

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Special Meeting of March 23, 2001

1. CALL TO ORDER:

The meeting was convened at 11:13 a.m. by Assembly Chair Fay Von Gemmingen in the Mayor's Conference Room, 632 W. 6th Avenue, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Sullivan, Dick Traini, Dan Kendall, Allan Tesche, Fay Von Gemmingen, Dick Tremaine (11:30 a.m.), Doug Van Etten (11:20 a.m.), Cheryl Clementson.
Absent: Pat Abney, Anna Fairclough, Melinda Taylor (all excused.)

3. ITEM OF BUSINESS:

- A. Ordinance No. AO 2001-59, an ordinance of the Anchorage Municipal Assembly enacting a new Subsection D to AMC 12.15.030 relating to **municipal assessment of properties subjected to recorded deed restrictions on rents, the valuation of low income housing credits** awarded under 26 USC 42, and providing for the effective dates of its application, Assemblymember Tesche.
1. Assembly Memorandum No. AM 297-2001.
(PUBLIC HEARING WAS CLOSED; CARRIED OVER FROM 3-20-01)

In response to Mr. Tesche, Chief Fiscal Officer Kate Giard discussed the status of a pending case regarding low income housing properties. Owners have pending real property assessment appeals for years 1998 and 1999. The Board of Equalization will meet later today to consider the appeals. She recommended a worksession with the Board, after the appeals are resolved, to clarify the roles of the Board, Administration and Assembly. Ms. Giard added 2000 valuations for these properties will be considered and a decision will be made within 45 days. Valuations for the year 2001 would be calculated in accordance with the State law passed last year.

Mr. Tesche supported the worksession suggestion by Ms. Giard. He discussed the quasi-judicial nature of the Board of Equalization and its relationship to the Assembly.

In response to Ms. Clementson, Mr. Tesche said the Assembly could decide whether to make laws retroactive.

In response to Mr. Sullivan, Assistant Municipal Attorney Theresa Hillhouse said the Board's consideration of the pending appeals has been continued from previous meetings. She said the issues with the appeals are similar, but laws have changed during the time the appeals have been under consideration.

In response to Mr. Sullivan, Municipal Attorney Bill Greene explained the required public notice of the proposed ordinance was inadequate. There is a 7-day notice requirement, and the ordinance was not available until March 16. He said the public hearing held on March 20, 2001 was inappropriate.

Mr. Tesche moved, to postpone action on AO 2001-59 until March 27, 2001.
seconded by Mr. Sullivan,

Mr. Traini suggested re-opening the public hearing. Mr. Tesche concurred.

There was discussion of notice of the March 27 agenda, which was submitted for publication on March 22. There was also discussion of a special notice in the Anchorage Daily News.

Mr. Van Etten pointed out many citizens are familiar with Assembly notices in the Alaska Journal of Commerce, thus announcements in the Anchorage Daily News might not be adequate.

Mr. Greene felt notice in the Daily News would meet legal notice requirements.

Ms. Clementson moved, to substitute a motion to postpone action on AO 2001-59 until
and it died for lack of a second, April 17, 2001.

Mr. Kendall moved, to amend Mr. Tesche's motion to reopen the public hearing for
and it was accepted as a friendly amendment, AO 2001-59 on March 27, 2001.

Mr. Tesche withdrew his challenge of the Chair's ruling on a motion pending from March 20, 2001. He said it was his intent that a special notice be published indicating the public hearing would be reopened.

Ms. Clementson moved, to postpone action on and reopen the public hearing for
seconded by Mr. Van Etten, AO 2001-59 on April 17, 2001.

In response to Mr. Van Etten, Jeff Judd of Anchorage Neighborhood Housing Services addressed the Assembly. He noted the issue has been pending for several years, so prompt attention would be appreciated.

Question was called on Ms. Clementson's motion to postpone action and public hearing until April 17, 2001 and it failed:

AYES: Sullivan, Von Gemmingen, Van Etten, Clementson.

NAYS: Traini, Kendall, Tesche, Tremaine.

Question was called on Mr. Tesche's motion, as amended, to postpone action and hold another public hearing on March 27, 2001 for AO 2001-59 and it passed:

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

NAYS: Clementson.

4. ADJOURNMENT:

The meeting adjourned at 12:00 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: _____, 2001

VC/db