

## **MUNICIPALITY OF ANCHORAGE**

### **ANCHORAGE ASSEMBLY**

Minutes for Regular Meeting of October 30, 2001

#### **1. CALL TO ORDER:**

The meeting was convened at 5:01 p.m. by Assembly Chairman Dick Traini in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

#### **2. ROLL CALL:**

Present: Anna Fairclough, Dan Sullivan, Fay Von Gemmingen, Melinda Taylor, Doug Van Etten, Dick Traini, Dan Kendall, Allan Tesche, Janice Shamberg, Dick Tremaine (5:19 p.m.), Cheryl Clementson.

Absent: None.

#### **3. PLEDGE OF ALLEGIANCE**

The pledge was led by Joseph Gilliam of Scout Troop 289.

#### **4. MINUTES OF PREVIOUS MEETING**

##### **A. Special Meeting – June 5, 2001**

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

to approve the minutes of the special  
Assembly meeting of June 5, 2001.

##### **B. Regular Meeting – June 5, 2001**

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

to approve the minutes of the regular  
Assembly meeting of June 5, 2001.

##### **C. Special Meeting – June 18, 2001**

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

to approve the minutes of the special  
Assembly meeting of June 18, 2001.

#### **5. MAYOR'S REPORT**

Mayor Wuerch reported that five of the six committee reports from the Racism Task Force had been submitted earlier in the day, and the sixth was forthcoming. He said they would be copied and distributed to the executive facilitators and to each committee Chairman. He said he would meet with the committee Chairmans and the executive team on Monday, November 5, 2001, to address the priority of action items. He said they would then meet with the task force members to discuss the prioritization of the action items, and the entire process would come before the Assembly prior to the end of November. He said the Administration was also anticipating receiving the Governor's Commission on Tolerance report by the end of November.

Mayor Wuerch said the muni.org web site for feedback on the budget performance measures was up and running, and he invited the public and Assembly members to visit and provide their input. He noted that the Speakers Bureau was also on the muni.org web site, with a series of topics available for presentations to community groups.

Mayor Wuerch commended the Anchorage Police and Fire Departments, the entire Municipal team, and the community as a whole for their efforts in emergency preparedness and emergency response during the period of heightened alert since September 11th.

Ms. Von Gemmingen thanked the Mayor for sending his staff to the west side town meeting the previous Thursday evening. She said Lori Scanke spoke on parks projects, Howard Holtan on road projects, Michael Kerr on code enforcement, and Lt. Vance from the Anchorage Police Department addressed public safety concerns.

#### **6. ASSEMBLY CHAIRMAN'S REPORT**

Chairman Traini invited the members of Scout Troop 289 to come forward and introduce them. Ms. Von Gemmingen then recognized Mark Larose, Leader of Troop 289, and Tom Barnett, Assistant. She thanked them for their public service.

Chairman Traini reported on the digital recording system for the Assembly meetings. He displayed a CD-ROM onto which the Assembly meetings were now being recorded. He said FTR Gold, the digital playback system, could be downloaded (free) from the Internet to play back the Assembly meetings recorded onto CD-ROM. He invited everyone to contact the Clerk's Office if they needed a copy of the Assembly meetings on CD-ROM. He noted that the software was easy to download, install, and use to listen to Assembly meetings from a computer.

The Assembly then changed the orders of the day to consider item 19, Assembly Comments.

## 19. ASSEMBLY COMMENTS

Mr. Sullivan thanked the Administration for its role in the 30th Avenue block party. He said there had been an outstanding turnout of residents of the area, and the event had been a huge success.

Ms. Taylor noted that they had had a very productive work session regarding the operating budget earlier in the day. She reminded the body that the second public hearing on the operating budget would be held November 13.

Ms. Fairclough said she had met with an Anchorage School District representative to discuss the school district's legislative packet so that the Assembly could incorporate some of those ideas into its packet. On a second point, Ms. Fairclough said she had had to cancel the meeting scheduled for the next day with the home builders, engineers, realtors, mortgage companies, et cetera, who were working on the condominium issue. She said the reason was that when she checked with Jerry Weaver that afternoon, the product that was to be the content of the meeting was still in Legal where it had been for the past six weeks. She requested that the Administration help her to make this item a priority with Legal.

Ms. Clementson said that the inconsistent work hours for the Municipality was making it difficult for Assembly members and the public to access Municipal staff with questions and requests for information.

In response, Mayor Wuerch said the 9/80s provided Fridays off for half the crews, and the Municipality had implemented flex time hours several years ago. He said staff would respond to the best of its ability on Fridays, and he invited people to use email as a convenient method of communication. He said the official business hours for the Municipality were still 8:00 a.m. to 5:00 p.m. Monday through Friday.

## 7. COMMITTEE REPORTS

Mr. Tesche reported that the Elections Committee had met, but they did not have a quorum at their last meeting. He reported that the Mat-Su/Anchorage Joint Liaison Committee had met in Palmer last week, and they had worked on a number of proposals for inclusion in a joint legislative program. He said the meeting of that committee scheduled for the next day would be rescheduled due to a notice problem. He said they anticipated presenting a consensus recommendation on a number of programs to both Assemblies very soon, which the committee would like, forwarded to the legislative representatives in Juneau.

Ms. Clementson reported that the Site Selection Committee would meet on December 11, 2001, at which time a package would be presented to the Assembly for selection of a middle school site for Muldoon.

## 8. ADDENDUM TO AGENDA

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

Chairman Traini read the addendum items.

Chairman Traini laid two items, Ordinance No. AO 2001-181 and Ordinance No. AO 2001-180, on the table to be added to the addendum to the agenda as items 9.F.9 and 9.F.10, respectively.

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

## 9. CONSENT AGENDA

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

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS: None.

B. RESOLUTIONS FOR ACTION - OTHER:

1. Resolution No. AR 2001-313, a resolution of the Municipality of Anchorage appropriating \$73,000 from the State of Alaska, Department of Military and Veterans' Affairs, Division of Emergency Services (ADES), to the State Categorical Grants Fund (231) to support **Anchorage Local Emergency Planning Committee (LEPC) activities**, Office of Emergency Management.
  - a. Assembly Memorandum No. AM 881-2001.
2. Resolution No. AR 2001-314, a resolution of the Municipality of Anchorage appropriating the sum of \$10,000 from the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms, to the Federal Categorical Grants Fund (241),

Anchorage Police Department, for this **Gang Resistance Education and Training grant**, Anchorage Police Department.

a. Assembly Memorandum No. AM 882-2001.

Mr. Van Etten requested this item be considered on the Regular Agenda. See item 10.

3. Resolution No. AR 2001-315, a resolution of the Municipality of Anchorage appropriating \$5,000 of Fund Balance from the Talus West Limited Road Service Area Fund (142) to the Street Maintenance Department 2001 General Operating Budget for **fall and winter maintenance activities**, Street Maintenance Department.

a. Assembly Memorandum No. AM 883-2001.

#### C. BID AWARDS

1. Assembly Memorandum No. AM 873-2001, recommendation of award to Trailercraft, Inc. and Alaska Truck Center for providing **10/12-yard dump trucks, and cabs and chassis for 3,000-gallon water trucks** to the Municipality of Anchorage, Facility Management Department (ITB 21-B082) (\$514,358), Purchasing.

#### D. NEW BUSINESS

1. Assembly Memorandum No. AM 876-2001, 2001/2002 Liquor License Renewals & Name Changes: **The Captains Club** (License #430) Beverage Dispensary Liquor License Name to The Moment & **The Captain's Galley** (License #431) Beverage Dispensary Duplicate Liquor License Name Change to Top of the Moment (Spenard and Tudor Community Councils), Clerk's Office.
2. Assembly Memorandum No. AM 877-2001, 2001/2002 Liquor License Renewal: **Long Branch Saloon** (License # 670) Beverage Dispensary Liquor License (Abbott Loop Community Council), Clerk's Office.
3. Assembly Memorandum No. AM 878-2001, 2001/2002 Liquor License Renewals: **La Mex** (License #635) Beverage Dispensary Liquor License, **La Mex Too** (License #636) Beverage Dispensary Liquor License, & **La Mex Too – Upstairs** (License #2009) Duplicate Beverage Dispensary Liquor License (Spenard and Downtown Community Councils), Clerk's Office.
4. Assembly Memorandum No. AM 879-2001, 2001/2002 Liquor License Renewals: **William A. Egan Civic & Convention Center** (#3234) Beverage Dispensary Liquor License, **George Sullivan Arena** (#1842) Recreational Site, **Gesine's at 4 Corners** (#2115), **Mr. White Keys Fly By Night** (#2097) Beverage Dispensary Liquor License, **New China Restaurant** (#1347) Restaurant/Eating Place Liquor License, **Mexico in Alaska** (#1907) Restaurant/Eating Place Liquor License, **Little Italy** (#2254) Restaurant/Eating Place Liquor License (Sand Lake, Fairview, Downtown, Spenard, Eagle River, Taku/Campbell, & Abbott Loop Community Councils), Clerk's Office.
5. Assembly Memorandum No. AM 860-2001, **Don Jose's Mexican Restaurant** (License #357) – Transfer of Ownership and Location, Name Change to Benihana and Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (South Addition and Downtown Community Councils), Clerk's Office.

Mr. Tesche requested this item be considered on the Regular Agenda. See item 10.D.

6. Assembly Memorandum No. AM 862-2001, award of proprietary services with LMN Architects for providing professional services to assist in the **preparation of a "Comprehensive Retail Store Ordinance"** for the Municipality of Anchorage, Planning Department (\$49,500), Purchasing.

Mr. Tesche requested this item be considered on the Regular Agenda. See item 10.D.

7. Assembly Memorandum No. AM 863-2001, proprietary purchase of **biomedical equipment** from Medtronics Physio Control to the Municipality of Anchorage, Anchorage Police Department (\$46,160), Purchasing.
8. Assembly Memorandum No. AM 864-2001, proprietary purchase of **replacement parts** from Amarillo Gear Company for the Municipality of Anchorage, Municipal Light and Power (\$60,265), Purchasing.
9. Assembly Memorandum No. AM 865-2001, change order No. 4 to purchase order 201371 with HR Redmond Company, for **annual road maintenance services to the Girdwood Valley Service Area** for the Municipality of Anchorage, Street Maintenance Department.
10. Assembly Memorandum No. AM 891-2001, change order No. 1 to purchase orders 210741 & 210186 with Nine Star Enterprises, Inc. and McLaughlin High School for providing **Workforce Improvement Act In-School programs** for 2001 for the Municipality of Anchorage, Planning Department (\$417,377.30), Purchasing.
11. Assembly Memorandum No. AM 892-2001, change order No. 1 to purchase order 211215 with Alaska Military Youth Academy for providing a **Workforce**

- Investment Act/Out-of-School Youth Program** for 2001 for the Municipality of Anchorage, Planning Department (\$300,000), Purchasing.
12. Assembly Memorandum No. AM 893-2001, amendment to **legal services contract** with Orrick, Herrington & Sutcliffe (\$95,000), Legal Department.
  13. Assembly Memorandum No. AM 894-2001, approval of **waste reduction and recycling challenge grants** (\$122,077), Solid Waste Services. **(addendum)**
  14. Assembly Memorandum No. AM 896-2001, **Assembly approval for expenditure of funds exceeding \$2,000** – operating costs (\$45,000), Assembly Chairman Traini. **(addendum)**

Ms. Von Gemmingen requested this item be considered on the Regular Agenda. See item 10.D.

#### E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 110-2001, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of September 2001, Purchasing.
2. Information Memorandum No. AIM 111-2001, **Sole Source Procurement Report** for the month of September 2001, Purchasing.
3. Information Memorandum No. AIM 112-2001, **2001 Annual Report – Lobbyists**, Municipal Clerk.

#### F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2001-176, an ordinance amending certain sections of the Anchorage Municipal Code Chapter 26.65 regarding **Enhanced 911 System** to allow for a surcharge on local wireless telephone service as authorized by recent Alaska Statutes, and to integrate selected portions of Anchorage Municipal Code of Regulations Chapter 26.65 into the Anchorage Municipal Code Chapter 26.65; and repealing the remainder of the regulations, Anchorage Police Department. P.H. 11-13-01.
  - a. Assembly Memorandum No. AM 867-2001.

Ms. Shamberg requested this item be considered on the Regular Agenda. See item 10.F.

2. Ordinance No. AO 2001-177, an ordinance amending Anchorage Municipal Code Section 6.50.060 to **establish a Percent Of Market Value (POMV) payout methodology for future annual dividend payments from the MOA Trust Fund (Fund 730) and the MOA Trust Fund Reserve (Fund 731)** to the General Government Operating Budget (Fund 101); and to appropriate any remaining balance in the MOA Trust Fund Reserve (Fund 731) as of December 31, 2002 to the 2002 General Government Operating Budget (Fund 101), Finance Department. P.H. ~~14-13-01~~ 12-11-01. **(TO BE SUBMITTED)**
  - a. Assembly Memorandum No. AM 884-2001.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 10.F.

3. Ordinance No. AO 2001-178, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the next regular election a ballot proposition to **amend Charter Section 13.11 to authorize the use of an endowment model to calculate future annual dividends from the MOA Trust Fund (Fund 730)** to the General Government Operating Budget (Fund 101), Finance Department. P.H. ~~14-13-01~~ 12-11-01. **(TO BE SUBMITTED)**
  - a. Assembly Memorandum No. AM 885-2001.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 10.F.

4. Ordinance No. AO 2001-179, an ordinance amending the zoning map and providing for the rezoning of approximately 9.98 acres from R-1A (Single Family Residential District) to PLI (Public Lands and Institutions District) for **Tract B-1, Pioneer Square Subdivision**, generally located on the southwest corner of Klatt Road and Juniper Street (Bayshore-Klatt Community Council) (Planning and Zoning Commission Case 2001-089), Planning Department. P.H. 12-11-01.
  - a. Assembly Memorandum No. AM 886-2001.
5. Resolution No. AR 2001-316, a resolution of the Anchorage Municipal Assembly appropriating \$489,034 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant and \$54,337 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department 2001 Operating Budget, to the Federal Categorical Grants Fund (241), Anchorage Police Department, for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department. P.H. 11-13-01.
  - a. Assembly Memorandum No. AM 887-2001.
6. Resolution No. AR 2001-317, a resolution appropriating \$298,704 of revenue from the State of Alaska Department of Transportation and Public Facilities to the State Categorical Grant Fund 231 to the Project Management and Engineering Department for **National Pollutant Discharge Elimination**

**System (NPDES) permit services** provided in 2002, Project Management and Engineering Department. P.H. 11-13-01.

- a. Assembly Memorandum No. AM 888-2001.
7. Resolution No. AR 2001-318, a resolution of the Municipality of Anchorage appropriating \$1,050,052 to the State Categorical Grants Fund (231) from the Alaska Department of Labor and Workforce Development for the **PY 2001 Workforce Investment Act Title 1B Youth Program** within the Planning Department. P.H. 11-13-01.
  - a. Assembly Memorandum No. AM 889-2001.
8. Resolution No. AR 2001-319, a resolution of the Municipality of Anchorage appropriating \$116,672 to the State Categorical Grants Fund (231) from the Alaska Department of Labor and Workforce Development for the **PY 2001 Workforce Investment Act Administrative Grant** within the Planning Department. P.H. 11-13-01.
  - a. Assembly Memorandum No. AM 890-2001.

Mr. Sullivan called a point of order and stated that the two Ordinances that Chairman Traini laid on the table should be separately introduced and the titles read on the record.

9. Ordinance No. AO 2001-181, an ordinance amending Anchorage Municipal Code Subsection 28.40.010.D. and repealing Anchorage Municipal Code Section 28.40.040 to **clarify and simplify ballot language and content** to facilitate the use of new electronic voting machines, Assemblymember Traini. **(LAID ON THE TABLE)**

Mr. Sullivan, Mr. Tesche, and Ms. Taylor joined in introducing this ordinance. The public hearing was scheduled for December 11, 2001.

10. Ordinance No. AO 2001-180, an ordinance amending Anchorage Municipal Code Subsection 6.20.020.A. by **repealing the requirement of dual majority vote for issuance of general obligation bonds in services areas**, Assemblymember Traini. **(LAID ON THE TABLE)**

Mr. Sullivan, Mr. Tesche, and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for December 11, 2001.

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

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

## 10. REGULAR AGENDA

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS: None.

B. RESOLUTIONS FOR ACTION - OTHER:

1. Resolution No. AR 2001-314, a resolution of the Municipality of Anchorage appropriating the sum of \$10,000 from the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms, to the Federal Categorical Grants Fund (241), Anchorage Police Department, for this **Gang Resistance Education and Training grant**, Anchorage Police Department.
  - a. Assembly Memorandum No. AM 882-2001.

Mr. Van Etten moved, to approve AR 2001-314.  
 seconded by Ms. Taylor,  
 and it passed without  
 objection,

C. BID AWARDS: None.

D. NEW BUSINESS

1. Assembly Memorandum No. AM 860-2001, Don Jose's Mexican Restaurant (License #357) – Transfer of Ownership and Location, Name Change to Benihana and Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (South Addition and Downtown Community Councils), Clerk's Office.

Mr. Tesche moved, to approve AM 860-2001.  
 seconded by Ms. Fairclough,

Mr. Tesche said approval of this memorandum would transfer ownership and location and name change for a beverage dispensary license from Don Jose's to Alaska Teppanyaki Group, which operates Benihana. He referred the Assembly to the memo in the packet from Mr. Coffey that explained the history of the issue. Mr. Tesche said the application was technical at best, there was no substantial change of use in the overall

property, and the two community councils had approved the petitioner's request. He recommended Assembly approval of AM 860-2001, and he requested advice from Legal on the technical modifications to the conditional use permit for the property.

Mr. Tesche moved,  
seconded by Ms. Fairclough,

to bifurcate AM 860-2001 to consider approval of the memorandum first and then to consider the request for modification of the two conditional use permits as recommended by Legal.

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

to approve AM 860-2001 as bifurcated.

In response to Mr. Tesche, Deputy Municipal Attorney Dennis Wheeler said Legal would recommend a new conditional use permit for the new license. However, he said Legal did agree with Mr. Coffey that the Code was not very helpful, and he said the Assembly might choose to use a technical modification to the existing conditional use permit on the property. Mr. Wheeler advised that the Assembly must make a finding if it was going to act on the conditional use, and it could take that action at this time.

Mr. Tesche moved,  
seconded by Mr. Tremaine,

to approve the two written Applications for Modifications submitted by Mr. Coffey as a technical modification to the conditional use permit.

Mr. Tesche said he would make the express finding that the proposed modification would not make a significant change in the nature of the use of the property, nor would it have any significant effect or impact on the surrounding residential neighborhood. He urged approval.

Mr. Sullivan said that while he was generally supportive of the motion, as a matter of procedure, he pointed out that this item should have been incorporated into the agenda in the form of a memorandum from Legal or Mr. Coffey.

This item was deferred until later in the meeting so that staff could confer on the issues. See after item 10.F.

2. Assembly Memorandum No. AM 862-2001, award of proprietary services with LMN Architects for providing professional services to assist in the **preparation of a "Comprehensive Retail Store Ordinance"** for the Municipality of Anchorage, Planning Department (\$49,500), Purchasing.

Mr. Tesche moved,  
seconded by Ms. Fairclough,

to approve AM 862-2001

Staff responded to Assembly member questions regarding the reason for a proprietary contract with LMN Architects and their experience in developing big box store design standards.

Question was called on the motion to approve and it passed with objections from Ms. Clementson and Mr. Sullivan.

3. Assembly Memorandum No. AM 896-2001, **Assembly approval for expenditure of funds exceeding \$2,000** – operating costs (\$45,000), Assembly Chairman Traini. (**addendum**)

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

to approve AM 896-2001.

At Ms. Von Gemmingen's request, Mr. Moyer explained a laptop computer might be used at the chamber podium for public testimony.

Question was called on the motion to approve AM 896-2001 and it passed without objection.

E. INFORMATION AND REPORTS: None.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2001-176, an ordinance amending certain sections of the Anchorage Municipal Code Chapter 26.65 regarding **Enhanced 911 System** to allow for a surcharge on local wireless telephone service as authorized by recent Alaska Statutes, and to integrate selected portions of Anchorage Municipal Code of Regulations Chapter 26.65 into the Anchorage Municipal Code Chapter 26.65; and repealing the remainder of the regulations, Anchorage Police Department. P.H. 11-13-01.

Ms. Shamberg, Mr. Tremaine, Ms. Taylor joined in introducing this ordinance. The public hearing was scheduled for November 13, 2001.

Ms. Shamberg noted an error on line 5 of the ordinance. She said the word "Code" should be inserted between "Anchorage Municipal" and "of Regulations."

2. Ordinance No. AO 2001-177, an ordinance amending Anchorage Municipal Code Section 6.50.060 to **establish a Percent Of Market Value (POMV) payout methodology for future annual dividend payments from the MOA Trust Fund (Fund 730) and the MOA Trust Fund Reserve (Fund 731)** to the General Government Operating Budget (Fund 101); and to appropriate any remaining balance in the MOA Trust Fund Reserve (Fund 731) as of December 31, 2002 to the 2002 General Government Operating Budget (Fund 101), Finance Department. P.H. 14-13-01 12-11-01. **(TO BE SUBMITTED)**
  - a. Assembly Memorandum No. AM 884-2001.

Ms. Clementson, Ms. Fairclough, and Mr. Kendall joined in introducing this ordinance. The public hearing was scheduled for December 11, 2001.

3. Ordinance No. AO 2001-178, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the next regular election a ballot proposition to **amend Charter Section 13.11 to authorize the use of an endowment model to calculate future annual dividends from the MOA Trust Fund (Fund 730)** to the General Government Operating Budget (Fund 101), Finance Department. P.H. 14-13-01 12-11-01. **(TO BE SUBMITTED)**
  - a. Assembly Memorandum No. AM 885-2001.

Ms. Clementson, Mr. Tesche, and Ms. Fairclough joined in introducing this ordinance. The public hearing was scheduled for December 11, 2001.

The Assembly then returned to item D.1, AM 860-2001.

Assembly Memorandum No. AM 860-2001, **Don Jose's Mexican Restaurant** (License #357) – Transfer of Ownership and Location, Name Change to Benihana and Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (South Addition and Downtown Community Councils), Clerk's Office.

Deputy Municipal Attorney Dennis Wheeler said that in response to Mr. Sullivan's earlier question, this would be considered a minor modification/housekeeping matter, and it was Legal's opinion that the Assembly could act on this item at this time.

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

to change the orders of the day to  
consider the addendum to the agenda  
and have this item introduced as item  
9.D.5.A. so it would be a memorandum  
under the same topic for consideration.

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

to approve the acceptance of the  
memorandum.

## 11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

- A. Resolution No. AR 2001-86, a resolution of the Anchorage Municipal Assembly urging the Anchorage Parking Authority to **continue allowing use of the city-owned parking lot on Third Avenue between C and E Streets for Fur Rendezvous activities**, Assemblymembers Sullivan and Kendall.  
(POSTPONED FROM 3-20-01; CARRIED OVER FROM 5-15-01, 8-14-01, AND 8-28-01; POSTPONED FROM 9-11-01 AND 10-23-01)

Chairman Traini gave the history of the resolution and noted there were no motions pending.

Mr. Sullivan said this resolution had been introduced for the purpose of keeping Fur Rendezvous downtown. He said as time had gone by, various events started to be held in different parts of town, and Fur Rendezvous no longer had as much of a central point as it did in years past. He said the only option at this point, if Fur Rendezvous could not use this parking lot, would be to go to the Northway Mall for the carnival site. He said that was the only available location at this time.

Mr. Sullivan moved,  
seconded by Mr. Kendall,

to approve AR 2001-86.

Tim Rogers, representing the Anchorage Parking Authority, and Mary Pignalberri, representing Fur Rendezvous, responded to Assembly member questions.

Ms. Clementson moved,  
seconded by Ms. Fairclough,

to amend AR 2001-86 on line 36 to  
insert a new section 2 that would read: "The  
Assembly urges Fur Rendezvous organizers  
to settle any outstanding debts with the  
Anchorage Parking Authority," and to

renumber the remaining sections  
accordingly.

Question was called on the motion to amend AR 2001-86 and it failed:

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

Question was called on the motion to approve AR 2001-86 and it passed:

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

The meeting recessed at 6:28 p.m. and reconvened at 6:55 p.m. There was a suggestion to change the orders of the day to consider item 14.A, AO 2001-175, and there were no objections.

- B. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2001-142, an ordinance amending the zoning map and providing for the rezoning of approximately 7.46 acres from R-3SL (Multiple-Family Residential District with Special Limitations) and R-6 (Suburban Residential-Large Lot District) to R-7 (Intermediate Rural Residential District) for **Tract A, Bluebell Subdivision**, generally located on the east side of Goldenview Drive and north of East 172nd Avenue extended (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-208), Planning Department.
1. Assembly Memorandum No. AM 648-2001.  
(AMENDED AND APPROVED 10-23-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TRAINI 10-24-01)

This item was considered later in the meeting. See item 17, Unfinished Agenda.

- C. Ordinance No. AO 2001-164, an ordinance adopting the **2002 General Government Capital Improvement Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 794-2001.
  2. Ordinance No. AO 2001-164(S), an ordinance adopting the 2002 General Government Capital Improvement Budget, Office of Management and Budget. **(addendum)**
  3. Assembly Memorandum No. AM 875-2001.  
(POSTPONED FROM 10-23-01)

This item was considered later in the meeting. See item 17, Unfinished Agenda.

- D. Resolution No. AR 2001-276, a resolution of the Municipality of Anchorage adopting the **2002-2007 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 794-2001.
  2. Resolution No. AR 2001-276(S), a resolution of the Municipality of Anchorage adopting the 2002-2007 General Government Capital Improvement Program, Office of Management and Budget. **(addendum)**
  3. Assembly Memorandum No. AM 875-2001.  
(POSTPONED FROM 10-23-01)

This item was considered later in the meeting. See item 17, Unfinished Agenda.

- E. Ordinance No. AO 2001-145(S-1), an omnibus ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations to modify existing, and include **additional, fees, fines and penalties**, Office of Management and Budget.
1. Assembly Memorandum No. AM 847-2001, AO 2001-145(S-1); omnibus ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations to modify existing, and include additional fees, fines, and penalties, Office of Management and Budget.
  2. Assembly Memorandum No. AM 872-2001, AO 2001-145(S-1), floor amendments to an omnibus ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations to modify existing, and include additional fees, fines, and penalties, Office of Management and Budget.  
(AMENDED 10-16-01; CARRIED OVER FROM 10-16-01; AMENDED 10-23-01; CARRIED OVER FROM 10-23-01)

Action on item 11.E was continued until November 13, 2001

- F. Ordinance No. AO 2001-169, an ordinance submitting to the qualified voters of the Municipality at the next regular election a ballot proposition to amend Charter Section 4.02 to **provide for three year terms for assembly members** for both multi-member and single member assembly election districts, Assemblymembers Sullivan, Clementson, and Kendall.  
(AMENDED 10-23-01; CARRIED OVER FROM 10-23-01)

Action on item 11.F was continued until November 13, 2001



- G. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2001-141(S), an ordinance amending the **Hillside Wastewater Management Plan**, Anchorage Municipal Code 21.05.030.D.4. to add the area recommended for public sewerage the 7 1/2 acre Tract A of Bluebell Subdivision and the 7 1/2 acre Tract A of Ashland Subdivision, generally located east of Goldenview Drive in the South Hillside area, Assemblymember Tremaine. (APPROVED 10-16-01; NOTICE OF RECONSIDERATION GIVEN BY MS. CLEMENTSON 10-24-01)

This item was considered later in the meeting. See item 17, Unfinished Agenda.

12. **APPEARANCE REQUESTS:** None.
13. **CONTINUED PUBLIC HEARINGS:** None.
14. **NEW PUBLIC HEARINGS**

- A. Ordinance No. AO 2001-175, an ordinance amending Anchorage Municipal Code Chapter 8.30 to add a **definition for false information to include terroristic threats and related crimes**, increasing the penalties for providing certain kinds of false information and deleting Section 8.30.060, Legal Department.
1. Ordinance No. AO 2001-175(S), an ordinance amending Anchorage Municipal Code Chapter 8.30 to add a definition for false information to include terroristic threats and related crimes, increasing the penalties for providing certain kinds of false information and deleting Section 8.30.060, Legal Department.  
(addendum)
  2. Assembly Memorandum No. AM 895-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Kendall moved, to adopt AO 2001-175(S),  
seconded by Mr. Tesche,

Municipal Attorney Bill Greene and Deputy Municipal Attorney Dennis Wheeler responded to Assembly member questions regarding the legal aspects of this ordinance.

Mr. Tremaine expressed concern that this ordinance was subject to abuse, which, he pointed out, could greatly impact individuals' civil liberties.

Question was called on the motion to adopt AO 2001-175(S) and it passed:

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

- B. Ordinance No. AO 2001-170, an ordinance amending Anchorage Municipal Code Chapter 3.30, to **provide a definition of Kelly Shift Employee and benefits therefore; remove Battalion Chiefs and Paramedic Supervisor positions from the Fire bargaining unit**; update Fire bargaining unit classification codes; and provide for education and special duty pay incentives for non-represented Battalion Chiefs and Paramedic Supervisors, Employee Relations Department.
1. Assembly Memorandum No. AM 830-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Kendall moved, to adopt AO 2001-170.  
seconded by Mr. Van Etten,

Cheryl Frasca responded to questions from Ms. Clementson regarding how the positions were budgeted.

Question was called on the motion to adopt AO 2001-170 and it passed:

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

- C. Resolution No. AR 2001-311, a resolution of the Municipality of Anchorage appropriating \$150,000 from the State of Alaska, Department of Environmental Conservation, under the Prevention and Emergency Response Program, to the Anchorage Fire Department, State Categorical Grants (231) Fund to **expand the hazardous response capabilities of the Anchorage Hazardous Materials (HAZMAT) Response Team**, Anchorage Fire Department.
1. Assembly Memorandum No. AM 855-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Van Etten moved,  
seconded by Mr. Tremaine,

to approve AR 2001-311.

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

NAYS: None.

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

to change the orders of the day to  
consider item 14.G, AO 2001-171.

Ordinance No. AO 2001-171, an ordinance by the Municipality of Anchorage authorizing a sole source sale by the Heritage Land Bank (HLB) to Eklutna, Inc. of a **slope easement on a portion of HLB Parcel No. 1-074** (T15N, R2W, Sec. 36, Plat No. 82-82), a 1.13 acre portion of the parcel according to Preliminary Plat #C-2 dated August 21, 2001, Assemblymember Fairclough.

1. Assembly Memorandum No. AM 871-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Ms. Fairclough moved,  
seconded by Mr. Sullivan,

to adopt AO 2001-171.

Ms. Fairclough gave the history of this item and responded to Assembly member questions.

Question was called on the motion to adopt AO 2001-171 and it passed:

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

NAYS: None.

Ms. Fairclough moved,  
seconded by Mr. Kendall,

for immediate reconsideration.

AYES: Clementson.

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

The Assembly then returned to item 14.D, AO 2001-162.

D. **FIRST PUBLIC HEARING:** Ordinance No. AO 2001-162, an ordinance of the Municipality of Anchorage adopting and appropriating funds for the **2002 General Government Operating Budget** for the Municipality of Anchorage, Office of Management and Budget.

1. Assembly Memorandum No. AM 792-2001.

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

JERRY MANFULL, Public Transit Advisory Board member and People Mover bus rider, spoke on how the proposed Municipal budget would impact the city's public transportation system. He urged the Assembly to improve the bus system, keep it accessible to as many people as possible, and keep fares low through increased funding. He said Municipal revenues could be increased through a gas tax of five to ten cents per gallon, which, he said, would go a long way toward solving many of the Municipality's budget shortfalls.

RUTH SANDSTROM, President, Youth Court Board of Directors, requested full funding for the "Making a Difference Program." She provided the history of the group's funding and their attempts in recent years to obtain State funding. She said they currently have about 400 cases per year on an annual budget of approximately \$200,000. In recent years, matching corporate donations had been reduced to virtually nothing, and they had begun to seek out new and diversified sources of funding for the program. She said they still receive very little funding from the State and relied heavily on Municipal funding for the continued operation of the program.

STEPHANIE ABREGO, said she was currently a sophomore at East High School, and she had been a Youth Court member since eighth grade. She explained that Youth Court was successful because it helps youths, it increased public safety awareness, it reduced crime, and it made our community's youth better citizens. She said it was a community-wide organization that helped troubled teens, and she could not imagine not having the Anchorage Youth Court and the Making a Difference Program in our community.

TOM BEGICH, State Juvenile Justice Advisory Committee Chairman described five areas where the "Making a Difference Program" had helped and provided background and statistics on the program. He spoke about the phenomenal 11% recidivism rate, community work service, and restitution, and he addressed the important role that intake officers played in this program. He said this program had had a dramatic impact on crime in this city, and it made no sense to cut the funding to the point the program could no longer operate. He asked the Assembly for its continued support.

At Mr. Van Etten's request, Mr. Begich utilized Elmo to explain the data contained in the graphs and charts he had distributed earlier to the Assembly members.

CINDY PITTA, U.S. Swim Coach and member of People for Pools Coalition, thanked the Assembly for its support and funding for the pools last year. She gave an overview of swimming activities and achievements that have occurred as a result of the funding approved by the Assembly last year. She said People for Pools met regularly and advocate that pools remain open to the public. She asked that the Assembly continue its support for funding for the community's pools in this year's budget.

ELEANOR ANDREWS said she was the Statewide Chairman of the Small Business Development Center (SBDC) Advisory Board and a National Small Business Development Center Advisory Board member. She briefly described the different programs and functions of the SBDC and explained how it helped small businesses within the community. She said the Matanuska-Susitna Borough provided annual funding to the SBDC of approximately \$95,000, and the Kenai Peninsula Borough contributed \$50,000 and provided office space for the program. Ms. Andrews asked the Assembly to amend the operating budget to make an \$80,000 investment in Anchorage by providing the SBDC funding in that amount for 2002.

In response to Ms. Von Gemmingen, Ms. Andrews said the SBDC Advisory Board asked the Chamber of Commerce Board to pass a resolution advocating SBDC's request for \$80,000 in Municipal funding for Fiscal Year 2002. She said she would provide a copy to the Assembly.

JAN FREDERICKS, State Director, Small Business Development Center (SBDC), said she had been asked to appear on behalf of LARRY CASH, President and CEO of RIM Architects, and she read his statement into the record. Mr. Cash stated his strong support for the proposal to include funding for the SBDC in the 2002 Municipal budget. Mr. Cash said small businesses were a vital part of economic development, and the SBDC provided essential technical assistance to new business startups and was instrumental in the continuing operations of small businesses throughout the community. He urged the Assembly to support this valuable community partnership.

In response to Ms. Von Gemmingen, Ms. Fredericks said the federal statute under which the SBDC operates prohibits them from charging fees for counseling services, but they are allowed to, and do, charge fees for workshops that they conduct. She said the SBDC does not compete with private businesses. Ms. Fredericks responded to additional Assembly member questions.

CHARLIE ARMSTRONG spoke in favor of funding for the People Mover bus system. He said handicapped residents of this community relied heavily on the People Mover system for their transportation. He asked the Assembly not to cut bus funding. He said if anything, the Assembly should consider increasing the funding for this public transit system that was so vital to the community.

FRANCINE TAYLOR, Executive Director of the Alaska Moving Image Preservation Association (AMIPA), said for the last four years the Assembly had recognized the importance of AMIPA's activities and had approved funding for it. She said AMIPA was requesting \$35,000 to continue its important work in 2002. She said AMIPA was the repository of a growing, priceless collection of footage vividly showing the rich and diverse history of Anchorage. Ms. Taylor said she was pleased to announce that AMIPA was recently notified by Sen. Ted Stevens' office that it was one of only 63 organizations nationwide to receive a multi-year \$500,000 matching grant from the prestigious Save America's Treasures Program.

STEVE LEVY, Vice President of AMIPA, said AMIPA just finished its report to the legislature on the legislative media preservation project to preserve 55,000 hours of legislative recordings housed in the state archives. He said AMIPA received \$75,000 from the State for this and other projects and would be seeking an additional \$85,000 from the state next year. Mr. Levy gave an overview of AMIPA programs, activities, and services provided in 2001. He said AMIPA hoped the Municipality would be the first organization to provide matching funds, in the amount of \$35,000, for the \$500,000 matching grant it had been awarded from the Save America's Treasures Program.

BEN ELLIS, AMIPA Development Specialist, elaborated on the Save America's Treasures Program, including the purpose and importance of the program and how the award of \$500,000 matching grant to AMIPA would benefit Anchorage and Alaska. He asked the Assembly for its continued support.

MARY FISHER, Executive Director of Alaskans for Litter Prevention And Recycling (ALPAR), asked that the Assembly restore funding for the ALPAR Youth Litter Control Program in the 2002 budget. She said the program had been in place for 15 years, providing litter pickup for over 100 roadway miles each summer for Anchorage and Eagle River. She said it also teaches youth to be litter aware and to be role models for their communities. She said they were only asking for \$20,000 in funding from the Municipality this year, and ALPAR would provide the rest of the funding needed for the program's 2002 budget. She requested the Assembly's support.

JOHN OATES, CEO, Boys and Girls Clubs, spoke in favor of full funding for the Mt. View Community Center and Boys and Girls Clubs, which were presently proposed for budget cuts. He addressed operational costs, capital expenditures, fixed expenses, payroll, and funding sources, including matching grants, for these programs. He explained how the proposed budget cuts would adversely impact all of those items and would result in layoffs and reduced hours of operation for the programs, which in turn would result in putting youth at risk. Mr. Oates requested that the Assembly restore full funding to both programs.

JEFF BARNES spoke on behalf of the Municipal Historical and Fine Arts Commission. He asked that the Assembly not approve the budget cuts that were proposed for the History and Fine Arts Museum. He discussed personnel in relation to the museum's funding each year and noted that since he had become a board member five years ago, the museum faced proposed budget cuts every year, only to have its

funding restored at the last minute by petitioning the Assembly. He said with the Municipality's last-in-first-out personnel rule, the museum was reluctant to fill the historian position, only to face losing that person due to budget cuts. He said the commission was requesting funding in the amount of \$71,400, plus funding for the historian position, for a total of approximately \$151,000.

ALDEN TODD, Library Advisory Board member and Friends of the Library Board member, said the proposed budget would cut 25 percent from the library's acquisitions funding. He said that funding was essential for purchasing not only books, but also film media and periodical subscriptions. He noted that book and media prices had gone up dramatically, and so even the 75 percent of the acquisitions funding that they had left would not have the purchasing power that it did last year. He asked that the full acquisitions funding be restored to the library's 2002 budget.

TOM KRON, Brother Francis Shelter Board Chairman and volunteer, commended Catholic Social Services for the role it played in the operation of the shelter. He said homelessness was a community problem, and the program relied upon community donations and funding from the Municipal budget for its continued operation. He said the proposed cuts to the utilities and shelter maintenance funding had come as a shock to the Board members and volunteers. He respectfully requested that the funding for those critical functions be restored so that the Brother Francis Shelter would not have to retreat to its core mission of simply providing emergency shelter for the homeless. He said the other services that the shelter provided were vital to the community, and he requested the Assembly's support.

DARRELL NELSON used the overhead projector to give his presentation. He emphasized how important public transportation was for the handicapped residents of our community, who use it on a daily basis to get to work, medical appointments, and other places in the community. He advocated full funding for Access Alaska, public transportation, including the People Mover and Anchor Rides systems, and retaining Hillside bus service. He said he was on the Transit Advisory Board, and they were supportive of maintaining the current level of services while seeking and obtaining funding from alternative sources. He said he would support a gas or sales tax, which would provide additional revenues for the programs that were currently facing budget cuts.

LYNN KORAL, President of Alaska Independent Blind, spoke in support of reinstating \$100,000 that was proposed to be cut from the People Mover budget. She said that cut would negatively impact the Anchor Rides program. She pointed out that public transit was not a choice for handicapped people but a necessity, and the Assembly should ensure that this basic and fundamental need of the community was met.

CARLENE JACKSON, Executive Director, Catholic Social Services, spoke in support of the Brother Francis Shelter and requested that their utility and maintenance funding not be cut. Ms. Jackson gave the history of Catholic Social Services' partnership with the Brother Francis Shelter, which began in 1983 when Archbishop Hurley, then Mayor Tony Knowles, and Jewel Jones worked together to convert a vehicle maintenance barn into a shelter to house the city's homeless. She also discussed the funding sources for the shelter and gave worst and best case scenarios regarding how the shelter's operations would be impacted if the funding cuts were approved. She asked that the Assembly reinstate the funding for the shelter.

LARRY HOULE, Brother Francis Shelter Advisory Board member, spoke in support of restoration of the shelter's funding. He said he understood the Administration was working on grants for shelter funding for next year. He said the Advisory Board worked aggressively over the last four years to raise money for the shelter, and they had found a partner who would bring to the table \$3.5 million in funding for a new state-of-the-art, energy-efficient shelter. He said this would reduce the Municipality's obligation to contribute funding for operations and maintenance fees for the shelter in future years. For this year, however, he asked the Assembly to restore the utilities and maintenance funding for the shelter.

JASON FOWLER expressed concern regarding the proposed budget cuts to the People Mover bus system. He said he depended on Routes 66 and 68 to get to and from work, and he asked that the funding for the People Mover system not be cut.

ALLEN LEVY, Trustee to Catholic Social Services, said he had a fiduciary responsibility to appear before the Assembly to request that they reinstate the annual funding for the Brother Francis Shelter. Referring to the agency's fact sheet, Mr. Levy provided statistics regarding the shelter's services and volunteers, and said the program could not support the additional cost of the utilities and maintenance expenses that the Municipality had traditionally contributed. He asked that the Assembly support reinstating the funds for the shelter.

JEFF BEALLES, Program Director for the Brother Francis Shelter, said the proposed budget cuts for the shelter's operation presented a public safety issue. He said the shelter kept homeless people safe and helped transition them back into the community. He said the financial impact from the budget cuts would be more costly to the city than providing the funding that was proposed to be cut. He urged the Assembly to fulfill its role in assisting the community's homeless by continuing its support of the Brother Francis Shelter.

MARY RASMUSSEN, Library Advisory Board member, thanked the Assembly for its strong support of the library in past years. She said the library was facing a \$646,890 budget cut for 2002. She said the library had taken cost-saving measures, including not filling vacant positions and delaying maintenance and major equipment purchases. She said they implemented measures to increase revenues, such as charging copy fees, and public donations. She said the 25 percent cut in the acquisitions funding mentioned in earlier testimony would amount to \$260,550, and that was the Board's major concern. She pointed out the many services that the library provided, and she asked that the Assembly restore the library's acquisitions funding. Ms. Rasmussen said the library's wish list was advertised in the newspaper.

CHUCK SZOPA, Brother Francis Board member and volunteer, stated his support for reinstating the funding for the Brother Francis Shelter. He said this was literally a life and death issue for 2,600 people who used the shelter over the past year; he felt it was a Municipal responsibility to help with financial support for this community facility. He also pointed out that the amount of the proposed cut was miniscule when viewed in comparison with the entire Municipal budget.

STEVE KALMES, Chairman of the Public Transit Advisory Board, provided a copy of the Board's resolution to the Assembly. He gave the history of the People Mover system and pointed out that the transit system had been in decline in Anchorage for the last 17 years. He asked the Assembly to spare People Mover from the necessity of having to implement additional service reductions. He said the public had called for increased People Mover service throughout his tenure on the Board. He said the last two lines of the Board's resolution asked that the Assembly approve the 2002 Public Transportation Department budget at the current level of service and that a committee be established to research and recommend a permanent funding program for public transportation in Anchorage, with an action plan to be submitted to the Assembly by December 14, 2001.

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

to extend the public hearing to consider  
items 14.D, AO 2001-162, 14.E, AO  
2001-163, and 14.F.

DON LEDERHAUS, Brother Francis Shelter Advisory Board member, asked the Assembly to reinstate the funding for utility and maintenance costs for the shelter. He reminded the Assembly that the Brother Francis Shelter was a partnership between the Municipality, CSS, and numerous local agencies, businesses, and organizations. He said it helped to reduce costs to the Municipality by providing a service to help get homeless people off the streets. He pointed out that most of the funding came from private individuals, but if they lost the Municipality's funding, they would have to cut the services that they currently provide. He said he did not want the shelter to go back to simply being an emergency shelter for the homeless. He asked the Assembly to reinstate the shelter's funding.

BRENDA BERGSRUD, Public Transportation Department employee, said she supported reinstating the funding for the Transportation Department and the library budgets. She said she had visited <http://www.muni.org> and downloaded the budgets for those agencies in .pdf format, and she found them difficult to read. She said the data was cryptic and required interpretation regarding the impacts that would result due to the various cuts. Ms. Bergsrud also expressed concern at the light turnout of people to testify on budget issues, and she questioned whether the public had adequate notice and information regarding the budget.

BILLIE LEWIS, Transit Advisory Board member, spoke in support of maintaining funding for public transit. She emphasized the importance of the People Mover system to residents of the Anchorage Senior Center and the Chugiak Senior Center. She noted that many did not qualify for Anchor Rides. She said public transportation was an important aspect affecting health issues for the elderly, and she urged the Assembly to improve public transportation for the seniors. She said she realized the fees would have to be increased, but she felt there was no alternative.

Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing. He noted that the second public hearing on this item would be scheduled for November 13, 2001.

- E. **FIRST PUBLIC HEARING:** Ordinance No. AO 2001-163, an ordinance adopting and appropriating funds for the **2002 Municipal Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 853-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing. He noted that the second public hearing on this item would be scheduled for November 13, 2001.

- F. **FIRST PUBLIC HEARING:** Resolution No. AR 2001-275, a resolution approving the **2002-2007 Municipal Utilities Capital Improvement Program**, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 793-2001.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing. He noted that the second public hearing on this item would be scheduled for November 13, 2001.

The meeting recessed at 10:34 p.m. and reconvened at 10:41 p.m.

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

to extend the meeting until 12:00 midnight.

- G. Ordinance No. AO 2001-171, an ordinance by the Municipality of Anchorage authorizing a sole source sale by the Heritage Land Bank (HLB) to Eklutna, Inc. of a **slope easement on a portion of HLB Parcel No. 1-074** (T15N, R2W, Sec. 36, Plat No. 82-82), a 1.13 acre portion of the parcel according to Preliminary Plat #C-2 dated August 21, 2001, Assemblymember Fairclough.

1. Assembly Memorandum No. AM 871-2001.

This item was considered earlier in the meeting. See after item 14.C.

- H. Ordinance No. AO 2001-172, an ordinance approving the rezoning of 12.79 acres from R-O SL (Residential-Office) Zoning District with Special Limitations and I-1 (Light Industrial) Zoning District to R-4 SL (Multiple-Family Residential) Zoning District with Special Limitations for **Tracts 5A and 5B, Crossroads Business Park Subdivision**, generally located east of Northwood Street and north of International Airport Road (Spenard Community Council) (Planning and Zoning Commission Case 2001-166), Planning Department.
  1. Assembly Memorandum No. AM 845-2001.
- I. Ordinance No. AO 2001-173, an ordinance approving the rezoning of 15.066 acres from R-3 (Multi-Family Residential) Zoning District to B-3 SL (General Business with Special Limitations) for **Centerpoint Subdivision, Tract C**, generally located on the west side of C Street, north of West 40<sup>th</sup> Avenue and south of West 36<sup>th</sup> Street (Spenard Community Council) (Planning and Zoning Commission Case 2001-165), Planning Department.
  1. Assembly Memorandum No. AM 846-2001.

Action on items 14.H and 14.I was continued until November 13, 2001.

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

**16. SPECIAL ORDERS**

Two special orders were laid on the table earlier in the meeting. See after Item 9, Consent Agenda.

Mr. Tremaine moved,	to change the orders of the day to
seconded by Ms. Fairclough,	consider item 11.C, AO 2001-164.
and it passed without	
objection,	

**17. UNFINISHED AGENDA**

- A. Ordinance No. AO 2001-164, an ordinance adopting the **2002 General Government Capital Improvement Budget**, Office of Management and Budget.
  1. Assembly Memorandum No. AM 794-2001.
  2. Ordinance No. AO 2001-164(S), an ordinance adopting the 2002 General Government Capital Improvement Budget, Office of Management and Budget. (**addendum**)
  3. Assembly Memorandum No. AM 875-2001.  
(POSTPONED FROM 10-23-01)

Chairman Traini gave the history of the ordinance and noted a motion to adopt was on the floor.

Mr. Kendall moved,	to substitute AO 2001-164(S).
seconded by Ms. Fairclough,	
and it passed without	
objection,	

Ms. Taylor moved,	to amend AO 2001-164(S) to include all
seconded by Mr. Tesche,	the amendments listed in the grouping on
	the goldenrod sheets of paper entitled
	"Proposed Amendments to the 2002 Capital
	Improvement Budget, 2002-2007 Capital
	Improvement Program."

Mayor Wuerch said the administration had put a lot of work into the proposed bond package, and he urged caution in passing the proposed amendment, as it would add a substantial amount of dollars to an already very large bond package. He said the bond package as presented to the Assembly, if passed, would be the largest ever passed in Anchorage by general government.

Assembly member comments were heard regarding various aspects of Ms. Taylor's proposed amendment package, and Municipal Attorney Bill Greene provided legal advice on several items.

Assembly member comments were heard regarding the advisability of voting on the package as a whole as opposed to taking it item by item. For recording purposes, it was determined that the items would have to be taken one at a time. Municipal Attorney Bill Greene advised that the most efficient way to conduct the vote would be take them item by item. He said six members had sponsored each item in the package, but each item had a different set of six members, and the record was required to reflect how each Assembly member voted.

There was a consensus of the Assembly to take up the amendments in the goldenrod package item by item.

See Exhibit A attached:

Ms. Clementson moved,  
seconded by Ms. Taylor,

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 1, "Anchorage  
Areawide Trails Rehabilitation."

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

NAYS: None.

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

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 1, "Eastside  
Satellite Skateboard Park."

AYES: Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg, Tremaine.

NAYS: Sullivan, Von Gemmingen, Fairclough, Clementson.

Ms. Taylor moved,  
seconded by Ms. Clementson

to amend AO 2001-164(S) to approve  
Amendment No. 3 on page 1, "Trail Safety  
Improvements - Old Harbor Road Toward  
Fred Meyer."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 4 on page 1, "Debarr and  
Muldoon Fire Station."

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

NAYS: Sullivan, Von Gemmingen, Traini.

Ms Taylor moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 5 on page 1, "Scenic Park  
Drainage Improvements."

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

NAYS: Fairclough.

Ms. Taylor moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 6 on page 1, "Centennial  
and Russian Jack Parks."

AYES: Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg.

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

Mr. Tesche moved,  
seconded by Ms. Taylor,

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 2, "Al Miller  
Memorial Park."

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

NAYS: Sullivan, Von Gemmingen, Clementson.

Mr. Tesche moved,  
seconded by Ms. Taylor,

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 2, "Mulcahy  
Park."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 3 on page 2, "Delaney Park  
Strip Master Plan."

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

NAYS: Sullivan, Clementson.

Mr. Traini moved,  
seconded by Mr. Van Etten,

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 3, "50th Avenue  
Upgrade - Lake Otis to Folker - Move from  
2005 to 2004."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Ms. Shamberg,

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 3, "50th Avenue  
Upgrade - Lake Otis to Folker - Move from  
2006 to 2004."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Ms. Fairclough,

to amend AO 2001-164(S) to approve  
Amendment No. 3 on page 3, "84th Ave  
Upgrade - Lake Otis Pkwy to Raintree Cir."

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

NAYS: Sullivan, Von Gemmingen,.

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

to amend AO 2001-164(S) to approve  
Amendment No. 4 on page 3, "Spruce St  
Upgrade - 76th Ave to 84th Ave."

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine,  
Clementson.

NAYS: Sullivan.

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

to amend AO 2001-164(S) to approve  
Amendment No. 5 on page 3, "Abbott Loop  
Road at 72nd Ave Storm Drain."

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg, Tremaine.

NAYS: Sullivan, Fairclough, Clementson.

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

to amend AO 2001-164(S) to approve  
Amendment No. 6 on page 3, "Cuddy  
Family Midtown Park."

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg, Tremaine.

NAYS: Sullivan, Fairclough, Clementson.

Chairman Traini noted that they were starting on the amendments on the pink sheets at this time, and those were amendments with less than six sponsors. (See Exhibit A Attached, page 4).

Mr. Kendall moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 4, "ADA  
Playground Equipment Improvements."

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

NAYS: None.

Mr. Kendall moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 4, "Eagle River  
Commons."

AYES: Taylor, Van Etten, Fairclough, Kendall, Tesche, Shamberg, Clementson.

NAYS: Sullivan, Von Gemmingen, Traini, Tremaine.

Mr. Kendall moved,  
seconded by Mr. Tesche,

to amend AO 2001-164(S) to approve  
Amendment No. 3 on page 4, "South Fork  
Confluence."

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

NAYS: Clementson.

Mr. Kendall moved,  
seconded by Ms. Fairclough,

to amend AO 2001-164(S) to approve  
Amendment No. 4 on page 4, "American  
Legion Field at Oberg."

AYES: Taylor, Van Etten, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYS: Sullivan, Von Gemmingen, Traini, Clementson.

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

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 5, "Balto  
Seppala Park."

AYES: Sullivan, Von Gemmingen, Van Etten, Traini, Kendall, Tesche, Shamberg.

NAYS: Taylor, Fairclough, Tremaine, Clementson.



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

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 5, "Balto  
Seppala Park and Lloyd Steele Parks" and to  
add the words "Move from 2007 to 2002."

AYES: Sullivan, Von Gemmingen, Van Etten, Kendall, Tesche, Shamberg.

NAYS: Taylor, Traini, Fairclough, Tremaine, Clementson.

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

to amend AO 2001-164(S) to approve  
Amendment No. 1 on page 6, "Abbott Loop  
Area Park Acquisition II Neighborhood Park  
Acquisition and to add the words Move  
from 2004 to 2003."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Ms. Shamberg,

to amend AO 2001-164(S) to approve  
Amendment No. 2 on page 6, "Rabbit Creek  
Area Acquisition. Move from 2004 to  
2002."

AYES: Taylor, Van Etten, Kendall, Tesche, Shamberg, Tremaine.

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

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

to amend AO 2001-164(S) to approve  
Amendment No. 3 on page 6, "Johns Road  
Park Acquisition at Coast. Move from 2006  
to 2002."

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

NAYS: Clementson.

Mr. Tremaine moved,  
seconded by Ms. Shamberg,

to amend AO 2001-164(S) to approve  
Amendment No.4 on page 6, "Greenbelt &  
Open Space and Acquisition."

AYES: Taylor, Van Etten, Kendall, Tesche, Shamberg, Tremaine.

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

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

to amend AO 2001-164(S) to approve  
Amendment No. 5 on page 6, "Girdwood  
Trail System Acquisition (as an (S) item),  
Move from 2004 to 2003."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Ms. Shamberg,

to amend AO 2001-164(S) to approve  
Amendment No. 6 on page 6, "Girdwood  
Forest Fair. Move from 2004 to 2003."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Mr. Sullivan,

to amend AO 2001-164(S) to approve  
Amendment No. 7 on page 6, "Girdwood  
Iditarod Trail Upgrades. Move from 2004 to  
2003."

Ms. Clementson moved,  
accepted by Mr. Tremaine  
and Mr. Sullivan as an  
Friendly amendment,

to amend AO 2001-164(S) to include for  
approval on page 7 unnumbered  
Amendment, "Girdwood Iditarod Trail  
Upgrades - Move from 2005 to 2004."  
Amendment No. 8, "Girdwood Iditarod Trail  
Upgrades - Move from 2005 to 2004," and  
"Girdwood Recreation Center - Move from  
2004 to 2003."

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

NAYS: None.

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

to amend AO 2001-164(S) to approve on page 7 Amendment No. 10, "Girdwood Recreation Center - Move from 2005 to 2004 (an (S) item), Amendment No. 11, Girdwood Soccer Field - Move from 2005 to 2004, Girdwood Covered Ice Rink - Move from 2005 to 2004, and Girdwood Skateboard Park - Move from 2006 to 2005."

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

NAYS: None.

Mr. Tremaine moved,  
seconded by Ms. Shamberg,

to amend AO 2001-164(S) to approve Amendment No. 14 on page 7, "Hillside LRSAs and Drainage System Rehabilitation. - Increase amounts to 170 for S and to 80 for Q."

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

NAYS: Fairclough, Clementson.

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

to amend AO 2001-164(S) to approve Amendment No. 15 on page 7, "Traffic Calming - Add funding for Johns Road."

AYES: Taylor, Van Etten, Kendall, Tesche, Shamberg, Tremaine.

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

Question was called on the motion to adopt AO 2001-164(S) as amended and it passed:

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

NAYS: None.

Ms. Shamberg moved,  
seconded by Mr. Tremaine,

for immediate reconsideration.

AYES: Fairclough, Tremaine, Clementson.

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

- B. Resolution No. AR 2001-276, a resolution of the Municipality of Anchorage adopting the **2002-2007 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 794-2001.
  2. Resolution No. AR 2001-276(S), a resolution of the Municipality of Anchorage adopting the 2002-2007 General Government Capital Improvement Program, Office of Management and Budget. (**addendum**)
  3. Assembly Memorandum No. AM 875-2001.
- (POSTPONED FROM 10-23-01)

Chairman Traini gave the history of the resolution and noted a motion to approve was on the floor.

Ms. Von Gemmingen moved,  
seconded by Ms. Taylor,  
and it passed without  
objection,

to substitute AR 2001-276(S).

Ms. Von Gemmingen moved,  
seconded by Mr. Sullivan,  
and it passed without  
objection,

to incorporate into AR 2001-276(S) the Assembly's previous action.

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

NAYS: None.

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

for immediate reconsideration.

AYES: Fairclough, Tremaine, Clementson.

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

- C. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2001-142, an ordinance amending the zoning map and providing for the rezoning of approximately 7.46 acres from R-3SL (Multiple-Family Residential District with Special Limitations) and R-6 (Suburban Residential-Large Lot District) to R-7 (Intermediate Rural Residential

District) for **Tract A, Bluebell Subdivision**, generally located on the east side of Goldenview Drive and north of East 172nd Avenue extended (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-208), Planning Department.  
1. Assembly Memorandum No. AM 648-2001.  
(AMENDED AND APPROVED 10-23-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TRAINI 10-24-01)

Chairman Traini gave the history of the ordinance and noted the question was whether they should reconsider.

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

Mr. Tremaine moved, to change the orders of the day to  
seconded by Ms. Shamberg consider item 11.G, AO 2001-141(S).  
and it passed without  
objection,

D. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2001-141(S), an ordinance amending the **Hillside Wastewater Management Plan**, Anchorage Municipal Code 21.05.030.D.4. to add the area recommended for public sewerage the 7 1/2 acre Tract A of Bluebell Subdivision and the 7 1/2 acre Tract A of Ashland Subdivision, generally located east of Goldenview Drive in the South Hillside area, Assemblymember Tremaine. (APPROVED 10-16-01; NOTICE OF RECONSIDERATION GIVEN BY MS. CLEMENTSON 10-24-01)

Chairman Traini gave the history of the ordinance and noted the question was whether they should reconsider.

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

**18. AUDIENCE PARTICIPATION:** None.

**19. ASSEMBLY COMMENTS**

This item was considered earlier in the meeting. See after item 6.

**20. EXECUTIVE SESSIONS** None.

**21. ADJOURNMENT**

Ms. Von Gemmingen moved to adjourn.

The meeting adjourned at 11:43 p.m.

\_\_\_\_\_  
Chairman

ATTEST:

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

Date Minutes Approved: \_\_\_\_\_, 2002

Vmc/csc/cmw