

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of November 13, 2001

1. CALL TO ORDER:

The meeting was convened at 5:00 p.m. by Assembly Chairman Dick Traini in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

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

Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Fairclough.

4. MINUTES OF PREVIOUS MEETING:

A. Regular Meeting – June 19, 2001

Mr. Tesche moved, to approve the minutes of the regular meeting of June 19, 2001.
seconded by Ms. Von Gemmingen,
and it passed without objections,

B. Regular Meeting – September 11, 2001

Mr. Sullivan moved, to approve the minutes of the regular meeting of September 11, 2001.
seconded by Mr. Tesche,
and it passed without objections,

5. MAYOR'S REPORT:

Mayor Wuerch said they were adopting another step in technology based government, which was the auto dialer system to call businesses that have failed to file their property taxes and business personal property taxes to advise them that they would be receiving a delinquent tax bill in December. There are other possibilities for using the auto dialer system to help reduce the cost of pursuing delinquent taxpayers. The auto dialer will provide better customer service at a lower cost. Public safety has been, will be and is the highest priority for this administration. We are continuing to see a reduction in crime rates throughout the city and we are committed to pursuing that goal into the future. There are currently 469 filled positions in the Police Department with 49 funded vacant positions. The graduating academy class will fill some of the vacant positions on January 9, 2002. The next academy class will begin the first week in February. Approximately 25 people can be run through an academy at a time. There have been questions raised regarding funding levels. If we suffer a loss or departure of police officers, those positions are fully funded and the money is available to put someone through the academy. We are continuing to recruit, because we want to insure that the Anchorage Police Department is highly trained, highly skilled, highly motivated and truly reflective of the multi cultural community that they protect.

6. ASSEMBLY CHAIR'S REPORT:

Chairman Traini referenced a memorandum from the Mayor dated November 6, 2001, which contains the list of vetoes.

Mr. Van Etten moved, to override the mayoral veto of
seconded by Mr. Tesche, on the Abbott Loop Road at 72nd Avenue storm drain.

Mr. Van Etten said this was a project in a neighborhood where people were adversely affected by huge amounts of standing water in the springtime. The problem has existed for many years. This project has been on the Abbott Loop Community Council priority list and was specifically recommended by the Public Works Department for inclusion.

Mayor Wuerch noted that this project was in the Public Work's cue for funding in 2003 and currently under development. He acknowledged that there is a continuing need in that neighborhood. This is a development that had inadequate drainage put in by the developer. There is a process in place and this project is following that process. Many of the items on the veto message are issues that could be resolved if we talked about them. He felt that stepping in and pulling out projects was undermining the process. The acquisition of land at DeBarr and Muldoon has been high on the School District's site list and is ranked #1 for a school. The public address system at Mulcahy is in this year's operating budget and the contract was being let this week. We have already told the Assembly that the city had new skateboard park equipment

1 and we were looking for places to put it. We do not need a bond issue for that. He asked the Assembly not
2 to bypass the public process.

3
4 Mr. Tesche spoke in support of the motion. He felt this project was necessary for the people in the
5 neighborhood. He disagreed with the Mayor on the use of the term “process”.

6
7 Mr. Tremaine said this project came to him through the public process via a notice from the chairman of
8 the Abbott Loop Community Council. He felt the public process had been successful in this case and they
9 were doing what they were doing in response to that public process. He supported the veto override.

10
11 Office of Planning, Development and Public Works Director Craig Campbell pointed out that this was not
12 the only isolated project with these types of problems. In West Anchorage by Wisconsin and Aero, the
13 subdivision has a serious drainage problem. There was one in South Anchorage that had the same type of
14 drainage problems that was actually buckling the public road system. There were projects out in East
15 Anchorage that had drainage problems that were impacting the sides of the road system and undermining
16 the road sub-bases. These projects were all important and that was why we had the public process of
17 cueing down all the projects, setting priorities and bringing them back to the Assembly with
18 recommendations on which were the most important projects to accomplish this year. The project at
19 Abbott Loop Road and 72nd Avenue did not follow that process. Therefore, this project would probably
20 replace another project that had equal or greater need. We are not discounting the fact that this is a
21 valuable project. We are committed to fixing the problem and we have that programmed for 2003. He
22 asked the Assembly to work within the process to ensure that all the public projects were properly
23 integrated, prioritized and brought forward so the Assembly could act on them as a package.

24
25 Chairman Traini spoke in support of the motion. He has walked through the area many times. He spoke to
26 a woman last summer whose backyard was two feet under water.

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28 Question was called on the motion to override the mayoral veto of the Abbott Loop Road and 72nd Avenue
29 Storm Drain and it passed:

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

32 NAYS: Sullivan, Kendall, Clementson.

33
34 Ms. Taylor moved, to override the mayoral veto of
35 seconded by Mr. Tesche, the Scenic Park drainage improvements.

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37 Ms. Taylor said the residents of this area asked her to bring this issue forward. They have experienced
38 drainage problems for the past two decades. This part of the street literally becomes a lake during breakup.
39 Cars have stalled in the water. The neighborhood feels this puts the children in danger as they are walking
40 along the road. She felt their job as legislators was to listen to their constituents and respond to the process
41 when they had dire needs. She urged a yes vote on the override.

42
43 Mr. Tremaine said the Assembly passed an ordinance every year that was a five-year program. They
44 expected that to be what they saw the following year, but it was not. A year later the Assembly got the
45 program back and the order has been changed. Things have dropped, things have been added, things have
46 moved around in terms of when they are to be funded and the amount of the funding. The process is
47 violated by the administration. One would expect the process to include public comment during the public
48 comment period. Every project added here came forward in October, well before they were discussed
49 publicly. He was saddened by the administration’s spin, because it was not true. He supported the override
50 of the veto.

51
52 Mayor Wuerch pointed out that an ordinance was going to be introduced for public comment that would
53 mandate that the CIP be the successive years’ projects. If that were applied literally, the Assembly would
54 not be able to introduce projects at the last minute, like they were currently doing. By the sponsor’s own
55 admission, Scenic Park has had this problem for two decades. He questioned why the representatives from
56 that neighborhood had not brought this project forward in a deliberate and organized manner so it would
57 not be a last minute issue.

58
59 Ms. Taylor said the purpose of government was supposed to be benevolent. Government was not supposed
60 to punish people. We brought this forward in time for the administration to say that this was a valid
61 project. The community council in that area had been dormant for a number of years. That area pays the
62 highest mill rate in the city and it was unfortunate that the administration did not see fit to respond to the
63 needs of the citizens in East Anchorage.

64
65 Mayor Wuerch said the administration acknowledged this was a valid and legitimate project, but felt it
66 should be staffed more thoroughly and in an orderly manner.

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68 Question was called on the motion to override the mayoral veto of the Scenic Park drainage improvement
69 and it passed:

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

72 NAYS: Sullivan, Kendall, Clementson.

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75 7. **COMMITTEE REPORTS:** None.

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77 8. **ADDENDUM TO AGENDA:**

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Chairman Traini read the addendum items and the items were incorporated to the agenda.

9. CONSENT AGENDA:

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

Ms. Taylor referenced an article written by Mike Doogan entitled “Cheap Motel: A Transition for People Moving Off the Streets.” She thanked the Assembly for passing the resolution appropriating \$20,000 to this effort. This motel will provide a place for homeless people to go. This is a prime example of a small investment working with the private sector to provide homes for people in need.

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

1. Resolution No. AR 2001-326, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lejane Ferguson for her nearly 25 years of dedicated service** within the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Mr. Sullivan requested this item be considered on the Regular Agenda. See item 10.A.

B. RESOLUTIONS FOR ACTION - OTHER:

1. Resolution No. AR 2001-325, a resolution of the Anchorage Municipal Assembly **appointing Greg Moyer as Municipal Clerk**, Assembly Chair Traini.
2. Resolution No. AR 2001-327, a resolution of the Anchorage Municipal Assembly supporting **Challenge Alaska’s ‘State of Alaska Transit Program Grant Request FY 2002’**, Assemblymember Van Etten.
3. Resolution No. AR 2001-328, a resolution of the Anchorage Municipal Assembly **supporting Senate Bill 209**, authorizing the Alaska Railroad to lease land for 55 years, Assemblymember Tesche.
4. Resolution No. AR 2001-321, a resolution of the Municipality of Anchorage appropriating \$70,000 as a supplemental grant award to the State Categorical Grants Fund (231), Department of Health and Human Services, from the Alaska Department of Transportation and Public Facilities to fund an **Air Quality Public Awareness Campaign**, Health and Human Services.
 - a. Assembly Memorandum No. AM 897-2001.

C. BID AWARDS:

1. Assembly Memorandum No. AM 900-2001, recommendation of award to Arctic Office Products for **rental of thirteen copiers** to the Municipality of Anchorage, Anchorage Police Department (APD) (ITB 21-B049) (\$140,000), Purchasing.
2. Assembly Memorandum No. AM 901-2001, recommendation of award to GGL, Inc. for **People Mover Customer Service Center/Assessment Area tenant improvements** for the Municipality of Anchorage, Department of Facility & Fleeting Management (ITB 21-C058) (\$187,248), Purchasing.
3. Assembly Memorandum No. AM 902-2001, recommendation of award to Logicon FDC for furnishing **Hewlett Packard (HP) e3000 server with associated hardware, software and services** to the Municipality of Anchorage, Municipal Light and Power (ML&P) (ITB 21-B086) (\$343,854), Purchasing.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 904-2001, **Historic Preservation Board appointments** (Mark Ivey, Charles Ditters), Mayor’s Office.
2. Assembly Memorandum No. AM 905-2001, **Investment Advisory Commission appointment** (Tom Maloney), Mayor’s Office.
3. Assembly Memorandum No. AM 906-2001, **Public Facilities Advisory Commission appointment** (Bernard Washington), Mayor’s Office.
4. Assembly Memorandum No. AM 915-2001, **Chair 5 Restaurant** (License #3263) – Transfer of Ownership and Application for a Restaurant Designation Permit for a Beverage Dispensary Liquor License (Girdwood Community Council), Clerk’s Office.
5. Assembly Memorandum No. AM 907-2001, recommendation of award to various firms for providing “**As Needed Information Technology Agreement for Contracted Services**” (ANITA) for the Municipality of Anchorage, Information Technology (RFP 21-P040) (\$750,000), Purchasing.
 - a. Assembly Memorandum No. AM 907-2001(A), recommendation of award to various firms for providing “As Needed Information Technology Agreement for Contracted Services” (ANITA) for the Municipality of Anchorage, Information Technology (RFP 21-P040) (\$750,000), Purchasing. **(addendum)**
6. Assembly Memorandum No. AM 908-2001, change order No. 4 to vendor contract 83951 with Carlos Tree Service, Inc. for providing **tree and brush trimming services** to the Municipality of Anchorage, Municipal Light and Power (\$60,000), Purchasing.
7. Assembly Memorandum No. AM 909-2001, change order No. 1 to vendor contract 21WWU077 with Paramount Supply Company for furnishing

- 1 **miscellaneous Cla-Val parts and supplies** to the Municipality of Anchorage,
 2 Anchorage Water and Wastewater Utility (\$50,000), Purchasing.
 3 8. Assembly Memorandum No. AM 910-2001, recommendation of award to
 4 various firms **building project management services** for the Municipality of
 5 Anchorage, Project Management and Engineering (RFP 21-P035) (\$1,000,000),
 6 Purchasing.
 7 9. Assembly Memorandum No. AM 911-2001, change order No. 8 to purchase
 8 order 992432 with Alaska Pollution Control, Inc. for **annual road maintenance**
 9 **services to the Glen Alps Road Service Area** for the Municipality of
 10 Anchorage, Street Maintenance Department (\$145,000).
 11 10. Assembly Memorandum No. AM 916-2001, **2 Go Mart** (License #2145) –
 12 Transfer of Location for a Package Store Liquor License (Eagle River Valley
 13 Community Council), Clerk's Office.
 14

15 Ms. Fairclough requested this item be considered on the Regular Agenda. See item 10.D.
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- 17 11. Assembly Memorandum No. AM 918-2001, change order No. 1 to vendor
 18 contract 20MAY432 with Walsh Sheppard Flynn for the **creation and**
 19 **placement of advertising** for the Municipality of Anchorage, Mayor's Office
 20 (\$105,000), Purchasing. **(addendum)**
 21 12. Assembly Memorandum No. AM 919-2001, approval of the Arts Advisory
 22 Commission's recommendations for **Year 2002 Art Grants** - \$215,000 (African
 23 American Historical Society - \$2,500; Alaska Chamber Singers-\$4,000; Alaska
 24 Dance Theatre-\$25,000; Alaska Design Forum-\$2,500; Alaska Fine Arts
 25 Academy-\$0; Alaska Junior Theatre-\$9,000; Alaska Moving Arts-\$0; Alaska
 26 Native Heritage Center-\$2,500; Alaska String Camps-\$4,500; Alaska Theatre of
 27 Youth-\$5,500; Anchorage Civic Orchestra-\$2,000; Anchorage Classical Ballet
 28 Academy-\$2,500; Anchorage Community Theater-\$9,000; Anchorage Concert
 29 Association-\$26,000; Anchorage Concert Chorus-\$7,000; Anchorage Festival of
 30 Music-\$5,500; Anchorage Opera-\$27,000; Anchorage School of Music-\$3,500;
 31 Anchorage Symphony Orchestra-\$27,000; Anchorage Youth Symphony-\$5,000;
 32 Asian Alaskan Cultural Center-\$2,000; Eccentric Theatre Company-\$0;
 33 International Galley of Contemporary Art-\$4,000; Irish Music Festival-\$3,000;
 34 Kokopeli Theatre Company-\$3,500; Music Machine-\$4,500; Na Keiki O
 35 Hawai'i-\$1,500; Out North Theatre Company-\$23,000; Sitka Summer Music
 36 Festival-\$3,500; Three Baron's Fair-\$0), Cultural and Recreational Services.
 37 **(addendum)**
 38 13. Assembly Memorandum No. AM 920-2001, professional legal services contract
 39 with Gilmore & Doherty for representative in **litigation support of Toney v.**
 40 **MOA, 3AN-95-5067 CI** (\$60,000), Legal Department. **(addendum)**
 41

42 Mr. Tesche requested this item be considered on the Regular Agenda. See item 10.D.
 43

44 E. INFORMATION AND REPORTS:

- 45 1. Appeal 2001-065, Conditional use for a convenience establishment – **McRae**
 46 **Subdivision, Lot 6A**, has been set for hearing before the Board of Adjustment
 47 on December 11, 2001, Clerk's Office.
 48

49 F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 50 1. Ordinance No. AO 2001-182, an ordinance amending the zoning map and
 51 providing for the rezoning of approximately 9.54 acres from B-3 SL (General
 52 Business District with Special Limitations) to B-3 SL (General Business District
 53 with Special Limitations) for a portion of **Section 24, T13N, R3W, S.M., AK**,
 54 generally located south of DeBarr Road and on the east side of Muldoon Road,
 55 for the purpose of allowing tire repair, wheel alignment and brake service as
 56 permitted uses (Northeast Community Council) (Planning and Zoning Commission
 57 Case 2001-027), Planning Department. P.H. 12-18-01.
 58 a. Assembly Memorandum No. AM 899-2001.
 59 2. Ordinance No. AO 2001-183, an ordinance amending Anchorage Ordinance No.
 60 2000-132(S), As Amended, to authorize the **lease of additional space in the**
 61 **City Hall Building** and approve the negotiated terms, Legal Department.
 62 P.H. ~~12-11-01~~ 11-20-01.
 63 a. Assembly Memorandum No. AM 923-2001.
 64 3. Ordinance No. AO 2001-184, an ordinance of the Anchorage Municipal
 65 Assembly amending Anchorage Municipal Code Chapter 6.10 (Budget and
 66 Appropriations Generally) by enacting a new Section 6.10.045 relating to
 67 **approved capital budgets and capital programs**, Assemblymembers Tesche
 68 and Taylor. P.H. 12-11-01.
 69 a. Assembly Memorandum No. AM 917-2001.
 70 4. Resolution No. AR 2001-322, a resolution of the Municipality of Anchorage
 71 authorizing the acceptance of Federal Transit Administration Section 5307 grant
 72 and appropriating \$2,803,200 from the Federal Transit Administration to the
 73 Public Transportation Capital Improvement Fund (485) for the purchase of
 74 capital items and \$172,000 from the Federal Transit Administration along with
 75 \$43,000 for local matching funds from the Public Transportation Department's
 76 2001 Operating Budget as a contribution to the Federal Categorical Grants Fund
 77 (241) for the Americans with Disabilities Act (ADA) **paratransit assistance**,
 78 Public Transportation Department. P.H. 11-20-01.

- a. Assembly Memorandum No. AM 898-2001.
5. Resolution No. AR 2001-323, a resolution of the Municipality of Anchorage appropriating \$614,748 from the Federal Highway Administration (FHWA) to the Federal Categorical Grants Fund (241) for the Traffic Department, Transportation Planning Division, **Anchorage Metropolitan Area Transportation Study** (AMATS), Traffic Department. P.H. 12-11-01.
 - a. Assembly Memorandum No. AM 638-2001.
 6. Resolution No. AR 2001-324, a resolution of the Anchorage Assembly endorsing the **Downtown Framework Final Report**, Dated June 22-27, 2000, Planning Department. P.H. 12-18-01.
 - a. Assembly Memorandum No. AM 914-2001.
 7. Resolution No. AR 2001-329, a resolution confirming and levying assessments for the water special improvements within **Levy Upon Connection (LUC) Roll 01-W-1**, setting date of payment and providing for penalties and interest in the event of delinquency, Anchorage Water and Wastewater Utility. P.H. 12-11-01. (**addendum**)
 - a. Assembly Memorandum No. AM 912-2001.
 8. Resolution No. AR 2001-330, a resolution of the Municipality of Anchorage authorizing up to \$2,200,000 as a loan from the Areawide General Fund (101) General Cash Pool to the Anchorage Senior Center for the **Anchorage Senior Center Expansion Project**; approximately \$2,200,000 of loan proceeds to the Areawide Capital Improvement Fund (401), Project Management and Engineering Department, to construct the expansion project; and reappropriating \$348,500 from the 2001 General Government Operating Budget of the Department of Health and Human Services, Fund 101, as a contribution to the Areawide Capital Improvement Fund (401), Project Management and Engineering Department, to provide the first repayment of the expansion loan, Project Management & Engineering. P.H. 11-20-01. (**addendum**)
 - a. Assembly Memorandum No. AM 921-2001.
 9. Ordinance No. AO 2001-185, an ordinance approving submission by the Anchorage Water Utility a proposed tariff rate change to the Rate Schedule No. 1 – **Fees and Special Charges-Non Recurring for the Anchorage Water Utility** (AWU) to the Regulatory Commission of Alaska, Anchorage Water and Wastewater Utility. P.H. 12-11-01. (**addendum**)
 - a. Assembly Memorandum No. AM 922-2001.

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

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

NAYS: None.

Ordinance No. AO 2001-183, an ordinance amending Anchorage Ordinance No. 2000-132(S), As Amended, to authorize the **lease of additional space in the City Hall Building** and approve the negotiated terms, Legal Department. P.H. ~~12-11-01~~ 11-20-01.

a. Assembly Memorandum No. AM 923-2001.

Mr. Greene pointed out that the public hearing date for AO 2001-183 was scheduled for November 11, 2001, but the notice stated the public hearing would be November 20, 2001.

Ms. Fairclough moved, to reconsider item F.2, AO 2001-183.
seconded by Ms. Taylor,
and it passed without
objections,

Ms. Fairclough moved, to amend AO 2001-183 to change the
seconded by Mr. Sullivan, public hearing to November 20, 2001.
and it passed without
objections,

Chairman Traini ruled AO 2001-183 was introduced and set for public hearing on November 20, 2001.

Elvi Gray Jackson swore in Greg Moyer as the Municipal Clerk.

10. REGULAR AGENDA:

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

1. Resolution No. AR 2001-326, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lejane Ferguson for her nearly 25 years of dedicated service** within the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Mr. Sullivan moved, to approve AR 2001-326.
seconded by Mr. Kendall,
and it passed without
objections,

Mr. Sullivan read the resolution. He noted that Lejane Ferguson was not present and he hoped that they could read the resolution again when she was present.

Greg Moyer said he had the opportunity to work with the clerk staff. He realized that he had huge shoes to fill and he would try his best. He noted that they had a great clerk's staff.

Mayor Wuerch noted the following people had been appointed to commissions: Mark Ivey and Charles Ditters to the Historic Preservation Board; Tom Maloney to the Investment Advisory Commission; and Bernard Washington to the Public Facilities Advisory Commission. He thanked the citizens who stepped forward with the willingness to serve their fellow neighbors by volunteering their time and serving on these boards and commissions.

B. RESOLUTIONS FOR ACTION - OTHER: None.

C. BID AWARDS: None.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 916-2001, **2 Go Mart** (License #2145) – Transfer of Location for a Package Store Liquor License (Eagle River Valley Community Council), Clerk's Office.

Ms. Fairclough moved, to postpone AM 916-2001 until
seconded by Mr. Tremaine, November 20, 2001.

Ms. Fairclough said the community council would meet later this week. Mr. Coffey had asked her to postpone this issue so the community council would have an opportunity to take a position before the next meeting.

Question was called on the motion to postpone AM 916-2001 until November 20, 2001 and it passed without objections.

2. Assembly Memorandum No. AM 920-2001, professional legal services contract with Gilmore & Doherty for representative in **litigation support of Toney v. MOA, 3AN-95-5067 CI** (\$60,000), Legal Department. (**addendum**)

Mr. Tesche moved, to approve AM 920-2001.
seconded by Ms. Von Gemmingen,

In response to Mr. Tesche, Mr. Greene said \$60,000 had been authorized for Gilmore & Doherty in this case. The case was scheduled for trial next year. After careful review and long consideration, they concluded that special trial counsel was warranted in this case and they chose Gilmore & Doherty for that purpose. The law firm of Delaney Wiles had been working on the case since 1995. He did not know how much had been paid to Delaney Wiles for their work, but he would provide them with that information. The case was a claim by the plaintiff for a significant dollar amount regarding seized items during a drug arrest. The seized items were proceeds from drug sales. Given the nature of the case, he recommended going into executive session for any further information on the case.

Question was called on the motion to approve AM 920-2001 and it passed without objections.

E. INFORMATION AND REPORTS: None.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.

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

- A. 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 AND 10-30-01)

Chairman Traini gave the history of AO 2001-145(S-1) and noted a motion to adopt as amended was on the floor.

Ms. Clementson noted that the Assembly had passed a series of amendments on November 16, 2001 under the Police Department regarding increasing fees, which did not appear on the list.

In response to Ms. Von Gemmingen, Chairman Traini said the item must be taken up at the next meeting when a notice of reconsideration was filed.

Mr. Sullivan pointed out that the ordinance could be reintroduced as an amendment because it was still before the Assembly.

In response to Chairman Traini, Mr. Greene said the reconsideration died when it was not taken up at the next regular meeting. The ordinance was still before the Assembly and they could continue to deal with it.

Mr. Von Gemmingen moved, seconded by Mr. Sullivan,	to amend AO 2001-145 (S-1) to change code provision 9.30.030A.11, civil penalty of \$100 fine for parking in front of a sprinkler and standpipe connections; 9.30.030A.12, civil penalty of \$50 for parking in fire lanes; 23.45.105.8, Permit Required, F-2, Article 78, \$100 fee collected at time of permitting for fireworks; P-3, materials for pyrotechnics special effects, Article 78, \$100 fee collected at the time of permitting.
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In response to Ms. Von Gemmingen, Bridget Bushue said currently AFD did not charge when a pyrotechnic came in for permits. There had never been a set fee for obtaining permits for the theatrical and Broadway shows that came into town or pyrotechnics for fireworks. A sprinkler connection and a fire hydrant are not the same thing. The sprinkler connection is the gated "Y" on the side of the building, which is just as important as the fire hydrant. The sprinkler connection is where the pumpers are hooked up to assist the actual sprinkler system. The fine for parking in front of a fire hydrant was \$25 or \$30 dollars. When the Parking Authority was disbanded, the fire inspectors lost the capability to enforce those codes and no citations have been issued since that time. Fire inspectors do not have the authority to issue citations. Unless they were granted different powers, the Police Department would need to issue those citations.

In response to Ms. Von Gemmingen, Bridget Bushue agreed that parking in front of sprinkler systems, in fire lanes and in front of fire hydrants were all life safety issues and the fines should be commensurate with that. They could cite someone through the hearing officer, but that would be a long, drawn out process. They have not had the power to issue tickets since the Parking Authority was disbanded.

In response to Chairman Traini, Municipal Attorney Bill Greene said whether or not firemen could issue citations for parking in front of fire hydrants was affected by Article 22, an amendment to the charter that was adopted restricting the enforcement powers of the Parking Authority. He would need to review the issue to see if firemen, as opposed to sworn police officers, could issue citations. The sworn officers, as used in that particular charter amendment, were specified by State statute. The authority to authorize peace officers was lodged with the Mayor and not the Municipal Attorney. The Mayor could appoint firemen as peace officers. Whether or not the peace officers could issue citations was probably restricted by Article 22 of the charter. Mr. Greene needed to review Article 22 for conformation.

Chairman Traini asked Mr. Greene to look into the issue of Anchorage Fire Department personnel issuing citations for illegal parking in front of fire hydrants and fire lanes by November 20, 2001.

In response to Ms. Clementson, Bridget Bushue said the requirement for indoor fireworks was that they had to be a licensed pyrotechnician through the State of Alaska. They get permission from the State and then they come to the Municipality. There are specific types of fireworks that are used indoors. An onsite inspection is conducted beforehand. There is no fee attached to that unless it involves overtime, after hours time or they require fire standby. The inspection would be covered under the new inspection fees, as well as the assembly permit fees when they receive a permit for a particular event. Churches or schools have to get an assembly permit depending on the number of individuals that attend the assembly or if it is a change of use for the building. For example, the ATU garage is not normally an assembly, but the Miner's and Trapper's Ball is held in there so they would be required to obtain a permit.

In response to Ms. Clementson, Chief Fullenwider said the fine for parking in a handicapped parking space was either \$200 or \$250.

In response to Ms. Clementson, Bridget Bushue said the Fire Department issued many tickets for fire lane violations when they still had the Parking Authority. They receive a lot of complaints about people blocking fire lanes, especially from the School District. The tickets would produce revenue, but the objective would be to keep the fire lanes clear.

Ms. Von Gemmingen said Mr. Wheeler had informed her that fire hydrants were included in that particular section and the former fee was \$25. She felt the fine was not high enough, because they were talking about life safety issues.

Ms. Von Gemmingen accepted Ms. Clementson's friendly amendment to change the fine for parking in front of fire hydrants and in fire lanes to \$200.

1 Ms. Fairclough asked the administration to issue a notice to all the School District schools notifying their
2 principals that there was an increased awareness coming down the pike. She did not want to have hundreds
3 of parents ticketed, because they did not know it was coming.

4
5 Question was called on the motion to amend AO 2100-145(S-1) and it passed without objections.

6
7 Mr. Tesche referenced the yellow sheet in which Ms. Fairclough had previously offered a friendly
8 amendment.

9
10 Mr. Tesche moved, to rescind Ms. Fairclough's previously
11 seconded by Ms. Taylor, approved friendly amendment on item #2 on
12 the yellow sheet on November 23, 2001.
13

14 Mr. Tesche said he would like to repeal this amendment, because he felt the fees were excessive and would
15 unreasonably burden development.

16
17 Mr. Tremaine said the reinspection fee was \$100 with a one-hour minimum and the amendment changed
18 that to \$150. They changed unscheduled reinspections from \$150 to \$200. He questioned why that was
19 now inappropriate.

20
21 In response to Mr. Tremaine, Mr. Tesche said the hourly minimum exceeded most hourly minimums. He
22 felt the fees were excessive based on hourly rates. He has not seen justification for the rate increases.

23
24 Ms. Von Gemmingen said she understood that there were numerous contractors who abused the privilege
25 and were using the services of the inspectors to do their work for them. However she felt it was not the
26 rule, but the exception. She did not feel they should punish all the contractors for the sins of a few.

27
28 In response to Mr. Tremaine, Mr. Ev Mabry said the hour charged was for the time the inspectors spent
29 onsite and did not include travel time. If the inspectors had to go out on weekends, they charged a
30 minimum of one hour.

31
32 Mayor Wuerch said they were trying to cover the costs of the department. If there was only a single
33 inspection then the cost would be pretty high, because the city had to pay for more than just the time spent
34 on the job including the employee's travel time. Philosophically, they were trying to construct a fee system
35 that would pay 100 percent of the departmental cost.

36
37 Ms. Taylor said there were only a few people who were abusing the system and perhaps there was a better
38 method of dealing with those few of people rather than punishing everyone in the industry.

39
40 Ms. Fairclough pointed out that they had just doubled the fee for parents parking in zones in front of
41 schools. The Mayor stated that the whole point was to recoup the departmental costs. It was stated that the
42 original motion did not recoup the costs of the overtime that we were currently paying. We have hired two
43 additional inspectors. She met with the inspectors, their labor union representative and the homebuilders
44 and they did not feel the fee was punitive. She would be willing to amend the current language. If there
45 was something different on a punchlist then that would not be considered a reinspection. This language
46 was intended to be punitive against those who use the service as a punchlist and do not bother to do all the
47 work on the existing punchlist before calling for another inspection.

48
49 Ms. Clementson said she supported Ms. Fairclough in her argument regarding the inspection fees, but she
50 needed to set the record straight. They were not charging parents a fee for sitting and waiting to pick up
51 their child in a fire lane. They were fining people \$200 for parking and leaving their cars, because they
52 would not have the ability to move their cars from the fire lane if there was a fire and that created a life
53 safety hazard. Parents sitting in an idling car and waiting for their children was not the same as parking in
54 a fire lane.

55
56 In response to Mr. Kendall, Chairman Traini read the current amendment. The friendly amendment by Ms.
57 Clementson, page 35, amended the reinspection per hour, per inspector, one-hour minimum to a multi-tier
58 to read reinspection per hour, per inspector, one-hour minimum, \$150. A new line was added to read
59 reinspection per hour, per inspector, one-hour minimum, unscheduled, \$175. Another new line was added
60 to read reinspection per hour, per inspector, two-hour minimum, outside of normal business hours, \$200.

61
62 Question was called on the motion to rescind the previously approved friendly amendment and it failed.

63
64 AYES: Sullivan, Von Gemmingen, Taylor, Traini, Tesche.

65 NAYS: Van Etten, Fairclough, Kendall, Shamberg, Tremaine, Clementson.

66
67 Mr. Tremaine moved, to amend AO 2001-145 (S-1) to change
68 seconded by Ms. Clementson, page 47 of 59, item J, to change the fee for
69 maps, plats, data and CDs from \$100 to \$50
70 each.
71

72 In response to Mr. Van Etten, Mr. Tremaine agreed that \$50 was excessive, but he was cooperating with
73 the administration and would wait for the outrage to come forward. He noted that the Assembly could
74 change the fee at any time.

75
76 Question was called on the motion to amend AO 2001-145 (S-1) and it passed with one objection.

77

1 In response to Mr. Tremaine, Mr. Craig Campbell said items such as code books and publications would be
2 available at no cost online as they moved into e-government. They were currently trying to recoup for the
3 paper costs.

4
5 Chairman Traini advised Mr. Tremaine that he intended to reconsider AO 2001-145 (S-1) once it passed to
6 allow the administration a week to provide a clean copy with all of the changes.

7
8 Mr. Tremaine moved, to amend AO 2001-145 (S-1) to change
9 seconded by Ms. Clementson, page 51 by removing item #2 in its entirety,
10 and it passed without lines 4 and 5, and renumber item #3 as #2.
11 objections,
12

13 Mr. Tremaine referenced page 11 of 59 where it said “wearing a device that affects hearing” at AMC
14 9.36.210. He felt they were encouraging people to use cell phones with single earplugs. Single earplugs
15 affect hearing. He questioned if it was illegal to use single earplugs. If people held the cell phones in their
16 hands they would not be wearing anything, but it would be a danger to drive.

17
18 In response to Mr. Tremaine, Chairman Traini said they had discussed this before. It was his belief that
19 they were trying to stop people from wearing stereo headphones while they were driving their cars.

20
21 In response to Mr. Tremaine, Chief Monegan said they were trying to stop people from wearing stereo
22 headphones while driving, because it blocked their ability to hear horns or sirens. The cell phone issue was
23 still an open, public debate amongst many communities.

24
25 Mr. Tesche asked Chief Monegan to have someone in his department look up whether or not it was illegal
26 to wear single earplugs while driving. He would sponsor an amendment to change that.

27
28 Ms. Von Gemmingen felt the wording should be changed from “wearing a device that affects hearing” to
29 “wearing a device that impairs hearing.” A hearing aid affects hearing by enhancing it.

30
31 In response to Ms. Von Gemmingen, Mr. Greene said the word “affects” was in the title and had no
32 substantive meaning. The word “impairs” was used in the ordinance itself. Mr. Greene would request that
33 the title be changed.

34
35 Ms. Clementson moved, to amend AO 2001-145 (S-1) to change
36 seconded by Mr. Tremaine, the fee of the Anchorage 2020
37 and it passed without Comprehensive Plan from \$35 to cost.
38 objections,
39

40 Ms. Fairclough moved, to amend AO 2001-145 (S-1) to add a new
41 seconded by Mr. Kendall, section 9.30.030, copies for no charge. Item
42 A: Notwithstanding section 3.90.002 of
43 these regulations, Municipal agencies may
44 establish copy quantities below, which a
45 copying charge will not be made. The
46 decision not to charge may be based on type
47 of record and the administrative cost of
48 imposing a copying charge. Item B:
49 Indigent defendants entitled to appointed
50 counsel for violating Municipal criminal law
51 shall not be charged the cost of copies unless
52 convicted.
53

54 In response to Chairman Traini, Ms. Cheryl Frasca said one of the fee increases in the proposed ordinance
55 was to increase the cost of copies that the Criminal Division could charge. On the other hand, we have the
56 indigent defense contract under the Department of Health and Human Services and we would have to pay
57 those increased costs. They felt that did not make sense, so they were providing the option that the
58 increased costs did not have to be paid unless the person was convicted.

59
60 Mr. Tesche pointed out that once someone was convicted, they went to a place where they could not earn a
61 living. He questioned if the copying charges were realistic.

62
63 In response to Mr. Tesche, Mr. Greene felt this was as realistic as any other provision for fines and
64 penalties on criminal convictions. They do collect a great deal of those fines. They could ask for those as a
65 condition of the sentencing or as a condition of release.

66
67 Question was called on the motion to amend AO 2001-145 (S-1) and it passed without objections.

68
69 Ms. Fairclough moved, to amend AO 2001-145 (S-1) item #2,
70 seconded by Ms. Shamborg, Anchorage Municipal code section
71 24.90.050, Appeals. Any revocation,
72 suspension or denial of an encroachment
73 permit may be appealed to the Zoning Board
74 of Examiners and Appeals by filing a
75 written notice of appeal with the secretary of
76 that board stating the grounds for such
77 appeal. The appeal notice must be filed
78 within 10 days after the effective date of the

1 revocation, suspension or denial from which
2 the appeal is taken. The fee to appeal the
3 denial of an encroachment permit to the
4 Zoning Board of Examiners and Appeals
5 shall be as provided in AMCR 21.20.002.
6

7 In response to Chairman Traini, Mr. Mabry said the new fee would be \$525, which would be the same as
8 any other appeal before the Zoning Board of Examiners and Appeals. The current fee was \$350.
9

10 In response to Ms. Clementson, Mr. Mabry said this would affect someone who wanted to build a fence or
11 something else in the right-of-way and the request was denied for an encroachment. Then they would have
12 the right to appeal that denial to the Zoning Board of Examiners and Appeals.
13

14 Question was called on the motion to amend AO 2001-145 (S-1) and it passed without objections.
15

16 Mr. Tremaine moved, to amend AO 2001-145 (S-1), page 38,
17 seconded by Mr. Sullivan, Table 3-G, Item 2, Alternations and Repairs
18 and it passed without to add a fee for alterations and repairs to
19 objections, elevators to \$150 plus \$25 per \$1,000
20 valuation.
21

22 Mr. Sullivan moved, to amend AO 2001-145 (S-1) to make
23 seconded by Ms. Von Gemmingen, the amendment effective immediately
24 and it passed without provided, however, imposition of the new
25 objections, fees and fines shall not commence prior to
26 January 1, 2002 and prior fee amounts shall
27 remain in place until then.
28

29 In response to Chairman Traini, Ms. Jewel Jones said the ordinance would not place a fee of \$50 on
30 children who sell cookies or things like that. The point of the temporary permits was intended for the
31 larger events like the "Taste". It was not intended to affect the Girl Scout cookie sales or those types of
32 things. If it were a public health issue, they would be called to look at it and would waive fees if necessary.
33 If they found something that was a danger to the public health, they would take action to disallow that.
34

35 In response to Ms. Von Gemmingen, Chairman Traini said they would pass the main body and then deal
36 with the bifurcated sections 15 and 16 separately.
37

38 Question was called on the motion to approve AO 2001-145 (S-1) as amended and it passed:
39

40 AYES: Fairclough, Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.
41 NAYS: Kendall, Clementson.
42

43 Mr. Kendall moved, to set a date for public hearing on
44 seconded by Ms. Clementson, the bifurcated sections 15 and 16
45 for December 11, 2001.
46

47 In response to Ms. Clementson, Mayor Wuerch said they had not come up with an alternative for the fire
48 suppression fee that would provide the revenue stream to make the payment. The public hearing would
49 give them a sense of how the community felt they should deal with the cost of fire suppression services.
50 He would be satisfied with a one-year fee. There was probably very little that would be done in Anchorage
51 in the next few years that would be as important as the Hillside fire initiative. They had an extraordinary
52 response from the residents last spring and they anticipated even more next spring. They have been
53 successful in acquiring federal funds, but they would fall short. The Fire Department was doing everything
54 they could. This would have provided about \$1,500,000 to augment and supplant that effort. The
55 administration was open to alternative suggestions, but they did not have one to offer at this time.
56

57 Ms. Clementson said that currently the Fire Department was required to pay \$1,500,000 a year for fire
58 suppression. We are being asked to take that \$1,500,000 that is currently being paid to AWWU for over
59 sizing of water lines to be able to provide fire flow and have only customers of AWWU pay that fee. If you
60 are an AWWU customer, you will be paying that fee for the entire city. The fire service area has 96,000
61 properties with 46,000 AWWU customers. The result of the action would be about \$3.00 a month added to
62 an AWWU customer's water bill.
63

64 Ms. Von Gemmingen said she would be voting against the public hearing. We have come to a decision on
65 the administrative fees for the ambulance services. She agreed with Ms. Clementson that 46,000 citizens
66 should not be paying the bill for 96,000 citizens. She did not feel holding a public hearing on this issue
67 would solve any problems.
68

69 Question was called on the motion to schedule a public hearing for December 11, 2001 and it passed with
70 two objections.
71

72 B. Ordinance No. AO 2001-169, an ordinance submitting to the qualified voters of the
73 Municipality at the next regular election a ballot proposition to amend Charter
74 Section 4.02 to **provide for three year terms for assembly members** for both multi-
75 member and single member assembly election districts, Assemblymembers Sullivan,
76 Clementson, and Kendall.
77 (AMENDED 10-23-01; CARRIED OVER FROM 10-23-01 AND 10-30-01)
78

Chairman Traini gave the history of AO 2001-169 and noted a motion to adopt was on the floor.

Mr. Tesche spoke in opposition of placing this on the ballot. On the surface it appeared to be simple, good government and a change from the system that they currently had. We have an unusual provision in our charter that effectively prevents the Assembly from making a decision to go to single member districts by making us accept the poison pill of 2-year terms for elected offices. All the Assemblymembers agreed that 2-year terms would be very difficult and would impose an additional burden not only on the Assemblymembers, but on their constituents as well. He was convinced that the framers of the Charter had good sense when they placed this provision in the Charter because it insured that every year there would be several seats up for reelection to the Assembly or the Mayor's office. For 25 years the Assembly and the Municipal government have enjoyed a non-partisan flavor. He felt this posed a clear danger to their deliberations and how they ran for office. He opposed placing this on the ballot and deferred to the wisdom of those who wrote the Charter.

Mr. Kendall said AM 2001-169 allowed Assemblymembers to serve three-year terms as they presently serve. Many of the Assemblymembers voiced objections to single member district, because they did not want to serve a two-year term. The Charter requires a two-year term with all single member districts. He did not know where partisan politics came into the discussion. We are simply discussing two-year terms versus three-year terms and single member districts. He felt this was appropriate and they should vote yes on AO 2001-169.

Ms. Clementson said she was unsure how asking the voters if they wanted three-year terms for single member districts represented partisan politics.

Ms. Sullivan said in the event that the voters decided they wanted single member districts, this would ensure three-year terms like they currently served. He did not see how that entered into partisan politics. He shared Mr. Tremaine's desire to maintain the Assembly as a non-partisan body, but he did not feel that AO 2001-169 would affect that. It puts out a hypothetical that if the Assembly ever changed their format, the terms would remain three-year terms. He felt this was worth supporting.

Mr. Tremaine felt four-year terms were better than three-year terms. He would not be voting in favor of AO 2001-169. He felt they needed to discuss four-year terms, but that discussion could not be held with the current title, because the title said three-year terms. He felt people would appreciate four-year terms. The Assemblymembers could learn their districts and serve them better with four-year terms.

Chairman Traini suspended discussion on AM 2001-169 and said they would revisit it later in the meeting.

12. APPEARANCE REQUESTS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN 7:00 P.M.):

A. Timothy Schrage, regarding one-year review of the conditional use permit for C&D Liquor #4 located at 2210 East Northern Lights Blvd.

TIM SCHRAGE provided a handout. A year ago he came before the Assembly to transfer a liquor license to their Northern Lights and Lake Otis location. At that time he voluntarily agreed to four specific conditions on the liquor license when it was transferred, which were listed on the provided handout. The conditions included removing a pay phone, an Assembly review in one year, oversized age restriction signs, a sign identifying the establishment which shall be no larger than the sign displayed by the previous operator, and no brand advertising visible from Wendler Junior High. There was no sign on the Wendler Junior High side of the building, because they choose not to do that. They place oversized age restriction signs as a matter of policy in all of their stores. The pay phone was removed before the store was opened.

In response to Ms. Fairclough, Mr. Schrage said they have not had children from Wendler Junior High trying to enter the store. There were no businesses that catered to children in that area. The previous operation was a Tesoro To Go, which catered to both underaged individuals and liquor purchases. He felt the parking situation was adequate, because their operation was primarily an afternoon and evening business.

In response to Mr. Van Etten, Mr. Schrage said their business was primarily after "drive time". He felt they had one of the finest establishments in town and they were catering to a high class of clientele. Their stores are monitored 24 hours a day with color digital cameras.

Mr. Tremaine noted that liquor stores generally carried a lot of emotional weight. This store seemed to be doing a good job as evidenced by the lack of controversy. Mr. Tremaine thanked Mr. Schrage for his efforts in running a good establishment.

Mr. Tesche said he had heard nothing negative about this store since it had opened. He felt that was an indication of good management. Mr. Schrage and his store has been a good neighbor in Mt. View. Mr. Schrage and his store were always represented at the Mt. View Community Council meetings and they participated and supported the patrols and activities of the Community Council.

In response to Mr. Sullivan, Mr. Schrage said they were looking to expand, but there were many businesses competing for the same percentage of available land in B-3 districts. He had nothing to bring forward to the Assembly at this time except for the comment that operations should be rated based on the operator and not necessarily the location.

In response to Ms. Von Gemmingen, Mr. Schrage said they adhered to the sign that read "please be prepared to show positive identification for yourself or anyone in your vehicle or party". The signs may

seem harsh, but they wanted to ensure that there was no misunderstanding that people had to be 21 to enter the premises. The yellow sign was their answer to the Anchorage ordinance that allowed them to civilly pursue people under 21 who tried to purchase alcohol. They placed the red signs on all of their doors for their patrons and themselves so that in case they missed the yellow sign, they would see the red sign.

Chairman Traini thanked Mr. Schrage for running a good operation.

13. CONTINUED PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN 7:00 P.M.):

Chairman Traini ruled they would combine items 13.A, 13.B and 13.C together, because they all relate to Northwood.

- A. Ordinance No. AO 2001-138, an ordinance of the Municipality of Anchorage authorizing the **purchase of Crossroads Business Park, Tracts 5A and 5B**, Anchorage, Assemblymembers Sullivan and Von Gemmingen.
(CARRIED OVER FROM 7-24-01; CONTINUED FROM 8-14-01 AND 8-28-01;
CARRIED OVER FROM 9-11-01; CONTINUED FROM 9-25-01)
- B. Ordinance No. AO 2001-168, an ordinance authorizing the **acquisition and exchange, leaseback or other disposal of municipal land on or near the southeast corner of Northwood and International Airport Roads** and the Bering Street Vehicle Maintenance Facility northeast of the Tudor Road and Arctic Boulevard intersection, Heritage Land Bank.
 - 1. Assembly Memorandum No. AM 816-2001.
 - 2. Assembly Memorandum No. AM 913-2001, AO 2001-168: an ordinance of the Municipality authorizing the acquisition and exchange, leaseback or other disposal of municipal land on or near the southeast corner of Northwood and International Airport Roads and the Bering Street Vehicle Maintenance Facility northeast of the Tudor Road and Arctic Boulevard intersection, Heritage Land Bank. **(addendum)**
(CONTINUED FROM 10-23-01)
- C. 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.
 - 2. Ordinance No. AO 2001-172(S), 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), Assemblymember Sullivan. **(LAID ON THE TABLE)**
(CONTINUED FROM 10-30-01)

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

TOM McGRATH said he was representing the Spenard Community Council as its chairman as well as the Anchorage Chamber of Commerce as a board member. Both groups have spent considerable time on this issue and have voted to encourage the Assembly's support. He provided copies of the approved resolutions from both groups. He encouraged the Assembly to support the ordinances. He thanked Mr. Van Etten, Mr. Tesche, Mr. Sullivan, Ms. Von Gemmingen and Mr. Traini for the work they have done on this issue. Mayor Wuerch, Mr. Cannelos, Mr. Campbell and many others have assisted in this property exchange. He thanked the many community members who had worked tirelessly to complete the property exchange, especially Barbara Norris, Dana Stabinow, Bob and Margaret Auth, the Olsons, the Bogans and many others. He thanked the many businesses and business people who had worked through this process for the betterment of Anchorage. Since April they have had a very public process that has culminated in a win-win solution for the community. It was a process that he was proud to be a part of, because it showed that if everyone worked together, they could accomplish great things for Anchorage.

In response to Mr. Tremaine, Mr. McGrath agreed that the package of rezones and land transfers was very complicated. They were working with Public Works and their top priority for transportation improvement in the area was traffic on Aspen and 45th, 46th, 47th and 48th Streets between Northwood and Tudor, which created a lot of traffic in the area. The transportation bond for next spring would address Harding, which was the street between Spenard Builders Supply that was platted to culminate at Van Buren in 1979, which was never built, but would be next spring. That will take all of the truck traffic off of the residential streets and allow them to get to their terminals from Harding Road as well as decreasing the amount of net traffic. The net result would be positive for the community. Northwood Drive was scheduled to be rebuilt in 2004, which would greatly enhance its capabilities. There would be increased traffic, but the net result of all the actions would be a decrease in traffic. It would take several years to do that, but the housing units probably would not be built for several years either. We would eventually have a decrease, especially in the truck traffic, which was the real danger to the community. There would be an increase in traffic with the parking lot as there would be with the housing. The people going to the school and the houses live in the neighborhood and have a vested interest in the community. The people who would be going to the parking

1 lot would not have a vested interest in the community. That was two different kinds of people and two
2 different kinds of uses. He believed a residential community was preferable to an industrial community.
3

4 In response to Mr. Sullivan, Mr. McGrath said the parking lot would have been a 24-hour facility and
5 would not be used by people who had a vested interest in the community. People who had homes or school
6 children in the area would be more likely to obey the speed laws. The parking lot would have people
7 traveling in the area at all times of the day and night. The neighborhood was concerned about light
8 pollution, because the parking lot would require intense lighting 24-hour a day. The lighting provided for
9 housing would not cause as much damage. They had several community council meetings in which an
10 excess of 100 people attended the meeting when the resolution was passed. They have been attracting
11 record crowds at the meetings, because there has been a lot of interest in this issue. He heard from only one
12 woman who lived in Plaza 36 that was opposed to the rezoning. He contacted a number of the people who
13 lived in Plaza 36 to see if they needed to hold a special meeting, but that was the only negative comment
14 that he heard.
15

16 In response to Ms. Clementson, Mr. McGrath said he was also representing the Chamber of Commerce. It
17 was his understanding that the Municipality of Anchorage would realize some collateral savings by not
18 having to truck sand to another site before use, because the land was near the railroad.
19

20 Ms. Clementson pointed out that this information was verbal, but she has not seen any backup. She
21 cautioned that if the Chamber of Commerce wanted to maintain its credibility it should not put hearsay in
22 its resolutions. They should have a document to reference when addressing the issue.
23
24

25 BARBARA NORRIS said she unofficially represented the neighbors of the Northwood area. They were
26 happy with the solution to the parking lot problem. They appreciated the efforts of the Assemblymembers,
27 the Planning Department, and the business community in assisting this solution. The Northwood neighbors
28 supported the solution 100 percent. They felt it would be much better for their neighborhood to have a
29 Montessori school, the potential for expansion of their neighborhood public school and potentially a
30 housing development rather than a parking lot for airport parking. They did not believe that the proposed
31 developments would create a greater traffic hazard than the one presented by the potential parking lot.
32 People driving to the parking lot from the airport would likely drive down Aspen, cutting straight through
33 the heart of the residential area. The new parking lot location provides better public access to the lot and
34 then from the lot to the airport. The traffic flow would be improved. She did not see how anyone could not
35 see the benefit of moving the parking lot out of a residential zone and putting it in an industrial zone next to
36 International Airport Road. This proposal puts residential development in a residential area, industrial
37 development in an industrial area and business development in a business area. The proposal has the
38 support of the neighborhood, the community council, business people and the Diamond Parking people.
39 When we started this battle, we never thought we would be on the same side as Diamond Parking in
40 endorsing a solution. With the efforts of many people, that is exactly what has happened. She urged the
41 Assembly to support the proposal.
42

43 In response to Mr. Tesche, Ms. Norris said the neighbors understood that the land to the east would be
44 rezoned R-4 and developed. It did not seem to be economically feasible to put single family housing in that
45 area. They would like to see a well-planned multi-family development placed there. They felt a parking
46 lot would be ugly, would create light pollution and would create untenable traffic patterns. They felt an
47 industrial site would bring down the quality of the neighborhood and increase crime and dust. The
48 neighbors were willing to participate with the developer for that particular area.
49

50 In response to Mr. Tremaine, Ms. Norris said the people who have expertise in traffic have said that the
51 Montessori School and the additional housing would cause more traffic than a parking lot. The people in
52 the neighborhood have their own personal sense of the type of traffic that the parking lot would create.
53 They felt that the people using the parking lot would tend to be in a hurry, likely to speed and they would
54 be coming and going at all times of the day or night. They felt the parking lot would not enhance the
55 quality of their neighborhood. Currently the shuttle that goes from the airport to the Microtel has often
56 driven down Aspen. You have to make a rapid and not well-marked turn to get onto the frontage road to
57 get from the airport to the original Diamond Parking lot location, which would mean that everyone that
58 missed that turn would come down Aspen and through the middle of the neighborhood. The new parking
59 lot location provides for better access to and from the airport, because it has access through a four-way
60 intersection and does not have the one direction tie-up that this location has. Mandating the direction that
61 the shuttles travel was promised with the hotels, but that did not occur. The people from both Northwood
62 and Diamond Parking agree that their access would be better at the new location.
63

64 In response to Mr. Van Etten, Ms. Norris said the neighbors would be willing to work with the developer
65 on a master plan. They have already met with the developer in developing this plan. The developer does
66 not want to run into the community opposition that the Diamond Parking developer ran into. The
67 neighborhood wants to work with the developer to ensure a positive, crime free and environmentally good
68 neighborhood.
69

70 Mr. Van Etten read a portion of section two of the proposed rezoning ordinance. The petitioner shall
71 submit the multi-family housing development for a non-public hearing site plan review before the Planning
72 and Zoning Commission prior to the issuance of a building permit. He pointed out that while the neighbors
73 may be able to work with the current developer, the land could be sold to a different developer and he was
74 concerned that non-public hearing site plan review did not necessarily allow neighborhood participation.
75

76 In response to Mr. Van Etten, Ms. Norris said the Assembly could offer an amendment to require a public
77 hearing process. It was their understanding that the current developer's plans would be carried out in the

1 near future. She felt the intent was to have the neighborhood work with the developer in terms of planning
2 and that work should be done before the public hearing.

3
4 Mr. Sullivan thanked Ms. Norris for all of her hard work on this issue.

5
6 ED MINOR said he was a teacher at Anchorage Montessori School. He gave some background on the
7 school. They were a non-profit corporation formed in 1977. They were originally a small one-classroom
8 preschool at LaTouche and Northern Lights. They have grown steadily. Eight years ago they purchased
9 the building they were currently in and they have outgrown that building. Through the effort of the parents,
10 they started looking for a new location to build. They found that locations for building were fairly limited
11 in Anchorage. They felt this would be a good parcel of land to build on. Some of the assets were the
12 proximity of the Spenard Recreation Center and the Municipal ball fields, which they would use. They
13 believe that if the rezoning was approved and they were able to build on this site, they would create a
14 community asset. He believes in education, both public and private. He believes that a diversity of
15 educational opportunities was a community asset. In their current neighborhood they have worked with the
16 community council imposing voluntary traffic routes for their parents. They do not have 100 percent
17 compliance with those suggested routes, but they have very good compliance. They would work with both
18 the community council and the developer in building their school at the proposed location. They would
19 welcome a public process.

20
21 MIKE NEELY (Diamond Parking) said when they started this process they found a piece of land that was
22 about 12 acres. Eight of those acres were zoned industrial, which allowed parking by right. Four acres of
23 the parcel were zoned RO special limitations, which allows offsite parking as a conditional use. When they
24 started to develop, they found out that the conditional use was probably going to be very difficult to obtain.
25 Because of that and the neighborhood concern over the process, they started discussing possible solutions.
26 Assemblyman Sullivan came forward with the possibility of doing a land swap or land trade, but it did not
27 seem to be going anywhere. Through a third party intervening, in addition to the Municipality and
28 Diamond Parking, a solution was brought forward. He believed it was the kind of solution that solved each
29 and every issue that needed to be addressed. He felt the solution was good for the community, Diamond
30 Parking, the neighborhood and JL Properties and it should be approved.

31
32 In response to Mr. Sullivan, Mr. Neely said there were several issues that made the new site a little bit
33 better for them. One was the size of the parcel. The new parcel was a little over 15 acres. Their current
34 property had eight acres that was zoned industrial, but all 15 acres of the new site were zoned industrial.
35 They would be almost doubling the size, which made it more attractive. The visibility of the new property
36 was significantly better than the old property. The backside of the existing property faces the exit ramp
37 from Minnesota to International Airport Road and the signage would have to be directional signage.
38 People will see the property as they come off the exit ramp from International Airport Road or Minnesota.
39 The accessibility and visibility of the new property are much better. The entire parcel is zoned industrial
40 and there is no residential property in that area.

41
42 In response to Mr. Tremaine, Mr. Neely said he would be at the next meeting when the Assembly had their
43 debate. This was long-term parking. They would consider rental car parking if that worked out
44 economically. Usually rental cars were not parked for long periods of time. They anticipated having a
45 shuttle service to and from the airport. They operate similar parking lots in Salt Lake City and Spokane.

46
47 TIM POTTER said he was with Dowl Engineers and JL Properties. He provided Ms. Clementson with
48 photocopies, an affidavit and a map showing where the notices were posted for the Centerpoint Property at
49 Plaza 36 as well as the FAA height limitation for the Northwood site. The approximate base level of the
50 site was about 80 feet above sea level and the FAA limits were about 180 feet. Technically, you could
51 build a 100-foot tall building, which probably would not happen. There was an issue about the reserve
52 portions of the ordinance getting out of the new S version. It was his understanding that the municipal
53 attorney had done that. The municipal attorney did not think it was appropriate for that to be in the
54 ordinance, but rather in the AIM as a supportive document expressing what the intent of the approval was
55 in the ordinance. He pointed out that they were discussing a parking lot in the Northwood area. That may
56 be a great place to focus and be a comparison point for trip generation, but there was no guarantee that it
57 would be a parking lot. It would still be zoned industrial and RO with special limitations. He said he could
58 provide some real scary ideas on what could go there as a permitted use. Traffic seems to be a singular
59 issue that has been focused on. After meeting with the community, he felt there was an aesthetics issue and
60 a character of the neighborhood issue. They believe that residential fits into the character of their
61 neighborhood and they did not want to be known as an industrial park neighborhood. He asked the
62 Assemblymembers not to forget that just to the south of the single family neighborhood, on the north side
63 of International Airport Road, there was some extremely dense multi-family residential housing units, both
64 apartments and condominiums, which would be in character with the neighborhood. We need to think
65 about how we have spent public money developing a Northwood Elementary School. We have sunk a lot
66 of public money into a very good Spenard Recreation Center. It makes no sense to build an industrial
67 parking lot that does not take advantage of any of the public money spent to develop that public
68 infrastructure. Mr. Van Etten brought up the issue of non-public hearing site plan review versus public
69 hearing site plan review. They had no problem being open with the community and have held many
70 meetings with them. They would have no objection to modifying the language to include a public hearing
71 site plan review.

72
73 JOHN RABINI said he was from JL Properties. JL Properties has worked with United Way and Catholic
74 Social Services to provide \$5,000 per impacted resident of Plaza 36 for relocation assistance. They have
75 not made any provisions for the impact on that portion of Plaza 36 affected by this rezone. This rezone
76 would not have any impact on the residents of Plaza 36.

In response to Ms. Clementson, Mr. Rabini said in all likelihood the second phase of development on the Centerpoint land would be the area along the C Street corridor. The infrastructure at the Plaza 36th Mobile Home Park is beyond its last legs. His comment that there was not immediate impact on the existing residents spoke to the practical reality, which was that in all likelihood the water and sewer infrastructure would fail substantially before there would be business development. If the trailer court were to not have a viable infrastructure before there was business development then it would be an unfair burden to impose on JL Properties as a impediment to development to have a location assistance obligation. If that was not the case and they had a viable business development that caused them to accelerate the relocation of residents, which he felt was highly unlikely, they have always taken the lead in doing what they felt was fair. They have done substantially more than required by law. He felt they had set the bar as being as responsive and fair in dealing with people in that unfortunate situation and they would do the same thing again. The building that is currently being built has been master leased by the Arctic Slope Region Corporation. They have elected to occupy eight of the ten floors of the property and to sub-lease two of the floors, which would have that space available to them for expansion as they develop.

ROBERT AUTH said he was the vice chair of the Spenard Community Council. He has been a resident of the Northwood area for the past 15 years. He described some of the problems that the community had been facing earlier this spring. They have a severely undersized elementary school of just over four acres, while the standard size is 15 acres. About three years ago the community council tried to do a land swap that would have increased the size of the Northwood Elementary School. They were aware that the property was zoned industrial. It was their nightmare scenario that there would be industrial development that would go right up to the elementary school. It was a security issue to have a large number of transients coming right through the neighborhood and right next to an elementary school. Their neighborhood was close to the airport. They did not want an airport related industrial activity, which would encourage traffic coming from the airport through the neighborhood and into the parking lot. This would have the affect of having the airport in front of them as well as behind them. Neighborhoods that are cut off like that have problems. The issue was not just the amount of the traffic, but the type of traffic that they were concerned about. The community wanted a development that was in character with the rest of the neighborhood.

In response to Mr. Sullivan, Mr. Auth felt the current plan was acceptable. He would rather see a community park be put on the property. He felt the proposed development was one that the neighborhood could live and grow with.

Mr. Sullivan thanked Mr. Auth for all his hard work on this issue. They have provided an example of how a neighborhood is supposed to get involved when concerned about issues.

In response to Mr. Tremaine, Mr. Auth said he believed that the Spenard Community Council still had an amendment to use this land as a community park as an alternative. He thought there might be an Assembly ordinance to purchase the property.

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

Chairman Traini said they would take this issue up later in the meeting if they had time.

Ms. Von Gemmingen moved,	to change the order of the day
seconded by Ms. Taylor,	to take up issues 14.B, AO 2001-275,
and it passed without	and 14.C, AO 2001-163 and combine
objections,	them.

SECOND 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.

SECOND 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.

D. Ordinance No. AO 2001-173, an ordinance approving the rezoning of 15.06 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 40th Avenue and south of West 36th Street (Spenard Community Council) (Planning and Zoning Commission Case 2001-165), Planning Department.

1. Assembly Memorandum No. AM 846-2001.

(CONTINUED FROM 10-30-01)

14. NEW PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND END NO LATER THAN 10:30 P.M.):

A. **SECOND 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.

MARGIE LINDNER said she was a Hillside resident. She was here to support the People Mover. She brought two people with her that was very important to the ridership of the People Mover, her granddaughter, Cindy Lindner, and her friend, Amy Shoemaker.

AMY SHOEMAKER AND CINDY LINDER spoke together. Amy Shoemaker said she was an 8th grade student at Hanshaw Middle School. She lives off of Abbott Loop Road. Cindy Linder said she was a 7th grader at Steller Secondary School. She lives in downtown Anchorage. They asked the Assembly not to make a fuss, keep the bus on Hillside. They can take the bus after school to meet at the Dimond Center to do fun things and go shopping together. It was safer for them to use the bus than to ride with their siblings who had just gotten their licenses. All of their friends take the bus while their parents are at work. Many car-less people use the bus whether they are the elderly or underaged.

In response to Mr. Tremaine, Amy Shoemaker and Cindy Linder said there were a lot of people on the buses that they rode.

Mr. Tremaine said the fact that young people could go to the mall, ride home on the bus and feel safe about it was a strong and good statement about the community and the bus service.

In response to Ms. Shamberg, Amy Shoemaker said she rode the bus about once every two weeks. Cindy Linder said she rode the bus once a week, because she used the bus to get home. Sometimes they had to transfer depending on where they are going.

SELINA MOTOYER said she had been riding the People Mover since 1982. Her children used to ride the bus to and from Steller Secondary School and hockey practices and games. She works at FedEx. She was able to start working there about three years ago, because there finally was a bus that went to that area. Then they deleted the bus route and during the wintertime she has to get rides. She finally got her old truck running and she was able to use it to get to work. The next summer they added another bus that went to FedEx, but it only went to the terminals. She had changed jobs and she had to catch the bus to the terminal and walk over to FedEx, which took about a half an hour. During the winter she took a bus over to Carrs on Aurora and then tried to catch a ride with someone over to FedEx. If that did not work, she had to take a cab and pay \$10. Then she transferred over to FedEx on Jewell Lake and International. To get to her job she had took the #8 bus to downtown and then took a cab every Saturday and she paid \$11 to \$14. During the week she took the #7 bus to downtown and then transferred to another bus. There were four men who used to walk from Arrow and Northern Lights out to FedEx all winter long. She has used the bus to get to the hospital, to school, to community council meetings and various other things. She felt that if they wanted the ridership to increase, the routes needed to stay consistent and the waiting times for the buses needed to be decreased.

In response to Mr. Van Etten, Ms. Motoyer said when there was bus service close to the FedEx building, few people rode that bus. People were leery about riding the bus because there are long periods of time between transfers and the bus route changes.

Ms. Von Gemmingen asked the people in the audience that supported more bus service or maintaining the current bus service to stand up.

WILMA VAN DER VEEN said she was a professor of sociology at UAA. She takes the bus four times a week, Monday through Thursday, to get to work and back home. She's from Canada and she is used to the harsh winters and using public transportation. She was also used to having better maintenance of roads and sidewalks in the wintertime and a better public transportation system. The Canadians pay taxes for that and those taxes are put to good use. She would not have accepted a job at UAA if she had known that one of the job expenses would be having a four-wheel drive vehicle or a car with snow tires or studs. She chooses to ride the bus for sociological reasons. When she makes the choices in her life, she considers the common good of society and not just her own interests. Sociologically, there was sufficient research in all of the points that she was going to mention in terms of using public transportation. Public transportation is a social class issue in this nation. People who use public transportation tend to be lower class citizens and mainly people of color. There should be a clear indication of the institutional discrimination that these groups of people suffer which inhibits their educational and employment opportunities. There are issues pertaining to access of work. Most of the increase in the economy pertained to the service industry, which was often shift work on a 24 hour a day basis, 7 days a week, and poorly paid. Obviously these people cannot afford to have cars. Access to school was an issue. A majority of UAA's students are non-traditional students. They have families and they need to work. They need classes that are in the morning, in the evening and on weekends and public transportation needs to cover that. We are talking about families, single parents with children as well as two parents working with children. They need to drop off their children at day care, get to work, go pick up their children and get home. We have road rage. There is an increased anti-social behavior leading to more violence and crime with more people having to be on the roads. Environmental destruction was an issue. We have more pavement, more development, more pollution and the increasing consumption of non-renewable resources. Health issues include environmental pollution, injuries and drunk driving. It is far more expensive to own a car than to use the public transportation system. Police are being used for accidents when they should be fighting crime. We have people with disabilities and elderly people who have mobility, isolation and injury issues. She rides the bus because it is affordable and she had a free public pass. She felt it was ridiculous that faculty should have free public passes, because they could afford to pay for the bus service. She felt the buses were very comfortable, clean and on schedule. The bus had a very friendly staff, but that could be because she was white and a woman. She felt safe on the bus. It was far less stressful and less anti-social. She could do her work on the bus. She considers herself an environmentalist and she chooses for the environment. She

1 did not feel this was an issue of expanding bus service. You are either making the choice for pavement and
2 development for car drivers and investors or you are choosing for a cleaner and safer environment for all
3 citizens. Does Anchorage simply want to be a city or an excuse for one in the 21st century?
4

5 PHIL SHAPLAND said he walked six miles today to the bus stop to catch a bus to attend the Assembly
6 meeting. The last bus to his neighborhood left 20 minutes ago from the Dimond Center, so he did not
7 know how he was getting home. So the Assembly did not have to listen to 100 people speak, they had
8 arranged for supporters to wear stickers to show their support. He was a member of Transit Works, a
9 Public Transit Advisory Board member, a homeowner, a taxpayer and a pedestrian. As a member of the
10 Public Transit Advisory Board he could tell the Assembly that they needed more transit. As someone
11 working with Transit Works, he could tell the Assembly that there are thousands of people in sympathy
12 with all of those who were here tonight and they wanted to see more money spent on public transit, not
13 less. As a homeowner and taxpayer, he could tell the Assembly that he was living on a disability income of
14 \$10,000 a year and the city took a third of his yearly income in property tax for a modest home of 2,000
15 square feet. If you cut the bus service to the Hillside, his life would be at risk, because he would have to
16 walk six miles to the nearest bus stop. He has a seizure disorder and could fall down or have an accident.
17 It would put children's lives at risk, because they would have to walk instead of riding a bus. He asked the
18 Assembly to look into their hearts and do unto us as you would have done unto you in a similar situation if
19 you were in need.
20

21 In response to Mr. Van Etten, Mr. Shapland said there was currently bus service to the zoo, but that was
22 scheduled to be deleted with the current budget cuts.
23

24 TIM SULLIVAN said he was a member of Transit Works. You can judge the fabric of a community by
25 how well you treat those who are less able to take care of themselves. We have a number of people in this
26 community that cannot afford automobiles and a number of people who cannot drive. We have a number
27 of people who use the mass transit system out of both necessity and choice. He was the program
28 coordinator for the Weed and Seed Initiative at the Northeast Community Center. They were fortunate
29 enough three years ago to get a bus route changed where bus #8 now comes through the heart of the Weed
30 and Seed area and stops at the Muldoon Mall at the community center. That ridership has tripled in that
31 two and a half-year period of time. We have the One Stop Job Center there and people come there looking
32 for work. They are not looking to spend a lot of money in order to find a job, because they do not have an
33 income. As a government and as a people, we have an obligation to people that otherwise would not be
34 able to look for work, wouldn't be able to get child care or to get their children to school or other activities
35 that are vital to their upbringing and their well-being.
36

37 In response to Ms. Taylor, Tim Sullivan said the Muldoon Mall was currently leased out. The Northeast
38 Community Center has proven to be a very vital part of that mall, which has become a social service mall.
39 The community center serves between 80 and 100 children a day. We serve 50 meals there through Kid's
40 Kitchen. There are 350 kids signed up with the Boy's and Girl's Club. Daybreak Two, through
41 Southcentral Counseling, has a day care program for seniors who are in assisted living facilities. We have
42 a prevention program from Anchorage Center for Families. We do GED training there. We have a
43 Suspended Students Program. All the services in the mall are very vital. We have the Muldoon Family
44 Center providing crisis and family counseling. All of that is contained in the Northeast Community Center,
45 which is an 18,000 square foot area and is about one-fifth of the Muldoon Mall. The bus service is critical
46 for that as well. A number of our children use the bus service. The AnchorRIDES is extremely important
47 for the Daybreak Program. AnchorRIDES is extremely important so that our seniors can get around and
48 can remain part of the community.
49

50 DAWN HOEBERMANN said she currently uses route 45 on a daily basis. The high school students from
51 East High catch the bus to go home. The reduction of the evening service of routes number 3, 12 and 45
52 would hamper her ability to continue her evening job. She works from 5:00 p.m. to 9:00 p.m., Monday
53 through Friday, and sometimes on weekends. She was very dependent on these bus routes to see her case
54 manager, employment counselor and to continue her work schedule to become self-sufficient. The
55 elimination and reduction of mid-day service on routes 7 and 45 would not allow elementary school
56 children the benefit of using the People Mover bus system. They use this system to tour and attend the
57 museum, the Imaginarium, the Loussac Library and other cultural events. Children always come first in
58 education and ethnic knowledge. She proposed fundraisers whenever possible. The people of Anchorage
59 are very proud of the People Mover system. The buses currently have non-profit advertising inside the
60 buses themselves. She proposed getting businesses to advertise in the bus to provide more revenue for the
61 bus system. She has talked to many people on routes 45, 7, 12 and 3 and they would like to continue the
62 bus system as it currently is. It is a very efficient and good system. She has been in Anchorage for 32
63 years and has seen the buses from 1976 to their current condition. She felt the buses were very nice and
64 efficient at this time. To deprive the citizens of the People Mover bus system would be to deprive a
65 freedom of using the system as a denial of us becoming a proud member of the community of Anchorage.
66

67 TOM DAVIS said he was the executive director of the Chugiak Senior Center. He wanted to talk about
68 restoring some of the funding for the Chugiak Senior Center, which they received last April. Part of the
69 reason for that funding was to help make some transitions at the center and to develop some of the plans
70 that they had at the time. He referenced a letter that they received from Senator Ted Steven's office, which
71 congratulated them on the accomplishment of getting the HUD grant for \$3,500,000 for an addition to the
72 center. This grant was a cooperation between the center and the Municipality to illustrate that the
73 Municipality was firmly behind the center, its application and its ongoing future. Last April they asked for
74 and received a \$250,000 annual appropriation. They received unanimous support from Assemblymembers
75 and a positive vote. The next day they met in the Mayor's office and discussed their future plans. They
76 were here tonight to ask the Assembly to restore this funding which has been deleted as a line item from the
77 current operating budget. They were unaware of this transaction until fairly recently. They thought they
78 had an agreement and they were following through with their end of the agreement. They have attempted

1 to maintain the bargain and he asked the Assembly to maintain the bargain that they believed they entered
2 into six months ago.

3
4 In response to Mr. Kendall, Mr. Davis said in the original budget they had said there would be some
5 funding for health insurance for their employees, an outreach nurse that could go out into the community
6 and ensure that people received services and to pay the highly escalated insurance costs that the center had
7 encountered. They laid out some plans through the Department of Health and Social Services about what
8 they would be doing and the type of things they explored, such as additional funding from corporation
9 contributions, working with the United Way, looking at their rent structure and their charges for assisted
10 living. They have increased their rents. They have engaged an accounting firm to look at the assisted
11 living rates and they are negotiating with Medicaid to increase those rates. They had asked to have a
12 transition time of three years so that they could get their feet solidly on the ground and make this a going
13 concern. They also lost \$80,000 of the last appropriation, because there was a difference in the fiscal year
14 between the center and the Municipality. The original \$250,000 will not be received. Approximately
15 \$170,000 of that money will be received during this fiscal year, because we had applied for it through next
16 July. The Municipality's fiscal year goes from January to December. As of December 31st, the current
17 funding will lapse and we will not receive the original appropriation under the current structure.

18
19 In response to Mr. Tesche, Mr. Davis said they had 43 residents in the independent living and 21 residents
20 in assisted living. They have 50 people a day for lunch and 15 people a day for Meals on Wheels. They
21 have 35 people a day use the Adult Day Care Program and a number of people come in for activities during
22 the day and evening. The Chugiak Senior Center is the hub of the senior activity for the Chugiak/Eagle
23 River area. They left the meeting with the Municipality believing they had a substantial agreement that this
24 would be a three-year funding. 2002 would be the second year of the funding, but they did not receive the
25 original full appropriation during the current fiscal year. Those present from the Municipality at that
26 meeting included Mayor Wuerch, Jewel Jones, Dan Kendall, Anna Fairclough, himself, Dick Dworski, Bill
27 Lester and Chris Ingmanson. He could not explain why the Chugiak Senior Center did not receive the
28 entire grant. The answer that he received when he asked that question was there was a difference in the
29 fiscal years and there were accounting issues. The Chugiak Senior Center has a group that established a
30 fund a number of years ago and there was about \$230,000 that has been in that foundation for about 20
31 years. The goal of the foundation was that they reached a minimum of \$2,000,000 before there could be
32 any transfer to the center. We have been working with the foundation on ways to change the bylaws to
33 allow for some current funding, but that has not been resolved.

34
35 CHRIS INGMANSON said she was the president of the Board of Directors for Chugiak Senior Center.
36 Last spring the Assembly approved \$250,000 in funding for the Chugiak Senior Center to support their
37 operations. This funding was similar to the funding provided to the Anchorage Senior Center. They met
38 the following day with Mayor Wuerch and his staff on the possibility of continuing the funding. At that
39 time, it was agreed that this same amount would be included as a line item in the Health and Human
40 Services budget. We, like many others, were victims of the budget cuts. We are asking the Assembly and
41 the administration to support an amendment to the budget to reinstate this level of funding. The Chugiak
42 Senior Center provides a necessary service to the community. We hear a lot about the importance of
43 children to the community, but we cannot forget the other end of the spectrum and that is our seniors. In
44 addition to the programs for active seniors at the center, we have a number of programs that target the more
45 vulnerable segment of the population. As Mr. Davis mentioned, we have 20 assisted living apartments. A
46 married couple occupies one of those apartments. We have a new Adult Day Care Facility that is at
47 capacity. We provide Meals on Wheels to those who are not capable of coming to the center for a hot meal
48 every day. We have an Outreach Program that identifies people needing assistance who might otherwise be
49 overlooked. Our community health nurse conducts wellness clinics and health education programs for the
50 community at the Senior Center. Any or all of these programs will be placed in jeopardy without municipal
51 funding. We received notice that we were approved for a HUD 202 grant for 20 low-income senior
52 housing apartments. This federal grant is approximately \$3,500,000 with follow-on subsidies. This is a
53 stand-alone project and will not require any funds from the Municipality. However, one of the factors in
54 our success in getting this grant was the co-located services and support structure for seniors who reside at
55 Chugiak Senior Center. While we've tried to stand on our own over the years, as the demand for senior
56 services increases and fees increases, it becomes increasingly difficult. We are increasing our fees where
57 feasible, but that alone is not enough to cover our needs. We will continue to pursue other sources of
58 funding. She assured the Assembly that they did not take the Assembly's or the administration's support
59 for granted.

60
61 In response to Mr. Tremaine, Ms. Ingmanson said the Mayor did not explain to them why the money was
62 not put into the budget, but they had not directly asked him either.

63
64 In response to Mr. Tremaine, Mayor Wuerch said there was no question that the Chugiak Senior Center
65 was a worthy and successful enterprise. The reality is we had to make some very painful decisions and this
66 was one of those decisions that fell on the wrong side of the line. He discussed the meeting that they had
67 with the Chugiak Senior Center. He supports this organization, its purposes and its administration. Neither
68 the Mayor nor the Assembly can commit a subsequent budget in advance. It takes the vote of the
69 Assembly to approve a budget. Each year, you have to appropriate those dollars. When it came to drafting
70 the budget, he felt they could not quite do it. He was looking at an amendment to that.

71
72 STEVE McCOMB said he was with the Division of Juvenile Justice. Five years ago the Assembly came
73 up with a very creative model in the Making a Difference Program. He thanked the Assembly for their
74 support. This program has become recognized nationwide. The Urban Institute in Washington, D.C. has
75 tried to implement this program in other cities. The idea of a partnership between a city and a state entity is
76 something we do not see in other places. The best news about this program is its success. We have seen a
77 decrease in juvenile crime. The Making a Difference Program does not take all of the credit for that,
78 because the Police Department has had a major role. Five years ago we had 3,278 referrals from the Police

1 Department. As of July of this year, we had 2,816, which is a decrease of about 14 percent. He did not feel
2 they would have had that success if the Assembly had not supported them. He thanked the Assembly and
3 hoped that they would continue to support the program, which was recognized around this great nation.
4

5 In response to Mr. Tesche, Mr. McComb felt deleting the funding for the two intake officers for this
6 program would be devastating. They could live with one position being cut from the city and the state
7 would try to figure out a way to fund that position. It is a proven fact that we need all three of the intake
8 officers. He felt they could possibly live with a budget cut of one of those positions, but they could not
9 make it if both positions were cut.
10

11 In response to Mr. Tesche, Mr. Anderson said the intake officers were responsible for dealing with the
12 juvenile offenders handled informally outside of the court system. They send the majority of the cases to
13 the Anchorage Youth Court. Prior to this program, we were not seeing every juvenile that had been
14 arrested for minor offenses. We were sending them letters, because we were not able to keep up with the
15 numbers that we were seeing at that time. Currently we have a goal of seeing each juvenile arrested within
16 the first seven days of an arrest so we can make the biggest impact possible. Without the ability to see
17 them as quick as possible, we see offenders who begin offending again prior to us being able to see them
18 for the first referral. Taking two positions from the program would recreate that situation. We would not
19 be able to keep up with the current demand or see them within the first seven days of the offense.
20

21 In response to Mr. Tesche, Mr. McComb said they have found out that if they were able to make an
22 immediate eye-to-eye, soul-to-soul contact with the juvenile offender, the chances of that kid not
23 committing an additional crime increase dramatically. By not having the probation officers to do that, they
24 run the risk that they will commit additional crimes prior to us having an impact on them. The change to
25 the system would increase the rate of juvenile crime.
26

27 In response to Mr. Sullivan, Mr. McComb said he did not know what the total budget was for the Youth
28 Offender Program. He was only responsible for, and dealt with, the three probation officers.
29

30 In response to Mr. Sullivan, Sharon Leon said she was the executive director of Anchorage Youth Court.
31 The total Juvenile Offender Program has been \$367,000 until the cut proposed for this year. Of that
32 amount, Anchorage Youth Court has received \$115,000 and DJJ has received \$142,000.
33

34 In response to Mr. Sullivan, Tamara Vanetter said she was the director of the Youth Restitution Program.
35 They typically receive \$85,000 as part of the grant, which covers monitoring for the juvenile offenders who
36 are referred to the Anchorage Youth Court and directly from DJJ if they are not appropriate for Youth
37 Court. There is \$85,000 for the monitoring and statistical services and \$125,000 for the mediation services
38 at the Resolution Center. In addition to the city funding, they get state grants and a variety of other grants
39 and funding to bolster their budget. Their total budget for the Youth Restitution Program was \$253,000.
40

41 In response to Mr. Sullivan, Ms. Leon said the cash amount from the Municipality for Anchorage Youth
42 Court was 41 percent of their total budget. They have several other grants, one of which was from the state
43 for \$28,000 annually and numerous donations from individuals and organizations. Private donations
44 account for about 30 percent of the \$267,000 budget. She would provide a breakdown of their budget to
45 the Assemblymembers.
46

47 In response to Mr. Sullivan, Mr. McComb said they had asked for an increase in the State budget for
48 juvenile probation officers throughout the state, but they were counting on the city to fund at least two of
49 the positions. They needed more probation officers to continue doing the work that they were doing. They
50 were requesting two to four probation officer positions for Anchorage, one of which would be dedicated to
51 this program. He felt it was important for the city to recognize that it was not just the responsibility of the
52 State to solve the juvenile delinquency problem. It is the partnership that they have with each community
53 that makes the program so successful.
54

55 SARA JACKSON said she was the manager of Saint Francis House, which is a program of Catholic Social
56 Services that provides basic emergency services in the community. She was in support of the restoration of
57 funding to the Youth Offender Program. Saint Francis House benefits tremendously from one aspect of
58 that program, which is the youth community work service. She enjoys the relationship that Saint Francis
59 has with this program. It is an important part of their workforce. It is good for them to have strong, able-
60 bodied kids that can come in and help with the labor. The really neat thing about it is to watch the kids and
61 to see what happens to them during the course of working off their hours. A lot of the kids that come in
62 have been in trouble, are not doing well in school and get in minor mishaps. They end up in Saint Francis
63 House and they usually come with an attitude. The work that they do is simple and something that they can
64 do successfully no matter what their intellectual capabilities. It gives them an opportunity to succeed. It is
65 also an opportunity for them to meet members of the community that are struggling and have bigger
66 problems than they have. After they have been there for a little while, they will witness something that
67 touches their hearts. They will see someone with a big problem that is meeting that problem very
68 courageously. You will see a transformation occur and pretty soon they are working with heart and they
69 take pride in what they do. More times than not, they end up coming back to volunteer after their hours are
70 done. She felt this experience turned a lot of kids around and gave them life lessons that changed them and
71 made them responsible citizens with compassion for others.
72

73 In response to Mr. Tesche, Ms. Jackson said she was in favor of restoring the funding to the Youth
74 Offender Program.
75

76 DEBBIE LaBOUNTY said she represented the Resolution Center, the Volunteers of America Alaska
77 Human Services Program and she was a member of the Making a Difference Partnership. She thanked the
78 Assembly for the work they have done in encouraging the collaboration that has proven successful. The

question was asked of the Division of Juvenile Justice Intake and Probation representatives what would happen if two juvenile justice intake probation positions were eliminated from the budget. You would go back to the 1995-96 era where instead of seeing juvenile offenders within one week of arrest, you would be seeing juvenile offenders four months after arrest. It is because of the collaboration that happens between the State of Alaska, the Anchorage Police Department, the Youth Restitution Program and the Resolution Center that this occurs. You would go from having only 9 of 80 youthful offenders who come to her program committing a second offense to having 40 of them commit a second and possibly more severe criminal offense. The issue is really pay me now or pay me later. Prevention is cheaper than detention. The State of Alaska has a restorative justice mandate, which is to use the least restrictive alternative for juvenile offenders. That is why the Resolution Center's Victim Offender Program is so vitally important in our community. Those 80 criminal offenders who are teenagers, and are basically guaranteed anonymity, are required to sit at the same table in victim offender mediation and show actual remorse to crime victims, apologize, and make good on their payments. They are monitored at the rate of 700 criminal offenders per year by the Youth Restitution Program coordinator. As a former assistant district attorney in Oregon and a formal municipal prosecutor in Anchorage, she noted that they conducted an Adult Victim Offender Mediation pilot project, which the Alaska Bar Foundation gave them \$10,000 to try it out with adults. They found that juveniles were more amenable to treatment whereas only 8 of the 23 adults who were referred to the program showed up and everyone else went to warrant. A swift consequence early on is incredibly important. You would have 400 student offenders who would not be going to Anchorage Youth Court, because there would be no one to refer them to the Youth Court. Only the juvenile justice intake officers do that. Intake Officer Gary Swartz has over 20 years of experience in dealing with this population. Her program has been cut to the bone. Her experience tells her that a program director can run the Resolution Center at half time to three quarters time, but she needed a full time case manager. She asked the Assembly to please restore the Victim Offender Mediation Program for the Resolution Center to \$30,000. But if you must cut a juvenile intake officer, cut just one.

In response to Mr. Tremaine, Ms. LaBounty said the more ties a child has to the community, the less likely they are to get into trouble.

In response to Mr. Kendall, Ms. LaBounty said giving the same passionate speech to the legislators would require her paying her own way to Juneau. She already donates a lot of her time. They have 40 volunteers who donate many hours of time. She pointed out that the numbers for statewide juvenile crime for fiscal year 1999 was 7,493 and in Anchorage there were 3,200. We have a disproportionate amount of need within the Municipality of Anchorage and we are trying to address that as best we can.

In response to Mr. Tesche, Ms. LaBounty said the majority of the youth offenders were charged under State statute, but Anchorage Police Department personnel arrested them. The children who go through her program were all from Anchorage and the Matanuska-Susitna valley.

ROBERT AUTH said he was a long-time resident of Spenard and he was active in the Spenard Community Council. He supports Transit funding. He saw that there was a proposal to restore funding for manned security at the Fairview and Spenard Recreation Centers, which he felt was a good idea. The security that has been there has been useful. He was disappointed to note that last year there was not a lifeguard at Lake Spenard Beach Park and there did not look like there was one proposed for this year either. He was a member of the Airport Citizens' Advisory Council, they worked very hard with the airport to try to get them to agree to maintain the parkland within the airport boundaries. There has been a long tradition of the public swimming at Lake Spenard. They found out that President Harding visited the facilities at Lake Spenard during his visit in 1923. The public access to Lake Spenard and Lake Hood, two of the most famous lakes in Alaska, was a very small beach that had a lifeguard stand, but no lifeguard. He felt it was a public safety issue and a part of the history of Spenard that they were losing.

In response to Ms. Von Gemmingen, Mr. Auth said it was a personal judgment call whether or not they needed a guard at the Spenard Recreation Center. A lot of children do not know how to react in these mixed situations. The Spenard Recreation Center has a lot of children going through it. He did not think it was wise to wait until an altercation became serious to call the police sub-station in the area. He felt a security guard could talk to the children on their level and defuses a situation before it got out of hand. He agreed that having a sign on the Spenard Recreation Center letting the children know that there was a police sub-station might help.

In response to Mr. Tesche, Mr. Auth said he did not know how long the police sub-station has been there or how frequently it was manned. He had never seen a police officer in the sub-station. He felt a security guard would be better able to deal with some of the problems that a recreational center dealt with.

In response to Mr. Tesche, Chief Monegan said the sub-station had been at the Spenard Recreation Center for about a year, but it was not manned unless a police officer swung by the sub-station.

STAN WOLLF said he was an accessibility consultant in Anchorage. He was pleased to see that the Assembly recognized the need for public transportation. It becomes a safety issue as people are forced off the sidewalks and into public rights of way. Several years ago he saw a woman using a walker in the wintertime going against the traffic on Minnesota Blvd. She was trying to make it half a block to a bus that was waiting for her. He referenced a report that was done by Craig Rehab Hospital in Denver several years ago. It showed that transportation was one of the primary barriers for people getting back to work. He received an email from a potential visitor to Anchorage. This person was in a wheelchair and their spouse used a walker. They asked four questions in order of importance. What is downtown like? What is the accessible transportation like? Can I get to the museum? What are the hotel prices? Those are the four questions of a potential visitor in Anchorage. We have done a needs study for transportation. We understand the five main areas that we need to look at. Snow removal was his number one priority when looking at where funds were needed for buses. It would be very difficult for a person with a disability if

1 there was no bus service. That person was going to be the least likely to be able to find another method of
2 transportation. In the wintertime there are very few options for methods of transportation. Eliminating
3 Hillside bus services would be leaving many people stranded with few other options for transportation
4 other than walking great distances. The Municipal cost per ride was less than \$2. He could not image what
5 else they could spend \$2 for and get the same value. He talked about low ridership. If you open a
6 restaurant, you have to have the food before you can expect people to come. If you are going to have a bus
7 service, you have to have a route and then the people will ride the bus. We should not be pennywise and
8 dollar foolish. Let's not cut the budget now and pay for it with lack of taxes. Public transit has an affect on
9 all of us. You would be surprised how many children ride school buses today. Imagine being able to get
10 all the way across town in 40 minutes and making one transfer on your way. You can do that now in areas
11 within Anchorage. If anyone doubts the need of public transportation, think about parking your car for one
12 week and being totally dependent on the People Mover bus system for all your transportation needs. He
13 asked the Assembly to keep the bus service at the current level. He understood it may require raising bus
14 fares, but that should be done with care. If fares were raised too much, many seniors would remain
15 homebound. He suggested a gas tax as a possible solution.

16
17 In response to Mr. Kendall, Mr. Wolff said he had noticed a definite difference regarding the city clearing
18 the sidewalk in the wintertime. It was better, but there needed to be more effort made.

19
20 RUTH GLENN said she was the executive director of the Anchorage Concert Association. She has lived
21 in Anchorage for over 14 years, raising two children who go to Anchorage schools. Their entire family
22 enjoys the multitude of activities in Anchorage. They love to ski, bike, hike, run on the fabulous trail
23 system, swim, play soccer and show their friends and relatives the great flowers we have in the
24 summertime. They love going to the Performing Arts Center and the Museum during the winter art season.
25 The proposed cuts to the Alaska Center for the Performing Arts and the Municipal Arts Advisory
26 Commission, while relatively small, have a huge impact on the ability of local performing arts groups to
27 provide the level of arts participation that our local citizens have come to enjoy. The center's decreased
28 contribution from the city will be passed onto the resident companies. In order to keep the level the same,
29 the center would most likely raise the rents to the organizations that present in the facility. We already
30 receive substantial contributions from the private sector. We also receive contributions from the State of
31 Alaska. Both these contributions from the State and our private sector help keep the cost of tickets
32 affordable to our citizens. Our citizens already pay a user fee to attend performing arts event by purchasing
33 tickets. We could raise our ticket prices, but that would force those people that could not afford the prices
34 an inability to attend those performances. The other option was to decrease the level of activities. The
35 Concert Association alone provided 60 educational opportunities this year to our citizens and our local
36 School District. We also present 46 performances at the Performing Arts Center. If we decrease the
37 amount of programming, there would be less educational opportunities for our schools, fewer people going
38 out to dinner in our downtown restaurants, and less parking in our Municipal parking garages. There would
39 also be less money spent on local television, radio and print media. There would be fewer world class
40 artists that Anchorage would be able to see. She urged the Assembly to support the full funding of the
41 Alaska Center for the Performing Arts and the Municipal Arts Advisory Commission.

42
43 BERND GUETSCHOW said he was president of the Anchorage Concern Association. He thought it was
44 telling that there were no questions for Ms. Glenn, as there had been questions posed to all the other
45 speakers who were lamenting cuts to various parts of the budget. The art and cultural affairs in this town
46 always seem to get shorted and to be the first areas cut. The Anchorage Concert Association was the oldest
47 and largest presenter of performing arts in Alaska. They would definitely feel the impact
48 disproportionately to anyone else. Last year they sold tickets to 80,000 Anchorage citizens who attended
49 performances at the Performing Arts Center. There was no question that the proposed cuts would have a
50 very serious impact. Their organization raised funds from private sources and other government sources.
51 Ticket prices cover no more than two-thirds of the actual cost. By suddenly raising the rent at the
52 Performing Arts Center, which was undoubtedly what will happen, they would incur serious problems,
53 because they already had contracts with performers and groups to come to Anchorage next year. They
54 could not suddenly go back to those people and say they had to pay them less because their costs had
55 increased. He urged the Assembly to reconsider the cuts to the Performing Arts Center and to think about
56 quality of life issues.

57
58 In response to Mr. Tremaine, Mr. Guetschow said the Performing Arts Center was a gift to the city of
59 Anchorage from the people of the State of Alaska. If nothing else, the city has a moral obligation to
60 maintain that facility properly and according to the expectations that the State and the people had when
61 they gave us this gift. With the continuous cutback in funding, that level was no longer being maintained.

62
63 In response to Ms. Von Gemmingen, Mr. Guetschow said it was difficult to answer how much the ticket
64 prices would increase if the budget was cut. By increasing the ticket prices by 10 percent, we would be
65 automatically cutting off a certain percentage of people who were not able to afford it. Rather than having
66 to increase the price by 10 percent, we would have to increase it by 15 or 20 percent to make up for those
67 people who would no longer be able to buy tickets. The number of attendees would decrease from the
68 80,000 of last year.

69
70 In response to Mr. Sullivan, Mr. Guetschow said restoring the \$48,500 for operation costs would bring
71 them up to last year's level of funding.

72
73 SHERRI WEILER said she was the chairman of the Anchorage Arts Commission. She has been a member
74 of that commission since 1997. She thanked the Assembly for continuing their support of the arts. Every
75 year we cross our fingers waiting to hear how much we are going to be cut. We are appreciative of what
76 the Assembly does, because we are put in the same position. We take the Assembly monies that you are
77 kind enough to give us and go through the hard job of taking applications from dozens of arts
78 organizations. Arts and culture are the heart of our community. Our museum, with its paintings and

1 sculptures; our library, with its collections, artifacts and exhibits; our parks; our recital halls and our theater
2 stages are places that everyone has been within the past year. It would be hard to argue that Anchorage was
3 not a vibrant and exciting arts community, because it definitely is. We grant funding for the arts groups at
4 your behest that provide needed operating assistance. Some of these groups are very small. Unlike the
5 Anchorage Concert Association, these groups have a budget of \$10,000 or \$12,000 and a \$1,000 from us
6 makes a major difference to them. Our grants are matched with funds from private companies and
7 endowments. They ask every organization that comes to them with an application what have you done to
8 increase their fundraising or endowment this year. We do not expect to always be getting the same level of
9 funding. We would love it if you gave us everything that we asked for, but so would everyone else. She
10 thanked the Assembly for what they have done and asked them to hold the line on it. They were willing to
11 take their fair share of budget cuts, because everyone needed to work together with the Municipality. She
12 asked the Assembly to remember that they represented 29 different performing arts organizations and
13 shared the \$215,000 among 29 different organizations that serve a major portion of the Municipality.

14
15 DEE FORD said she was president of the Library Advisory Board. She encouraged the Assembly to
16 supplement the library budget, particularly the materials budget. After police and fire, libraries are one of
17 the most important services a city can offer its citizens. She was struck by the fact that in a time of stress,
18 libraries offer a place of refuge and solace as well as information. Libraries across this country have been
19 inundated with requests for information about Afghanistan, Islam and terrorism as ways of coping with the
20 difficulties we find ourselves in as a nation. The library budget has been constructed to impact as little as
21 possible the users of the library. But the materials budget is the one place where a significant cut could be
22 made without impacting the actual users and people of the library in the sense that the staff is there to serve
23 the people. But the library materials budget took a major hit. The funding level proposed in the library
24 budget was 25 percent less, which would take them back to the 1990 funding level. She did not feel she
25 needed to tell the Assembly what that would do to the quality of the collection to have the budget reduced
26 to the 1990 level with no inflation, no growth, and no room for expansion. Materials that were not
27 purchased this year would probably never be purchased. They would not be available and/or the cost
28 would be so extraordinary that they could not be purchased. The library would suffer an irretrievable and
29 irrevocable harm by not being able to maintain its collection at a level that ensures the quality of the
30 collection for the citizens of Anchorage.

31
32 Mr. Tremaine asked Ms. Ford to provide the Assembly with a graph or table that talks about the annual
33 funding for the last decade. When the Assembly looks at the budget, they look at the budget as it was
34 proposed that year. They lose track of where they were at three years ago as services were cut. It was
35 important to present that information so the Assembly could track the losses.

36
37 In response to Ms. Shamberg, Ms. Ford said she did not know if there were any public libraries that
38 charged for a library card. One of the first institutions that most communities develop was the public
39 library. The idea was that the citizens could come in and borrow the books for free. It was a way of
40 educating the population and encouraging literacy.

41
42 ANNE NEVALDINE said she was speaking on behalf of the Anchorage Horticulture Coalition and many
43 other residents of Anchorage who appreciated the value of horticultural amenities that added to their quality
44 of life in Anchorage. She thanked Ms. Shamberg for proposing the amendment that would add \$50,000 to
45 the horticulture budget. She urged the Assembly to vote in favor of the amendment. Why vote for adding
46 money to the horticulture budget? We live in a place where about seven months of the year it's cold, dark
47 and white. It restores our spirits and our mood to see the green of well-tended trees, shrubs and grass and
48 the Joseph's coat of colors from the annual and perennial flowers during our three or four frost-free
49 months. Adding \$50,000 more to the budget would ensure that we could continue to counterbalance the
50 cold, dark and white with color and light in the warm months. She understood that over the past years the
51 Municipality had planted trees, shrubs and lawns that today were valued at \$50,000,000. Funding of the
52 horticulture budget would provide for proper and adequate maintenance of this valuable investment and
53 resource. It takes much money in supplies, equipment and labor to keep this valuable asset thriving and
54 flourishing and appreciating in value. Finally, the horticultural amenities comprise a significant
55 contribution to the economic engine that helps to market this town. We sell this city, in part, on its
56 horticultural amenities. And we sell this city not only to visitors, but also to people who want to move
57 here. The city's planting sets the standard for the residents who live and garden here. We would appreciate
58 your vote on restoration of the \$50,000 to the horticultural budget.

59
60 SUSAN MILLER said she was a horticulturist and a former employee of the Horticultural Department.
61 She worked for them for 20 years, but she retired last year. She was also a member of the Anchorage
62 Horticulture Coalition. The cuts to horticulture cut the feet out of the program. It appears from the budget
63 that there was a \$165,000 reduction for labor in the horticulture budget. On page 5-33, the larger picture
64 shows \$292,000 to be reduced in funding from the horticulture budget encompassing a \$162,000 cut to
65 supplies alone, which was a 60 percent reduction in supplies. Supplies are critical to the efficiency and
66 effectiveness of any organization. A 60 percent reduction was huge. It was hard to be efficient in
67 producing beautiful flowers without the flower seeds. It was hard to be efficient in producing green lawns
68 without seeds, fertilizer and watering equipment. Knowing the critical need for supplies, she urged the
69 Assembly to support the \$50,000 budget amendment for the supplies that were needed to run an effective
70 program. The Anchorage Horticultural Coalition offered a rose to the Assemblymembers and Mayor
71 Wuerch as a reminder of the flowers and landscaping that grace and beautifies our city each summer.

72
73 ERNIE HALL said he and his wife were co-chairs of Success by Six, a United Way community
74 partnership. He realized that they lived in a community that had a great number of wishes and needs, yet
75 we do not want to help pay for those needs. He was here tonight to speak on behalf of young people who
76 could not speak for themselves. He read into record the goals of Success by Six, which were to ensure that
77 all children develop the emotional, social, cognitive and physical capacities and skills they needed to
78 achieve well-being and be ready for learning in the school environment when they entered kindergarten.

1 The Governance Board and community partners for Success by Six have researched the WIC Program
2 funding in the Municipality's proposed 2002 budget and requested an additional \$77,020 be added. This
3 increase would fund one full-time registered dietician and one half-time family service aid, allowing an
4 additional 430 clients per month to receive quality nutritional and health information. It was estimated that
5 health care costs alone would be reduced between \$136,000 to \$241,000 as a result of this additional
6 funding. The resolution in support of additional funding for WIC that was unanimously approved by the
7 Governance Board at their regular meeting on October 25, 2001 and additional information about the
8 effectiveness of the WIC Program was contained in that resolution.

9
10 Mr. Tremaine said his family had been a recipient of WIC funds and he strongly supported WIC funds. He
11 thanked Mr. Hall for his continued efforts on behalf of the community in a number of different ways.

12
13 JIM BAILEY said he was representing the Anchorage Museum Association. He asked the Assembly to
14 support the amendment to restore \$74,800 to the museum's budget. The Museum Association supports the
15 museum with staff, operation of the museum shop and the café through a membership of 4,600 members,
16 individual and corporate fundraising, grants and special events. Our staff of 10 compliments the current
17 museum staff and focuses on fundraising activities marketing. Our activities provide more than \$1,500,000
18 annually to the museum's budget. Association funds are used to support acquisitions, exhibitions, freight,
19 printing, advertising, travel and training among other line items. If you look at the museum budget that is
20 funded by the annual budget from the Municipality, you will see some items that correlate. As you reduce
21 the Municipal budget, it is left to the Anchorage Museum Association and the Anchorage Museum
22 Foundation to raise the additional funds to meet these needs or face cuts in services. We hope that you
23 restore some of the funding for these activities as recommended by Assemblymember Von Gemmingen.
24 We are pleased to be part of a successful and private/public partnership for the past 33 years in Anchorage.
25 We need Municipal contributions to continue at their present level in order for the partnership to work. We
26 cannot fund museum programs in their entirety, but we are pleased to offer our efforts to assist the museum
27 as a willing partner with the Municipality.

28
29 BOB ELY said he has been working as a volunteer in the Anchorage Museum since 1972. He has spoken
30 to the Assembly on several occasions on behalf of the museum. Throughout all that time, the museum
31 community has found the Assembly responsive and understanding. They have always received fair
32 treatment by the Assembly and he urged that the same tradition continue by supporting the amendment to
33 restore \$74,800 into the museum's budget. The small amount of the money would go toward professional
34 services, which covers artists, speakers and other visitors to the museum who require some supplemental
35 expenses for transportation and hotel expense. The money would cover freight, rentals of exhibits,
36 contractual services and conservation for the museum's in-house paintings and sculptures. \$17,000 would
37 be for the Municipality's portion of the grant match of the Alaska State Council on the Arts grant. \$13,900
38 would be for a modest contribution toward acquisitions. At one time the acquisition budget had been
39 \$100,000, but that has been cut many times. About 90 percent of the museum's budget was for personnel.
40 When the museum has to absorb the cut proposed by the administration, it cuts the ability of the museum
41 and the staff to supply activities in the museum. The Anchorage Museum Association is willing to
42 contribute a good deal toward that, but we do need the continuation of the public/private partnership and
43 some contribution from the Municipality. The amount proposed by Ms. Von Gemmingen was fair and he
44 urged the Assembly to put that back into the budget.

45
46 KATRINA GRUNDAHL thanked Assemblyman Tesche for coming across town to learn a little bit more
47 about what the Municipality's support for logistics education has meant. She wanted to dispel one of the
48 common urban myths. In 1987, the statewide system of community colleges was eliminated and assumed
49 under the auspicious of the four-year university system. Many people in the public thought at that time,
50 and still believe, that the community college disappeared, but it has not. The community college mission
51 and spirit and services are alive and well at the University of Alaska, Anchorage. While they are
52 distributed across the university now, most of them reside in the community in technical colleges. She
53 mentioned this as a means of context for understanding what the logistics program or the logistics
54 education efforts at the university were and could be. She wanted to raise the Assembly's awareness and
55 encourage some future discussion along the lines of what the value of this partnership was and could be
56 that exists between the Municipality and the University. Municipality support reports a foundational
57 principal in terms of career and technical education whereby we partner. We believe strongly in the
58 relationship of the educational and community partnerships. Mostly their partners are businesses and
59 industry. The Municipal support for logistics education represents another unique type of partnership. We
60 have been able to leverage the funds that the Municipality has used to support this educational effort
61 through the involvement of a wide variety of businesses in Anchorage, Southcentral Alaska and throughout
62 the State. She thanked the Assembly for their support and encouraged them to continue their trust in the
63 university to deliver logistics education.

64
65 KY HOLLAND said he was the director of the Applied Technologies Division at UAA. One of the things
66 that President Hamilton speaks of frequently is that many Alaskans who leave the State for their education
67 typically do not come back. He grew up in Anchorage, graduated from Service High School, went down to
68 school in Oregon with the intentions of coming back. As 80 percent of Alaskans who leave the State to go
69 to school, he did not come back. He stayed in Oregon for 15 years. He is now back in Alaska to support
70 economic development. He ended up at the University as a way to help develop the programs that would
71 allow more Alaskans to have the educational opportunities that they needed in Alaska so they would
72 remain in Alaska. This would allow Alaskans that had jobs to have a world class competitive economy.
73 The program is just one of a new set of integrated programs that has come about through the partnership of
74 the Municipality, our industry partners and the State of Alaska. The particular program that we just started
75 this fall is our new Associate of Applied Science Degree and Logistics Operations. This is a two-year
76 program that helps people start out in the logistics business. It is then integrated in with the programs being
77 offered by the College of Business and Public Policy in their four-year program and their master's degree
78 program. The key piece before the Assembly is the continued funding by the Municipality to help enable

some more activities that will ensure that these programs have direct relevancy to Anchorage, the economy and the employers that are here.

In response to Mr. Tremaine, Mr. Holland said the Municipality has provided two years of funding and this would be the third year. The aviation division's complex was located at Merrill Field.

In response to Ms. Von Gemmingen, Mr. Holland reminded the Assembly that these programs started in 1999. The programs were developed over the last couple of years and had students that started last year. They have five programs in place and being delivered. They have funding through the state. They have various generous donations from the industry both in monetary support and indirect in-kind support. We will have graduates next year from this program. We have students that are attending classes that are already in the logistics business and are getting increased skills to broaden their ability to enhance themselves as well as their business' competitiveness. These programs are on. We have students, faculty, ongoing research and partnerships throughout the community. The program is quite self-sufficient and the contribution by the Municipality is minor at this point, although it is necessary in ensuring that the program has some activities that are tied directly to some of the Anchorage employers, who are taxpayers, and people in the community who have wanted the city to be a partner in this as a product of ensuring that there is collaboration from the State, the city and the employers in Anchorage.

Ms. Von Gemmingen moved, to extend the public hearing on AO 200-162.
seconded by Mr. Tremaine,
and it passed without
objections,

LIZ PATRICK said she was the proud mother of a juvenile delinquent who has gone through the Anchorage Youth Court.

- B. **SECOND 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.

This item addressed earlier in the meeting. See item 13.

- C. **SECOND 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.

2. Assembly Memorandum No. AM 853-2001.

This item addressed earlier in the meeting. See item 13.

- D. 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.

1. Assembly Memorandum No. AM 887-2001.

- E. 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.

1. Assembly Memorandum No. AM 888-2001.

- F. 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.

1. Assembly Memorandum No. AM 889-2001.

- G. 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.

1. Assembly Memorandum No. AM 890-2001.

- H. Resolution No. AR 2001-304, a resolution confirming and levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll 01-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 838-2001.

- I. 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.

1. Assembly Memorandum No. AM 867-2001.

- 1 J. Resolution No. AR 2001-320, a resolution of the Anchorage Municipal Assembly
2 approving a conditional use for an alcoholic beverages conditional use in the B-3 and
3 B-3 SL District for a beverage dispensary use/license per AMC 21.40.180.D.8. for the
4 existing **Hideaway Club** located on Lots 1 and 2, Tract 8, William Lloyd Subdivision;
5 generally located on the south side of Dimond Boulevard and west of Roy Street (Sand
6 Lake Community Council) (Case 2001-184), Planning Department.
7 1. Assembly Memorandum No. AM 880-2001.

8
9 The above items were carried over to the next regular Assembly meeting.

10
11 **15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.

12
13 **16. SPECIAL ORDERS:**

- 14 A. The Assembly approved the override of the veto motions on following **General**
15 **Government Capital Improvement Budget & Capital Improvement Projects**
16 AO 2001-164(S)/AR 2001-276(S):
17 • Abbott Loop Roads at 72nd Avenue Storm Drain - \$300,000
18 • Scenic Park Drainage Improvements - \$250,000
19

20 **17. UNFINISHED AGENDA:** None.

21
22 **18. AUDIENCE PARTICIPATION:** None.

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24 **19. ASSEMBLY COMMENTS:** None.

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26 **20. EXECUTIVE SESSIONS:** None.

27
28 **21. ADJOURNMENT:**

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30 The meeting adjourned at 11:13 p.m.

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38 _____
39 Chairman Dick Traini

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41 ATTEST:

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44 _____
45 Municipal Clerk

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48 Date Minutes Approved: _____, 2001

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50 GM/kron
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