5
Rezonings.....	1, 2, 4
Snow And Ice Removal By Property Owners .....	12
Title 21 Provisions Public Hearing Notices .....	8
Transportation Improvement Program.....	10
Utility Easements.....	2, 5
Vehicle Inspection Program.....	9
Wellness Court Coordinator Services .....	2
Wildlife Management Plan.....	2, 4
World Changers Housing Rehabilitation Project .....	3, 5
Youth Restitution Program.....	3