

# MUNICIPALITY OF ANCHORAGE

## ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of January 30, 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 Traini, Pat Abney, Dan Kendall, Allan Tesche, Fay Von Gemmingen, Dick Tremaine, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.  
Absent: None.

### 3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Taylor.

### 4. MINUTES OF PREVIOUS MEETING:

#### A. Special Meeting - September 14, 2000

Mr. Sullivan moved, to approve the minutes of the September 14, 2000 special  
seconded by Mr. Kendall, Assembly meeting.  
and it passed without  
objection,

### 5. MAYOR'S REPORT:

Mayor Wuerch introduced Charlie Barnwell, to present information on GIS (Geographic Information Systems) services on the Municipal website.

Mr. Barnwell explained how GIS data on the website can provide information on platting and zoning issues, community councils and liquor license locations.

Mayor Wuerch introduced his choice for the new Police Chief, Lieutenant Walt Monegan.

### 6. ADDENDUM TO AGENDA:

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

Chair Von Gemmingen read the addendum items.

Mr. Sullivan asked item B.18, AO 2001-39, be added to the addendum. There were no objections.

Ms. Clementson asked item B.19 and B.20, AO 2001-40 and AO 2001-42, be added to the addendum. There were no objections.

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 as amended.  
seconded by Mr. Kendall,

#### A. BID AWARDS:

1. Assembly Memorandum No. AM 69-2001, recommendation of award to Rockford Corporation, Inc. for the **Ship Creek Water Treatment Facility and Eklutna Water Treatment Facility disinfection upgrades** for the Municipality of Anchorage, Water and Wastewater Utility (ITB 20-C068) (\$739,000), Purchasing.
2. Assembly Memorandum No. AM 97-2001, recommendation of award to Audio Video/Grinnell J.V. for the **MOA Assembly Chambers sound and video upgrades** for the Municipality of Anchorage, Property and Facility Management (ITB 20-C070) (\$249,900), Purchasing.

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

1. Ordinance No. AO 2001-22, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$81,835,000 of General

- Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Anchorage School District. public hearing 2-13-01.
- a. Assembly Memorandum No. AM 34-2001.
  2. Ordinance No. AO 2001-23, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$40,200,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Anchorage School District. public hearing 2-13-01.
    - a. Assembly Memorandum No. AM 34-2001.
  3. Ordinance No. AO 2001-30, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$122,035,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Assemblymembers Kendall and Fairclough. public hearing 2-13-01.
    - a. Assembly Memorandum No. AM 117-2001.
  4. Ordinance No. AO 2001-31, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$42,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements in the Municipality of Anchorage and the question of an increase in the Municipal tax cap limitation to pay associated operations and maintenance costs** at an election in and for the Municipality of Anchorage on April 3, 2001, Assemblymember Fairclough. public hearing 2-13-01.
    - a. Assembly Memorandum No. AM 118-2001.
  5. Ordinance No. AO 2001-27, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, at the April 3, 2001 Regular Election, the question of whether or not a **two percent (2%) general sales tax** shall be levied within the Municipality of Anchorage, Assemblymember Clementson. public hearing 2-13-01.
  6. Ordinance No. AO 2001-28, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, at the April 3, 2001 Regular Election, the question of whether or not a **three percent (3%) seasonal general sales tax** shall be levied within the Municipality of Anchorage, Assemblymember Clementson. public hearing 2-13-01.
  7. Ordinance No. AO 2001-32, an ordinance of the Anchorage Municipal Assembly providing for the submission to the qualified voters of Anchorage, Alaska, at the April 3, 2001, Regular Election, the question of whether or not a **general sales tax** shall be levied within the Municipality of Anchorage, Assemblymembers Traini, Abney, and Van Etten. public hearing 2-13-01.
  8. Resolution No. AR 2001-22, a resolution confirming the assessment roll and levying special assessments for services on property specially benefited in the **Downtown Business Improvement District, Special Assessment District 1SD97**, setting the dates of assessment, and providing for assessment billing, payment due dates, application of payments, delinquency, penalties, interest and costs for delinquency and enforcement and appropriating the sum of \$464,464 in assessment revenues when tendered to Special Assessment Fund 271 for services benefiting the property owners in Special Assessment District 1SD97, Office of Management and Budget. public hearing 2-27-01.
    - a. Assembly Memorandum No. AM 73-2001.
  9. Ordinance No. AO 2001-29, an ordinance of the Municipality of Anchorage providing for submission of a ballot proposition to qualified voters at the Regular Municipal Election on April 3, 2001, proposing an amendment to the Home Rule Charter Section 5.08, Commission on Salaries and Emoluments, regarding **adjustments to the compensation of elected officials**, Assemblymembers Abney and Clementson. public hearing 2-13-01.
    - a. Assembly Memorandum No. AM 115-2001.

Ms. Clementson asked her name be added as a sponsor of this item.

10. Resolution No. AR 2001-27, a resolution of the Anchorage Municipal Assembly appropriating \$150,000 from **seized and forfeited monies awarded from criminal narcotics cases** by the U.S. Drug Enforcement Agency to the Police Investigation Fund (257) for use by the Anchorage Police Department. public hearing 2-13-01.
  - a. Assembly Memorandum No. AM 98-2001.
11. Assembly Memorandum No. AM 106-2001, **Employee Relations Board appointment** (Michael Reeves), Mayor's Office. public hearing 2-13-01.
12. Ordinance No. AO 2001-33, an ordinance of the Municipality of Anchorage providing for submission of a ballot proposition to the qualified voters at the Regular Municipal Election on April 3, 2001, proposing an amendment to the Home Rule Charter Section 13.05, Assembly Action on the Municipal Budget, **clarifying exercise of the veto power with respect to the municipal budget**, Assemblymember Tesche. public hearing 2-13-01. (**addendum**)
  - a. Assembly Memorandum No. AM 116-2001.

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

13. Ordinance No. AO 2001-34, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Subsection 13.05, to **make explicit that the Mayor's proposed budget becomes the budget of the Municipality if the Assembly fails to override the Mayor's veto of a budget ordinance and approve a budget**, Assemblymember Clementson. public hearing 2-13-01. **(addendum)**

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

14. Ordinance No. AO 2001-35, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Section 11.02 to **minimize the need for run off elections** by removing write-in votes from the 50% requirement when the total number of write-in votes is less than 5% of the total number of votes for the office, Assembly Chair Von Gemmingen and Assemblymember Clementson. public hearing 2-13-01. **(addendum) (NOT SUBMITTED)**

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

15. Ordinance No. AO 2001-36, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Section 11.02(b) to **reduce the need for run off elections** by defining the phrase "votes cast", Assemblymember Tesche. public hearing 2-13-01. **(addendum)**

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

16. Ordinance No. AO 2001-37, an ordinance placing a ballot proposition before the voters at the Regular Municipal Election on April 3, 2001 and providing for an **advisory vote on the question of whether the proceeds of any additional tax on alcohol that the Alaska Legislature may enact should be distributed to municipalities** which provide law enforcement and health and alcohol rehabilitation services for their residents, Assemblymember Tesche. public hearing 2-13-01. **(addendum)**

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

17. Ordinance No. AO 2001-38, an ordinance submitting at the Regular Municipal Election April 3, 2001 to the qualified voters of the Anchorage Roads and Drainage Service Area ("ARDSA") and the area to be annexed a ballot proposition to **extend the eastern boundary of ARDSA between Huffman and DeArmoun Roads** to a line fifty feet (50') east of the West Section Line of Section 27, Township 12 North, Range 3 West, Seward Meridian. (A line approximately parallel to and 50 feet east of the current centerline of Elmore Road.), Legal Department. public hearing 2-13-01. **(addendum)**  
a. Assembly Memorandum No. AM 126-2001.

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

18. Ordinance No. AO 2001-39, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,950,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **ambulances, emergency/areawide communications, Anchorage Cemetery and related capital improvements, Anchorage Senior Center expansion** and related capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 3, 2001, Assemblymember Sullivan. **(LAID ON THE TABLE)** public hearing 2-13-01.  
1. Assembly Memorandum No. AM 127-2001.
19. Ordinance No. AO 2001-40, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$6,790,000 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 limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 3, 2001, Assemblymember Clementson. **(LAID ON THE TABLE)** public hearing 2-13-01.  
1. Assembly Memorandum No. AM 128-2001.
20. Ordinance No. AO 2001-42, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Section 11.02(b) to **minimize the need for run off elections**, Assemblymember Clementson. **(LAID ON THE TABLE)** public hearing 2-13-01.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-25, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lieutenant Mark C. Marsh for his 29 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

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

2. Resolution No. AR 2001-23, a resolution amending AR 2000-229, also known as Levy Upon Connection (LUC) Roll 2000-W-1, by deleting Item #31, described as **TR B, St. Benedicts Subd**, Property ID 011-141-82, Water and Wastewater Utility.
  - a. Assembly Memorandum No. AM 74-2001.
3. Resolution No. AR 2001-26, a resolution of the Anchorage Municipal Assembly **supporting House Bill 13**, "An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas", Assemblymembers Abney and Tesche.

Ms. Abney asked that copies of this resolution be sent to the State Legislature and Governor Knowles.

(Clerk's Note: Reconsideration was filed on this item. See minutes of February 6, 2001 for further action.)

4. Resolution No. AR 2001-29, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Millie I. Webb, National President, Mothers Against Drunk Driving (MADD)**, Assemblymember Taylor. (**addendum**)

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 99-2001, Platting Board appointments (Bud Caress, Sharen Walsh, Christopher Capps, Gloria Shriver), Mayor's Office.

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

2. Assembly Memorandum No. AM 100-2001, Urban Design Commission appointments (Jeff Dillon, Mary Cary, Alan Christopherson, Kurt Hulteen, Wende Wilber), Mayor's Office.

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

3. Assembly Memorandum No. AM 101-2001, Zoning Board of Examiners and Appeals appointments (Jon Dunham, Ken Burkhardt, Josh Fink), Mayor's Office.

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

4. Assembly Memorandum No. AM 102-2001, Airport Aviation Advisory Commission appointments (Erin Marston, Paul Palinski), Mayor's Office.
5. Assembly Memorandum No. AM 103-2001, Arts Advisory Commission appointments (Joyce Murphy, Sherri Weiler, Andrew Daoust, Peggy Gonzalez), Mayor's Office.
6. Assembly Memorandum No. AM 104-2001, Budget Advisory Commission appointments (Glen Glenzer, Ralph Samuels, Denise Thompson), Mayor's Office.
7. Assembly Memorandum No. AM 105-2001, Building Board reappointments (Donald Iverson, Robert Lutje, Arne Nelson, Daniel Seiser), Mayor's Office.
8. Assembly Memorandum No. AM 107-2001, Geotechnical Advisory Commission appointments (Steve Teller, Keith Mobley, Mark Musial), Mayor's Office.
9. Assembly Memorandum No. AM 108-2001, Heritage Land Bank Advisory Commission appointments (Mary Jo Thill, Gordon Severson), Mayor's Office.
10. Assembly Memorandum No. AM 109-2001, Historical & Fine Arts Commission reappointments (Wilda Marston, Bernadine Nyboer), Mayor's Office.
11. Assembly Memorandum No. AM 110-2001, Light and Power Commission appointments (Randall Stevens, Dennis Nottingham), Mayor's Office.
12. Assembly Memorandum No. AM 111-2001, Port Commission appointments (Dale Morman, Suzanne Linford, Vicki Glenzer, Maurice Hollowell), Mayor's Office.
13. Assembly Memorandum No. AM 112-2001, Public Transit Advisory Board appointments (Jerry Manfull, Philip Shapland), Mayor's Office.
14. Assembly Memorandum No. AM 113-2001, Solid Waste Advisory Commission appointments (Carl Hornig, Dale Nelson), Mayor's Office.
15. Assembly Memorandum No. AM 114-2001, Transportation Commission reappointment (James Riley), Mayor's Office.
16. Assembly Memorandum No. AM 47-2001, Oaken Keg 52 (1803) License No. 792-2001/2002 Renewal for a Package Store Liquor License (Fairview and Downtown Community Councils), Clerk's Office.

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

17. Assembly Memorandum No. AM 48-2001, Oaken Keg 55 (1805) License No. 793-2001/2002 Renewal for a Package Store Liquor License (Spenard and Turnagain Community Councils), Clerk's Office.

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

18. Assembly Memorandum No. AM 49-2001, Oaken Keg 56 (1806) License No. 795-2001/2002 Renewal for a Package Store Liquor License (Spenard and Rogers Park Community Councils), Clerk's Office.

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

19. Assembly Memorandum No. AM 76-2001, **Don Jose's Mexican Restaurant** (License No. 357) - Transfer of Location for a Beverage Dispensary Liquor License and Application or a Restaurant Designation Permit (Rogers Park Community Council), Clerk's Office.

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

20. Assembly Memorandum No. AM 77-2001, **Don Jose's Mexican Restaurant** (License No. 3311) - Transfer of Ownership and Transfer of Location for a Beverage Dispensary Liquor License- NO PREMISE, Clerk's Office.
21. Assembly Memorandum No. AM 92-2001, 2001/2002 Renewal for **Barry's Baranof Lounge** for a Beverage Dispensary Liquor License (Fairview Community Council), Clerk's Office.
22. Assembly Memorandum No. AM 93-2001, 2001/2002 Renewal for **C & D Liquor #1** for a Package Store Liquor License (Northeast Community Council), Clerk's Office.
23. Assembly Memorandum No. AM 94-2001, 2001/2002 Renewal for **The Great Alaska Bush Co.** for a Beverage Dispensary Liquor License (Spenard and Taku/Campbell Community Councils), Clerk's Office.
24. Assembly Memorandum No. AM 95-2001, **The Greek Corner** (License No. 3251) - Transfer of Ownership for a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Spenard and North Star Community Councils), Clerk's Office.
25. Assembly Memorandum No. AM 96-2001, 2001/2002 Liquor License Renewals: **Birchwood Saloon #758, Chilkoot Charlie's #225, Chilkoot Charlie's (duplicate)#1724, Chilkoot Charlie's (duplicate)#2107, Chilkoot Charlie's (duplicate)#3003, Double Musky Inn (pub. conv.) #151, JJ's Sports Center #569, The New Peanut Farm #842, Outback Steakhouse #3753, Pancho's Villa #74, Regal Alaskan Hotel #2486, Rumrunner's Old Towne Bar #3189, Simon & Seaforts Saloon & Grill #1050, Woodshed #1244 (Beverage Dispensary); Liquor Locker #757 (Package Store); Alaska Bagel #3557, Bella Vista Pizzeria & Restaurant #107, Campobello #3545, Golden Pond Restaurant #2845, Ichiban Japanese Restaurant #2113, Northern China Restaurant #1582, JJ Restaurant #3558, Panda Express #3711, Pizza Plaza #891, Yamatoya Restaurant #1617 (Restaurant/Eating Place); American Legion Post 33 - #2476, Kulis ANG NCO Club #603, Petroleum Club of Anchorage #3586 (Club) (Fairview, Birchwood, Spenard, Girdwood, Campbell Park, Northeast, Turnagain, Downtown, Chugiak, Tudor, Taku/Campbell and Rogers Park Community Councils), Clerk's Office.**
26. Assembly Memorandum No. AM 78-2001, sole source agreement with Comtec Business Systems, Inc. for providing **PBX telephone services** for the Municipality of Anchorage, Management Information Systems Department (\$90,000), Purchasing.
27. Assembly Memorandum No. AM 79-2001, recommendation of award to Alaska Military Youth Academy for providing a **Workforce Investment Act/Out-of-School Youth Program** for the Municipality of Anchorage, Department of Community Planning and Development (RFP 20-P046) (\$300,000), Purchasing.
28. Assembly Memorandum No. AM 80-2001, recommendation of award to CH2M Hill, Inc. for providing **professional architectural/engineering services for a design study of the Downtown Area Storm Drain Outfall Reconstruction Project** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (RFP 20-P028) (\$221,000), Purchasing.
29. Assembly Memorandum No. AM 81-2001, amendment No. 1 to professional services contract with Lounsbury & Associates, Inc. for **Southport Drive Reconstruction/Upgrade - 100th Avenue and Ensign Drive**, Project No. 99-14 (\$232,700), Office of Planning, Development, and Public Works.
30. Assembly Memorandum No. AM 82-2001, change order No. 9 to purchase order 74627 with Paratransit Services, Inc. for providing **coordinated transportation services** for the Municipality of Anchorage, Public Transportation Department (\$506,152), Purchasing.
31. Assembly Memorandum No. AM 83-2001, recommendation of award to Klebs Mechanical for **heating upgrades at the Animal Control Shelter and Fire Station No. 5** for the Municipality of Anchorage, Department of Property and Facility Management (RFQ 20-Q285) (\$34,590), Purchasing.
32. Assembly Memorandum No. AM 84-2001, change order No. 3 to Aurora Refrigeration for **Freon removal services** at Solid Waste disposal facilities, Solid Waste Services.

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

33. Assembly Memorandum No. AM 85-2001, proprietary purchase of **WEMCO grit pump replacement parts** from APSCO, Inc. for the Municipality of Anchorage, Water and Wastewater Utility (\$45,000), Purchasing.
34. Assembly Memorandum No. AM 86-2001, recommendation of award to TMG Consulting, Inc. for **consulting services to assist in the selection of a customer information and billing system** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 20-P052) (\$140,000), Purchasing.
35. Assembly Memorandum No. AM 87-2001, proprietary purchase of **computer software maintenance support** from PSDI Corporation for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$33,358), Purchasing.
36. Assembly Memorandum No. AM 88-2001, grant agreements to provide funding for the **2001 Juvenile Offender Program** (\$367,000), Municipal Manager's Office.

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

37. Assembly Memorandum No. AM 89-2001, grant agreement with Greater Anchorage, Inc. to support the **2001 Fur Rendezvous Winter Festival** (\$56,250), Municipal Manager's Office.

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

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 14-2001, Internal Audit Report 2001-1 - **Emergency Medical Services (EMS)-Billing and Collections**, Anchorage Fire Department/Internal Audit.

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

2. Information Memorandum No. AIM 15-2001, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of December 2000, Purchasing.
3. Information Memorandum No. AIM 16-2001, **Sole Source Procurement Report** for the month of December 2000, Purchasing.
4. Information Memorandum No. AIM 17-2001, report of **Project Management and Engineering's construction contract amendments**, Office of Planning, Development, and Public Works.
5. Information Memorandum No. AIM 18-2001, **Bar Violations/Quarterly Report** - Fourth Quarter 2000 (Asian Gardens/Brandy's; American Legion Post #34, Applebees Neighborhood Grill, Brown Jug Chilkoots, Brown Jug Fireweed, 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-Tudor Rd., Oaken Keg Spirit Shop #62, Outback Restaurant, Pancho's Villa Restaurant, Sea Galley, Spirits of Alaska #1-Gambell, 2 Go Mart #2-Spenard, Value Liquor #4-Old Seward), Anchorage Police Department.

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

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

Mayor Wuerch congratulated the newly-appointed board and commission members.

8. **REGULAR AGENDA:**

Resolution No. AR 2001-29, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Millie I. Webb, National President, Mothers Against Drunk Driving (MADD)**, Assemblymember Taylor. **(addendum)**

Ms. Taylor moved, to approve AR 2001-29.  
seconded by Mr. Kendall,  
and it passed without  
objection,

Ms. Taylor read the resolution while Mr. Traini presented it to Ms. Webb.

Ms. Webb thanked the Assembly.

A. **BID AWARDS:** None.

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

1. Ordinance No. AO 2001-33, an ordinance of the Municipality of Anchorage providing for submission of a ballot proposition to the qualified voters at the Regular Municipal Election on April 3, 2001, proposing an amendment to the Home Rule Charter Section 13.05, Assembly Action on the Municipal Budget, **clarifying exercise of the veto power with respect to the municipal budget**, Assemblymembers Tesche, Tremaine, Van Etten, Traini and Taylor. public hearing 2-13-01. **(addendum)**
- a. Assembly Memorandum No. AM 116-2001.

Messrs. Tesche, Tremaine, Traini and Ms. Taylor joined in introducing this ordinance. The public hearing was scheduled for February 13, 2001.

Messrs. Tremaine, Van Etten, Traini and Ms. Taylor asked they be added as sponsors of the ordinance.

2. Ordinance No. AO 2001-34, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Subsection 13.05, to **make explicit that the Mayor's proposed budget becomes the budget of the Municipality if the Assembly fails to override the Mayor's veto of a budget ordinance and approve a budget**, Assemblymember Clementson. public hearing 2-13-01. **(addendum)**

Mr. Tremaine moved, to postpone action on AO 2001-34 indefinitely.  
seconded by Ms. Abney,

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

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

3. Ordinance No. AO 2001-35, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Section 11.02 to **minimize the need for run off elections** by removing write-in votes from the 50% requirement when the total number of write-in votes is less than 5% of the total number of votes for the office, Assembly Chair Von Gemmingen and Assemblymember Clementson. public hearing 2-13-01. (**addendum**) (**NOT SUBMITTED**)

Ms. Clementson moved, to postpone action on AO 2001-35 indefinitely.  
seconded by Mr. Kendall,  
and it passed without  
objection,

4. Ordinance No. AO 2001-36, an ordinance submitting to the qualified voters of the Municipality at the Regular Municipal Election April 3, 2001, a ballot proposition to amend Anchorage Municipal Charter Section 11.02(b) to **reduce the need for run off elections** by defining the phrase "votes cast", Assemblymember Tesche. public hearing 2-13-01. (**addendum**)

Mr. Tesche, Ms. Taylor and Mr. Tremaine joined in introducing this ordinance. The public hearing was scheduled for February 13, 2001.

Mr. Sullivan, Ms. Clementson and Mr. Kendall objected to introduction of this ordinance.

5. Ordinance No. AO 2001-37, an ordinance placing a ballot proposition before the voters at the Regular Municipal Election on April 3, 2001 and providing for an **advisory vote on the question of whether the proceeds of any additional tax on alcohol that the Alaska Legislature may enact should be distributed to municipalities** which provide law enforcement and health and alcohol rehabilitation services for their residents, Assemblymember Tesche. public hearing 2-13-01. (**addendum**)

Messrs. Tesche, Tremaine and Van Etten joined in introducing this ordinance. The public hearing was scheduled for February 13, 2001.

Ms. Clementson objected to introduction of this ordinance.

6. Ordinance No. AO 2001-38, an ordinance submitting at the Regular Municipal Election April 3, 2001 to the qualified voters of the Anchorage Roads and Drainage Service Area ("ARDSA") and the area to be annexed a ballot proposition to **extend the eastern boundary of ARDSA between Huffman and DeArmoun Roads** to a line fifty feet (50') east of the West Section Line of Section 27, Township 12 North, Range 3 West, Seward Meridian. (A line approximately parallel to and 50 feet east of the current centerline of Elmore Road.), Legal Department. public hearing 2-13-01. (**addendum**)
  - a. Assembly Memorandum No. AM 126-2001.

In response to Mr. Tremaine, Municipal Attorney Bill Greene confirmed the entire right-of-way for Elmore Road was within Anchorage Roads and Drainage Service Area (ARDSA). He explained the proposed ordinance would submit a question to voters to include additional right-of-way to the east, which is needed to improve and straighten Elmore Road.

Municipal Engineer Howard Holtan added there are no voters residing within the area proposed to be annexed.

Mr. Tremaine moved, to postpone action on AO 2001-38 indefinitely.  
and it died for lack of a second,

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

Messrs. Tremaine, Tesche and Traini objected to introduction of this ordinance.

#### C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-25, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lieutenant Mark C. Marsh for his 29 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Mr. Tremaine moved, to approve AR 2001-25.  
seconded by Ms. Taylor,  
and it passed without  
objection,

Mr. Tremaine read the resolution, while Ms. Taylor presented it to Lieutenant Marsh.

Lieutenant Marsh thanked the Assembly.

## D. NEW BUSINESS:

1. Assembly Memorandum No. AM 99-2001, Platting Board appointments (Bud Caress, Sharen Walsh, Christopher Capps, Gloria Shriver), Mayor's Office.
2. Assembly Memorandum No. AM 100-2001, Urban Design Commission appointments (Jeff Dillon, Mary Cary, Alan Christopherson, Kurt Hulteen, Wende Wilber), Mayor's Office.
3. Assembly Memorandum No. AM 101-2001, Zoning Board of Examiners and Appeals appointments (Jon Dunham, Ken Burkhardt, Josh Fink), Mayor's Office.

Ms. Clementson moved, to postpone action on AM 99-2001, AM 100-2001 and  
seconded by Mr. Tremaine, AM 101-2001 until February 13, 2001.  
and it passed without  
objection,

4. Assembly Memorandum No. AM 47-2001, Oaken Keg 52 (1803) License No. 792-2001/2002 Renewal for a Package Store Liquor License (Fairview and Downtown Community Councils), Clerk's Office.
5. Assembly Memorandum No. AM 48-2001, Oaken Keg 55 (1805) License No. 793-2001/2002 Renewal for a Package Store Liquor License (Spenard and Turnagain Community Councils), Clerk's Office.
6. Assembly Memorandum No. AM 49-2001, Oaken Keg 56 (1806) License No. 795-2001/2002 Renewal for a Package Store Liquor License (Spenard and Rogers Park Community Councils), Clerk's Office.

Mr. Tesche moved, to postpone action on AM 47-2001, AM 48-2001 and  
seconded by Mr. Tremaine, AM 49-2001 until action on items 12.B, C and D, AR 2001-8  
and it passed without AR 2001-9 and AR 2001-10.  
objection,

(Clerk's Note: These memorandums were not considered with the resolutions later in the meeting. See minutes of February 6, 2001 for further action on the memorandums.)

7. Assembly Memorandum No. AM 76-2001, Don Jose's Mexican Restaurant (License No. 357) - Transfer of Location for a Beverage Dispensary Liquor License and Application or a Restaurant Designation Permit (Rogers Park Community Council), Clerk's Office.

Mr. Traini moved, to approve AM 76-2001.  
seconded by Mr. Tesche,  
and it passed without  
objection,

8. Assembly Memorandum No. AM 84-2001, change order No. 3 to Aurora Refrigeration for Freon removal services at Solid Waste disposal facilities, Solid Waste Services.

Mr. Traini moved, to approve AM 84-2001.  
seconded by Mr. Tesche,

In response to Mr. Traini, Solid Waste Services Director Joel Grunwaldt said existing revenues are adequate to cover the cost of freon collection.

Question was called on the motion to approve AM 84-2001 and it passed without objection.

9. Assembly Memorandum No. AM 88-2001, grant agreements to provide funding for the 2001 Juvenile Offender Program (\$367,000), Municipal Manager's Office.

Municipal Manager Harry Kieling recommended an amendment to the memorandum, on lines 6 through 8 to read: "The 2001 General Government Non-Departmental Budget included an appropriation of \$367,000 for the Juvenile Offender Program, as follows:"

Mr. Tremaine moved, to approve AM 88-2001 with the amendment recommended  
seconded by Ms. Fairclough, by Mr. Kieling.  
and it passed without  
objection,

10. Assembly Memorandum No. AM 89-2001, grant agreement with Greater Anchorage, Inc. to support the 2001 Fur Rendezvous Winter Festival (\$56,250), Municipal Manager's Office.

Municipal Manager Harry Kieling recommended an amendment to the memorandum, on lines 7 through 8 to read: "The 2001 General Government Operating Budget included an appropriation of \$56,250 to support..."

Mr. Tremaine moved, to approve AM 89-2001 with the amendment recommended  
seconded by Ms. Fairclough, by Mr. Kieling.  
and it passed without  
objection,

## E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 14-2001, Internal Audit Report 2001-1 - **Emergency Medical Services (EMS)-Billing and Collections**, Anchorage Fire Department/Internal Audit.

Mr. Traini moved, to accept AIM 14-2001.  
seconded by Ms. Taylor,

In response to Mr. Traini, Mayor Wuerch agreed the performance was below expectations, and staff would be speaking with the contractor.

Mr. Tesche requested a supplemental information memorandum detailing the outcome of the review.

Question was called on the motion to accept AIM 14-2001 and it passed without objection.

Chair Von Gemmingen presented a 25-year Municipal service pin to Assembly Department employee Frances Dunn.

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

- A. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 39-2001, grant subrecipient 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.  
(POSTPONED TO 2-27-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. ABNEY 1-24-01)

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

Planning Department Director Sue Fison explained the need for a delay of action on this item. She said administration of the contract should not be awarded until the public process for the World Changers project is completed.

Ms. Abney withdrew her request to reconsider.

- B. Information Memorandum No. AIM 4-2001, 2001/2002 Liquor License Renewals: **APD List of "Uncontested Establishments"**, Clerk's Office.
  1. Information Memorandum No. AIM 4-2001(A), 2001/2002 Liquor License Renewals: APD List of "Uncontested Establishments", Clerk's Office.
  2. Information Memorandum No. AIM 20-2001, 2001/2002 Liquor License Renewals on Assembly Agenda January 30, 2001 List of Violations/Incidents Reported to the Anchorage Police Department. (**addendum**)  
(POSTPONED FROM 1-9-01 AND 1-23-01)

Chair Von Gemmingen gave the history of the memorandum and noted a motion to accept AIM 4-2001 was on the floor.

Ms. Clementson moved, to substitute AIM 4-2001(A).  
seconded by Ms. Fairclough,  
and it passed without  
objection,

Ms. Clementson moved, to postpone action on AIM 4-2001(A) until February 6, 2001.  
seconded by Mr. Traini,  
and it passed without  
objection,

- C. 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.
  1. Assembly Memorandum No. AM 56-2001.  
(POSTPONED FROM 1-23-01)

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

Mr. Tesche moved, to approve and amend AR 2001-17 to replace the text in  
seconded by Ms. Abney, Section 2 to read: "This resolution shall take effect only when the regional administrator for the FAA certifies in writing to the Municipal Manager that the Environmental Assessment of the ASR-11 site within Kincaid Park has been completed and that the Kincaid site owned by the FAA will be used for that purpose."

ROBERT BRANSKY, of the Federal Aviation Administration (FAA), addressed the Assembly. He said the proposed amendment was acceptable.

Question was called on the motion to approve and amend AR 2001-17 and it passed without objection.

- D. Resolution No. AR 2000-388, a resolution of the Anchorage Municipal Assembly encouraging the Municipal Administration to **explore a lease agreement with the Bureau of Land Management for use of Campbell Tract land** for Simonian Little League Ballfields.  
(POSTPONED FROM 12-19-00)

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

Mr. Van Etten moved, to postpone action on AR 2000-388 indefinitely.  
seconded by Ms. Taylor,  
and it passed without  
objection,

Mr. Van Etten indicated he would submit another resolution on this topic at a later date.

The meeting recessed at 6:30 p.m. and reconvened at 7:10 p.m.

Ms. Taylor moved, to change the orders of the day to consider items  
seconded by Mr. Tesche, 12.B, C, D and E, AR 2001-8, AR 2001-9, AR 2001-10 and  
and it passed with Mr. Tremaine AR 2001-13.  
and Ms. Clementson objecting,

10. **APPEARANCE REQUESTS:** None.

11. **CONTINUED PUBLIC HEARINGS:**

- A. 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.
  2. Ordinance No. AO 2000-151(S), 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. (**addendum**)
  3. Assembly Memorandum No. AM 928-2000(A).  
(CONTINUED FROM 1-23-01)

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

- B. 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.  
(CONTINUED FROM 1-23-01)
- C. 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.  
(CARRIED OVER FROM 1-23-01)
- D. 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.  
(CARRIED OVER FROM 1-23-01)
- E. 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.  
(CARRIED OVER FROM 1-23-01)
- F. 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.

- (CARRIED OVER FROM 1-23-01)
- G. 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.
- (CARRIED OVER FROM 1-23-01)
- H. 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.
- (CARRIED OVER FROM 1-23-01)

Items 11.B through 11.H were continued to February 6, 2001.

## 12. NEW PUBLIC HEARINGS:

- A. 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.
1. Assembly Memorandum No. AM 14-2001.
  2. Information Memorandum No. AIM 11-2001, substitute final assessment roll for AR 2001-5, Office of Planning, Development, and Public Works.

This item was continued to February 6, 2001.

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

to combine the public hearing for items 12.B, C and D,  
AR 2001-8, AR 2001-9 and AR 2001-10.

- B. 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.
1. Assembly Memorandum No. AM 25-2001.
- C. 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.
1. Assembly Memorandum No. AM 26-2001.
- D. 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.
1. Assembly Memorandum No. AM 27-2001.

Chair Von Gemmingen opened the public hearing for AR 2001-8, AR 2001-9 and AR 2001-10 and asked if anyone wished to speak.

SAM O'CONNOR, president of the Westside Community Patrol and member of the Spenard Community Council, explained the community has tried for years to make access to alcohol more difficult for irresponsible drinkers. He reported that Safeway, the new owner of Carrs' liquor stores, has been responsive. The proposed conditions were acceptable to all parties.

MAURICE MCDONALD, owner of O'Brady's Burgers & Brew, questioned the standing of the community patrol and whether the Municipality could require operators to donate funds to councils or patrols. He objected to the fact that Safeway/Carrs would be prohibited from selling certain products, while nearby competitors will be allowed to sell the products. Mr. McDonald felt setting certain prices for certain items was tantamount to price-fixing and exposed the Municipality to liability.

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

Mr. Tesche moved,  
seconded by Ms. Clementson,

to approve AR 2001-8, AR 2001-9 and AR 2001-10 including  
amendments listed in the January 29, 2001 memorandum from  
Greg Moyer to Bill Greene.

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

Mr. Tesche noted the various conditions labeled "ABC" by the Municipal Attorney would be forwarded to the State Alcoholic Beverage Control Board. The remaining conditions were essentially a private agreement between the parties and the Municipality.

Ms. Fairclough moved,  
seconded by Ms. Clementson,

to amend conditions for all 3 establishments to remove the requirement for store managers to attend community council meetings, and the requirements for Oaken Keg to help fund community patrols.

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

Mr. Sullivan moved,  
seconded by Mr. Kendall,  
and it was withdrawn,

to amend the conditions for all 3 establishments to remove all items under the heading "Community" except the requirement for review of conditions in 6 months with the Assembly Public Safety Committee.

Mr. Sullivan felt the business owner should address the issues proposed to be deleted with the community, without Assembly involvement.

Ms. Taylor moved,  
seconded by Mr. Tremaine,

to call the previous question.

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

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

In response to Mr. Kendall, RICHARD NEAR of Safeway addressed the Assembly. He said the agreement with neighborhood residents was made in good faith. Mr. Near said he intended to abide by the agreement regardless of the Assembly's action.

Mr. Sullivan withdrew his amendment. Mr. Kendall concurred.

Question was called on the motion to approve AR 2001-8 as amended and it passed:

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

Question was called on the motion to approve AR 2001-9 as amended and it passed:

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

Question was called on the motion to approve AR 2001-10 as amended and it passed:

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

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

- E. Resolution No. AR 2001-13, a resolution of the Anchorage Municipal Assembly approving a conditional use for ~~sales of~~ an alcoholic beverages conditional use in the B-3 District for a **private club** per AMC 21.40.180.D.8 ~~and an alcoholic beverages club license~~, located on ~~in~~ SLM Subdivision, Block 4, Lot 4; (~~Private Club~~), generally located at the northeast corner of East 34th Avenue and Fairbanks Street ~~3341 Fairbanks Street~~ (Brotherhood, Inc. dba **Sodality**) (Case 2001-002), Planning Department.
1. Assembly Memorandum No. AM 32-2001.

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

EVA HANSMEYER, director of RurAL CAP Child Development Center in the subject subdivision, noted there was another club previously located in the mall. During that time, Center employees would often have to clean up discarded bottles in the play yard. There was also an incident of a fight which resulted in broken windows at the Center. Staff is concerned these activities might resume if another alcohol establishment is introduced. She submitted letters in opposition from families of children who attend the Center. She noted the State Division of Family and Youth Services also submitted a statement in opposition to the proposed conditional use. Ms. Hansmeyer asked the Assembly deny the proposed resolution.

JOHNNY GIBBONS, a member of Brotherhood, Inc., assured Assembly members Sodality is not affiliated or connected with the establishment that was previously located in the mall. Mr. Gibbons explained the location of the club is at the end of the mall, and the entrance to the club is about 245 feet from the Child Development Center. He noted Brotherhood Inc. members are not the kind of people who would be involved in activities such as fighting or irresponsible behavior. Mr. Gibbons said they wanted open hours at the club to begin at 4:00 p.m., which should not impact the Child Development Center. He felt a restriction on parking by patrons of the club, to avoid the area of the Center, would be reasonable.

TOM MCGRATH, of the Spenard Community Council, spoke in opposition to the proposed conditional use. He explained the Council has a moratorium policy for new licenses within the Council boundaries. Mr. McGrath questioned whether the club license was appropriate under the State Statutes.

JOSHUA J. WRIGHT, a dentist in Anchorage since 1958 and chair of the Sodality Club, spoke in support of the proposed conditional use. He pointed out members of the club were older, professional, civic-minded men like himself. The Club membership standards are very selective.

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

Ms. Taylor moved, to approve AR 2001-13.  
seconded by Mr. Tremaine,

Ms. Clementson felt the proposed location was not appropriate for a liquor license, because of the proximity to the daycare center.

Mr. Van Etten noted former Assembly member Meyer, now a State Representative, has introduced legislation to increase the required distance between churches and schools and alcohol establishments. He agreed the proposed location was not appropriate for a liquor license.

Ms. Taylor spoke in support of the resolution. She argued the Assembly should give the non-profit organization the benefit of the doubt and allow them an opportunity to prove themselves.

Question was called on the motion to approve AR 2001-13 and it passed:

AYES: Traini, Abney, Tesche, Von Gemmingen, Tremaine, Taylor.

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

(Clerk's Note: Notice of reconsideration was submitted by Ms. Abney. See minutes of February 6, 2001.)

- F. 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 East Subdivision, Tract B-1**; generally located south of Leyden Road and west of Elmore Road (Site of Future South Anchorage High School) (Huffman/O'Malley Community Council) (Planning and Zoning Commission Case 2000-117), Planning Department.

1. Assembly Memorandum No. AM 3-2001.

This item was continued to February 6, 2001.

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

**14. SPECIAL ORDERS:** See item 17, Assembly Comments.

**15. UNFINISHED AGENDA:**

- A. 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.
  2. Ordinance No. AO 2000-151(S), 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. (**addendum**)
  3. Assembly Memorandum No. AM 928-2000(A).  
(CONTINUED FROM 1-23-01)

Dick Dworsky, Director of the Heritage Land Bank, and Mort Plumb, Director of the Stevens International Airport, discussed the provisions of the substitute version of the ordinance. A significant change was the provision that "no re-hydration shall be undertaken unless adequate re-hydration studies have been submitted to MOA and approved by the Assembly following a public hearing."

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

ERIC PAULEY spoke against the ordinance. He felt setting aside Klatt Bog alone was not appropriate mitigation for Airport expansion around Turnagain Bog.

CHRIS BIRCH spoke in support of the ordinance. He noted the Airport was important to the economy of Anchorage.

MARY ELLEN OHMAN discussed the importance of wetlands. She felt nature cannot be viewed as an economic commodity. Quality of life is as important to a community as progress. Ms. Ohman felt the Airport should not be given unlimited power for the sake of progress.

JIM REEVES said he participated in community meetings on this subject. He said some residents were frustrated, and felt community planning standards should apply to the entire community. Mr. Reeves felt the Assembly had an opportunity to identify alternatives that could achieve the same goals, while addressing the concerns from area residents.

JOHN HIGGINS, manager of Eagle Global Logistics, spoke from an economic point of view. He said due to underdevelopment of the Airport and facilities, Eagle has not been able to make their charter flights economically viable in the community. He urged the Assembly to vote to support the Airport, and noted any environmental impact would be handled by subsequent permits. Mr. Higgins added “clean” industries such as computers have not found it conducive to do business in Anchorage because of the lack of warehouse facilities. This leads to loss of many opportunities for economic development.

FRANK HUNDLEY said he recently acquired title of property in the Concord Hill Subdivision. He was concerned about possible flooding of his property. He questioned who would be liable for damage to private property adjacent to the subject property.

JASON BRUNEY, projects coordinator for the Resource Development Council, spoke in support of the ordinance. He felt Klatt Bog was a sensible place to preserve wetlands, because of its distance from the Airport. The Council viewed passage of the easement plan as vital to expansion of the Airport. It is imperative that the Airport have adequate space to accommodate new opportunities in the future.

Vice Chairman Tremaine assumed the Chair.

MICHELLE COBURN, of behalf of the Anchorage Citizens Coalition, expressed concern that many people had not had the opportunity to view the substitute version of the ordinance until tonight. Ms. Coburn noted noise, air pollution and increased traffic in the subject area have an effect on property values. As a realtor, she regularly comes in contact with people who avoid the area when searching for a home due to these impacts. She was disappointed expansion is being pursued without documentation of these negative impacts. Ms. Coburn felt decisions affecting the subject area should not be made prior to completion of the west Anchorage Airport District Plan, an element of the Comprehensive Plan.

Chair Von Gemmingen returned to the Chair.

HOLLY KENT, executive director of the Anchorage Waterways Council, expressed regret for the adversarial atmosphere surrounding this issue. Ms. Kent felt it was clear Airport officials have not eliminated expansion alternatives to the community’s satisfaction.

ANITA BAKER supported economic development. She felt expansion of the Airport and associated warehouse space was important to the economy. Ms. Baker noted the land in question was not attractive and might be improved visually by development.

BARBARA HOOD, a Turnagain resident, spoke in opposition to development of Turnagain Bog. She felt development would damage the character of surrounding residential areas, and quality of life for area residents. She asked the Assembly to strike a better deal with the Airport, which would protect existing neighborhoods.

BOB POLOWSKI, member of many community groups, spoke in support of development at the Airport.

BLYTHE MARSTON, a long-time Turnagain resident, said she supported economic growth for Anchorage. However, she was concerned the Airport’s future growth would clash with the Municipality’s plans for the Airport area. Ms. Marston felt the issue had become too divisive; she suggested the issue be reviewed further, so a win-win solution can be found.

OREN SIEBERT, president of PenAir and president of the Board for the Alaska Aviation Heritage Museum, spoke in support of providing new space for the Museum. He felt the proposed Airport expansion could facilitate acquisition of an appropriate space. He said Museum officials support the ordinance.

BART TIERNAN, president of the Alaska Airmen’s Association, spoke in support of the ordinance. He felt expansion of space for general aviation activities at the Airport would enhance Anchorage’s economy and quality of life. Mr. Tiernan pointed out trying to preserve wetlands near the Airport was a mistake, because birds are such a danger to aircraft. He sympathized with area residents who do not want development near their homes, but pointed out the Airport was established before homes were built around it. He felt nuisance to the community should be weighed against the most important economic force in the community.

CHUCK ACHBERGER, a realtor, pointed out it was unlikely that all parties’ concerns will be alleviated. He felt promotion of the community’s main economic engine should take precedence.

GEORGE MATTS, president of the Anchorage Audubon Society, discussed the role of the Federal Aviation Administration (FAA). He felt FAA guidelines regarding bird hazards at airports were contradictory. Also, Airport officials have not done the required environmental impact analyses.

RANDY NEWCOMER, of Willams Alaska Petroleum, spoke in support of responsible Airport development. He noted beginning efforts to place warehouses at the Airport have been successful and have attracted ancillary businesses.

Ms. Fairclough moved,  
seconded by Mr. Tesche,

to extend the public hearing portion of the meeting until  
11:00 p.m.

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

to substitute a motion to extend the public hearing portion  
of the meeting until midnight.

Question was called on the motion to extend public hearings until midnight and it passed without objection.

LINDA CLOSE, a long-time Sand Lake resident, noted she and her husband chose their home because of proximity to their workplaces at the Airport. She pointed out many Anchorage residents are dependent on a thriving air industry, which requires an expanding Airport. Ms. Close noted Airport officials have completed the NEPA (National Environmental Policy Act) process. She felt denial of the proposed ordinance would restrict growth at the Airport and diminish opportunities for Anchorage and Alaska residents. In response to Mr. Sullivan, Ms. Close felt growth projections indicated a need for more infrastructure.

WAYNE PICHON, representing the Bayshore/Klatt Community Council, spoke against the ordinance. He pointed out many Council members who are engineers were amused by the scheme to re-hydrate an already-saturated Klatt Bog. Mr. Pichon explained adding water to this saturated piece of land will only result in the additional water being deposited into Potter Marsh via the large-diameter drainage tile. He felt the re-hydration scheme was a ruse. Mr. Pichon also disputed assertions that Airport officials have consulted various community councils, because their Council members do not recall any contact.

The meeting recessed at 10:35 p.m. and reconvened at 10:50 p.m.

RICK POLLOCK spoke in support of the proposed ordinance. He supported resource development and was sensitive to related environmental issues; however, he felt it was critical to expand and diversify economic opportunities. Anchorage's position on the globe creates a unique advantage with regard to international, cargo and logistics operations. To squander that advantage would be sinful.

PAMELA MILLER, a Turnagain resident, highly valued the buffer provided by Turnagain Bog. She supported preservation of this buffer to maintain quality of life for residents of neighborhoods near the Airport. Ms. Miller requested the Assembly protect Turnagain Bog, and not allow the Airport to purchase Klatt Bog as mitigation for development. She felt Turnagain Bog should be protected from development, to continue to act as an important buffer.

MICHAEL KEEN pointed out the Airport boundaries have not increased since it was established in the 1950's. Development has extended right up to the boundary of the Airport, without any thoughts of buffers on the 'private' side of the line. Traditionally, it was expected that Airport land would provide all the buffer, which is not fair. Mr. Keen added Airport officials have been generous to the community over the years, allowing the Municipality to utilize unused Airport land for recreational purposes. He noted existing parking space for employees and other Airport users acts as a buffer, as aircraft operations all occur on the west side of these parking areas. He urged the Assembly to adopt the ordinance.

BRUCE LELAND, with Alaska Airlines, spoke in support of the proposed ordinance. He expressed Airline officials' interest in and commitment to continued improvement of the Airport. Mr. Leland felt it was important for the Airport to continue to develop its land in a responsible manner.

MERLE AKERS, a long-time Anchorage resident, noted the Airport plans to increase air traffic would interfere with other general aviation use of other Anchorage airports. He felt area airways are already too crowded. Mr. Akers pointed out there are other areas for expansion of Anchorage's largest airport.

PAT REDMOND spoke as an individual. She felt Airport development and Turnagain Bog would be best considered in concert with the Anchorage 2020 Comprehensive Plan. Ms. Redmond felt mitigation should include a guarantee that no new areas of Turnagain Bog, other than those in the current permit request, would be developed. She also felt Klatt Bog should be protected, but had questions about the wisdom of the re-hydration proposal, in light of flooding problems in the area.

ROBERT AUTH, chair of the Spenard Community Council and member of the Airport Citizens Advisory Council, felt Airport development must proceed with consideration of the interests of nearby residents. He felt buffers might be appropriate, but need to be developed and planned with greater care.

ANGELINE FOWLER spoke in support of the ordinance. She agreed the Airport was Anchorage's most important economic engine, and should be expanded. Ms. Fowler felt the Airport has ensured this is an equitable and environmentally-conscious exchange. She noted each step after adoption of this ordinance would include public hearings and input.

KAREN MURPHY, a Turnagain resident, expressed concern about the impact of Airport expansion on her neighborhood. As a tourism-related business owner, she supported Airport growth and acknowledged growth would occur regardless of community approval. Ms. Murphy was concerned about noise, traffic and decreased property values in the area. Also, she was concerned area residents' needs were not getting enough attention. She felt the Airport has not used space efficiently thus far in its expansion. Ms. Murphy felt the recently revised Comprehensive Plan should not be ignored in the light of economic development. She urged the Assembly to pursue a better compromise.

LORNA NOSS noted growth is a fact, and the burden of growth must be borne by all citizens. Airport growth is essential to Anchorage's economy and quality of life.

MIKE COMBE spoke in support of responsible Airport growth. He noted in a true win-win situation, most parties are satisfied. However, he did not feel this was the case with the proposed Klatt/Turnagain Bog trade. Turnagain residents will lose their buffer between the Airport, and Klatt area residents will lose by increased flooding of their homes. Wildlife and supporters lose the last Class A wetland remaining in Anchorage. Lastly, the Airport will lose incentive to develop carefully and wisely if the proposed deal is adopted. Mr. Combe asked the Assembly to make the deal win-win by including a clause to protect Turnagain Bog in the future, set hydration levels for Klatt Bog to avoid flooding, and require the Airport to submit to Municipal planning authority.

TIM POTTER recalled wetlands management in the early 1980's, which included plans to make preservation of Klatt Bog a high priority. He pointed out the proposed ordinance would merely give the Municipality the authority to do a sole-source deal with the Airport. Nothing in the ordinance will result in anything that will not be subject to a significant public process. Mr. Potter stressed the Assembly must provide the necessary funding for planning and studies to implement the new Comprehensive Plan.

CORKY COLDWELL, Airport Operations Manager, spoke on his own behalf. He felt Airport officials have been fair, and the proposed deal is very good for the Municipality. He felt safety was an important issue, and pointed out the danger of close proximity of aircraft and birds. The adjacent wetland supports bird and wildlife activity.

ERIC BRITTIAN spoke in support of the ordinance. He did not feel prolonged discussions would enhance agreement among the parties.

TOM MCGRATH supported the ordinance. He discussed the advantages of potential business development and associated jobs.

PEGGY COBY, a Turnagain resident, complained about increased noise and traffic congestion in her neighborhood. She questioned whether alternatives to filling Turnagain Bog have been explored. Ms. Coby felt Airport officials have not been adequately responsive to resident concerns. The scheme for filling Turnagain Bog was likely the tip of the Airport expansion iceberg.

DENNIS BIRD, managing director of FedEx in Alaska, said he hoped his company would grow and increase its number of employees. However, growth would require the ability to respond to customers quickly. He supported the proposed ordinance.

RICK MORRISON, a member of many civic groups, spoke as an individual. He urged the Assembly to take advantage of the opportunity at hand, by adopting the proposed ordinance.

TOM DREYER, president of the Turnagain Community Council, spoke in opposition to development in bog areas for at least 10 years. He added a site plan review process should be required for development in the areas on the map colored brown.

CATHY GLEASON, a long-time Turnagain resident, urged the Assembly to deny the ordinance.

Mr. Kendall moved, to close the public hearing for AO 200-151.  
seconded by Ms. Clementson,  
and it passed without  
objection,

(Clerk’s Note: See minutes of February 6, 2001 for further action on this item.)

16. AUDIENCE PARTICIPATION: None.

17. ASSEMBLY COMMENTS:

Ordinance No. AO 2001-41, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$39,610,000 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, Assemblymember Abney. (**LAI D ON THE TABLE**)

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

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at midnight.

\_\_\_\_\_  
Chairman

ATTEST:

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

Date Minutes Approved: May 8, 2001

LF/db

**OPERATING TERMS AND CONDITIONS**

Oaken Keg # 52      1340 Gambell Street

**SECURITY**

- ABC* 1. Will deploy a uniformed security guard for mostly outside duty when liquor is sold.
2. Will maintain radio contact with inside personnel and with appropriate Community Patrol if desired.
3. Maintain and extend “Cops in Shops” program subject to Municipality of Anchorage funding.
4. Review feasibility of driving parking lot patrol.
- ABC* 5. Will maintain detailed log of refusals of sales detailing reasons for refusals (minors, intoxicated persons, ID, etc).
- ABC* 6. Will maintain a log for police and Community Service Patrol calls to the store.
- ABC* 7. All transactions will be videotaped using a separate camera and dedicated videotape recorder for each cash register. The store will maintain a 30-day archive of each videotape.
- ABC* 8. Will add additional exterior lighting and install parking lot video camera.

**PERSONNEL**

- ABC* 9. Maintain a minimum of two clerks on duty inside whenever alcohol is sold.
- ABC* 10. Formalize training and discipline program for employees involved in sale of alcohol, including standards for identification and trespass.
- ABC* 11. Train all employees involved in sale of alcohol in TIPS/TAMS with 18 month refresher/retraining courses.
12. Employees who violate statutes for alcohol sales will be disciplined and/or terminated within the limits of the union contract and will be ineligible for rehire in an alcohol sales position.

**GENERAL OPERATIONS AND SALES**

- ABC* 13. Absolutely no sales to inebriates will be allowed at any time.
14. The store will not open before 11:00 a.m. for six months; situation will then be reviewed by Assembly Public Safety Committee and perhaps change to 10:00 a.m. opening; if so, 10:00 a.m. opening will be reviewed within three months by Assembly Public Safety Committee.
- ABC* 15. No shooters will be sold for less than \$1.99. [Revisit in 6 months with Assembly Public Safety Committee.]
16. Close on New Year’s Eve at 10:00 p.m.
- ABC* 17. All alcohol products will be placed in a bag, where appropriate sizing will allow, containing the store’s identification or logo. A sales receipt will be placed in a bag or attached to or inserted in the alcohol packaging.
18. Will not advertise or sell 1.00 liter or 1.75 liter liquor items under \$10.99.
- ABC* 19. Will not have single displays of 12 oz. or 16 oz. beer.
- ABC* 20. Will not sell the following:  
     200 ml vodka;  
     200 ml canadians;  
     375 ml vodka;  
     375 ml canadians
21. No 750 ml hard alcohol (spirits) will be sold for less than \$10.00
22. No malt beverage will be sold for less than \$4.99 a six-pack and no ice beer 12-pack will be sold for less than \$5.99.
23. No price point banners displayed to the exterior of the store and no ice beer in 6-pack ads.

**Oaken Keg #52 continued**

24. Will adopt and follow progressive warning/trespass program for intoxicated persons who attempt to purchase alcohol or violate standards or those persons known to Carrs/Safeway/Oaken Keg to buy for intoxicated persons, leading to subsequent trespass citations (whether drunk or sober) for periods of up to one year.
- ABC* 25. Will implement MOA fake ID program (AMC 10.50.020) and maintain records of false IDs seized and fines levied and prosecute violators.

**COMMUNITY**

26. At least weekly all alcohol related litter items identifies as Carrs/Safeway/Oaken Keg within a block radius of the store shall be picked up by store personnel. In addition, will assist in periodic community organized clean-up.
27. Enter into partnership agreement with local school(s).
28. Store management representative will regularly attend community council meeting.
29. Carrs/Safeway/Oaken Keg will help fund community patrols.
- ABC* 30. Effect of conditions will be reviewed in six month with the Assembly Public Safety Committee.
31. Carrs/Safeway/Oaken Keg will send a representative to the (state) Denali Safety Council. (Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.)
32. Carrs/Safeway/Oaken Keg will send a representative to the Anchorage Safe Community/Alaska Injury Prevention Center meetings. Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.

## OPERATING TERMS AND CONDITIONS

Oaken Keg # 55    1650 W. Northern Lights Blvd.

### SECURITY

1. [Revisit whether uniformed security guard will be on duty when alcohol is sold at six-month review with Assembly Public Safety Committee, but not required now.]
2. Will maintain radio contact with inside personnel and with appropriate Community Patrol if desired.
3. Maintain and extend “Cops in Shops” program subject to Municipality of Anchorage funding.
4. Review feasibility of driving parking lot patrol.
- ABC* 5. Will maintain detailed log of refusals of sales detailing reasons for refusals (minors, intoxicated persons, ID, etc.).
- ABC* 6. Will maintain a log for police and Community Service Patrol calls to the store.
- ABC* 7. All transactions will be videotaped using a separate camera and dedicated videotape recorder for each cash register. The store will maintain a 30-day archive of each videotape.

### PERSONNEL

- ABC* 8. Two clerks will be on duty for the first hour the store is open and after 4 p.m. until closing.
- ABC* 9. Formalize training and discipline program for employees involved in sale of alcohol, including standards for identification and trespass.
- ABC* 10. Train all employees involved in sale of alcohol in TIPS/TAMS with 18 month refresher/retraining courses.
11. Employees who violate statutes for alcohol sales will be disciplined and/or terminated within the limits of the union contract and will be ineligible for rehire in an alcohol sales position.

### GENERAL OPERATIONS AND SALES

- ABC* 12. Absolutely no sales to inebriates will be allowed at any time.
13. The store will open at 10:00 a.m., with two clerks on duty for the first hour (see #8 above).
- ABC* 14. No shooters will be sold for less than \$1.99. [Revisit in 6 month with Assembly Public Safety Committee.]
15. Close on New Year’s Eve at 10:00 p.m.
- ABC* 16. All alcohol products will be placed in a bag, where appropriate sizing will allow, containing the store’s identification or logo. A sales receipt will be placed in the bag or attached to or inserted in the alcohol packaging.
17. Will not advertise or sell 1.00 liter or 1.75 liter liquor items will be sold under \$10.99.
- ABC* 18. Will not have single displays of 12 oz. or 16 oz. beer.
19. Will not sell 200 ml vodka or canadian for less than \$2.99, nor 375 ml vodka or canadian for less than \$4.99.
20. Will not sell 750 ml hard alcohol (spirits) for less than \$7.99.
21. No malt beverage will be sold for less than \$4.99 a six pack and no ice beer 12-pack will be sold for less than \$5.99.
22. No price point banners displayed to the exterior of the store and no ice beer in six-pack ads.
23. Will adopt and follow progressive warning/trespass program for intoxicated persons who attempt to purchase alcohol or violate standards or those persons known to Carrs/Safeway/Oaken Keg to buy for intoxicated persons, leading to subsequent trespass citations (whether drunk or sober) for periods of up to one year.
- ABC* 24. Will implement MOA fake ID program (AMC 10.50.020) and maintain records of false IDs seized and fines levied and prosecute violators.

### COMMUNITY

25. At least weekly all alcohol related litter items identified as Carrs/Safeway/Oaken Keg within a block radius of the store shall be picked up by store personnel. In addition, will assist in periodic community organized clean-up.

**Oaken Keg #55 continued**

26. Enter into Partnership agreement with local school(s).
27. Store management representative will regularly attend community council meeting.
28. Carrs/Safeway/Oaken Keg will help fund community patrols.
- ABC* 29. Effect of conditions will be reviewed in six months with the Assembly Public Safety Committee.
30. Carrs/Safeway/Oaken Keg will send a representative to the (state) Denali Safety Council. (Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.)
31. Carrs/Safeway/Oaken Keg will send a representative to the Anchorage Safe Community/Alaska Injury Prevention Center meetings. Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.

## OPERATING TERMS AND CONDITIONS

Oaken Keg # 56     600 E. Northern Lights Blvd.

### SECURITY

1. [Revisit whether uniformed security guard will be on duty when alcohol is sold at six-month review with Assembly Public Safety Committee, but not required now.]
2. Will maintain radio contact with inside personnel and with appropriate Community Patrol if desired.
3. Maintain and extend “Cops in Shops” program subject to Municipality of Anchorage funding.
4. Review feasibility of driving parking lot patrol.
- ABC* 5. Will maintain detailed log of refusals of sales detailing reasons for refusal (minors, intoxicated persons, ID, etc).
- ABC* 6. Will maintain a log for police and Community Service Patrol calls to the store.
- ABC* 7. All transactions will be videotaped using a separate camera and dedicated videotape recorder for each cash register. The store will maintain a 30-day archive of each videotape.

### PERSONNEL

- ABC* 8. Two clerks will be on duty for the first hour the store is open and after 4 p.m. until closing.
- ABC* 9. Formalize training and discipline program for employees involved in sale of alcohol, including standards for identification and trespass.
- ABC* 10. Train all employees involved in sale of alcohol in TIPS/TAMS with 18 month refresher/retraining courses.
11. Employees who violate statutes for alcohol sales will be disciplined and/or terminated within the limits of the union contract and will be ineligible for rehire in an alcohol sales position.

### GENERAL OPERATIONS AND SALES

- ABC* 12. Absolutely no sales to inebriates will be allowed at any time.
13. The store will open at 10:00 a.m., with two clerks on duty for the first hour (see #8 above).
- ABC* 14. No shooters will be sold for less than \$1.99. [Revisit in 6 months with Assembly Public Safety Committee.]
15. Close on New Year’s Eve at 10:00 p.m.
- ABC* 16. All alcohol products will be placed in a bag, where appropriate sizing will allow, containing the store’s identification or logo. A sales receipt will be placed in the bag or attached to or inserted in the alcohol packaging.
17. Will not advertise or sell 1.00 liter or 1.75 liter liquor items under \$10.99.
- ABC* 18. Will not have single displays of 12 oz. or 16 oz. beer.
19. Will not sell 200 ml vodka or canadian for less than \$2.99, nor 375 ml vodka or canadian for less than \$4.99.
20. Will not sell 750 ml hard alcohol (spirits) for less than \$7.99.
21. No malt beverage will be sold for less than \$4.99 a six-pack and no ice beer 12-pack will be sold for less than \$5.99.
22. No price point banners displayed to the exterior of the store and no ice beer in six-pack ads.
23. Will adopt and follow progressive warning/trespass program for intoxicated persons who attempt to purchase alcohol or violate standards or those persons known to Carrs/Safeway/Oaken Keg to buy for intoxicated persons, leading to subsequent trespass citations (whether drunk or sober) for periods of up to one year.
- ABC* 24. Will implement MOA fake ID program (AMC 10.50.020) and maintain records of false ID’s seized and fines levied and prosecute violators.

**Oaken Keg #56 continued**

**COMMUNITY**

25. At least weekly all alcohol related litter items identified as Carrs/Safeway/Oaken Keg within a block radius of the store shall be picked up by store personnel. In addition, will assist in periodic community organized clean-up.
26. Enter into Partnership agreement with local school(s).
27. Store management representative will regularly attend community council meeting.
28. Carrs/Safeway/Oaken Keg will help fund community patrols.
- ABC* 29. Effect of conditions will be reviewed in six months with the Assembly Public Safety Committee.
30. Carrs/Safeway/Oaken Keg will send a representative to the (state) Denali Safety Council. (Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.)
31. Carrs/Safeway/Oaken Keg will send a representative to the Anchorage Safe Community/Alaska Injury Prevention Center meetings. Are encouraged to join and request help dealing with safety issues from a systematic public health perspective.

**INDEX**

<i>Subject</i>	<i>Page</i>
Architectural/Engineering Services .....	5
ARDSA Boundaries .....	3, 7
Assembly Chambers Sound And Video Upgrades .....	1
Ballot Propositions .....	1, 2, 3, 6, 7, 10, 11, 16
Bar Violations Report .....	6
Board Or Commission Appointments .....	2, 4, 8
Bond Issuance .....	1, 2, 3, 10, 11, 16
Charter Amendments .....	2, 3, 6, 7
Code Changes .....	2, 10
Computer Purchases, Maintenance Or Licensing .....	5
Conditional Use For Sales Of Alcoholic Beverages .....	12
Construction Contract Amendments .....	6
Contracts Awarded Between \$30,000 And \$100,000.....	6
Customer Information And Billing System.....	5
Educational Capital Improvements .....	2
Eklutna Water Treatment Facility .....	1
Elected Officials Compensation.....	2
Elections, Runoff Requirements .....	3, 7
Fire Department.....	6, 9
Fire Stations.....	5
Freon Removal Services .....	5, 8
Fur Rendezvous Winter Festival.....	6, 8
Gambell/Ingra Road Extension .....	11
Heating Upgrades .....	5
Heritage Land Bank.....	10, 13
House Bill 13 .....	4
Internal Audit Report .....	6, 9
Juvenile Offender Program.....	5, 8
Land Sale, Purchase, Lease, Conveyance Or Donation .....	10, 13
Levy Upon Connection (Luc) Roll.....	4
Liquor Licenses .....	4, 5, 8, 9, 11
Mayoral Veto Power.....	2, 3, 6
Planning And Zoning Commission .....	13
Police Department.....	2, 3, 6, 7, 9
Pump Replacement Parts .....	5
<b>RECOGNITION</b>	
Lieutenant Mark C. Marsh.....	3, 7
Millie I. Webb.....	4, 6
Rezoning.....	13
Road Improvement Projects .....	5
Seized And Forfeited Monies Awarded From Criminal Narcotics Cases .....	2
Service Areas .....	4
Ship Creek Water Treatment Facility .....	1
Snow And Ice Removal .....	10
Sole Source Procurement Report .....	6
Special Assessment Districts .....	2, 11
Tax, Alcohol .....	3, 7
Tax, Sales .....	2
Telephone Services.....	5
Transportation Services .....	5
Utility Easements .....	9
Workforce Investment Act.....	5
World Changers Housing Rehabilitation Project .....	9