

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of April 17, 2001

1. CALL TO ORDER:

The meeting was convened at 5:05 p.m. by Assembly Chair Fay Von Gemmingen in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Sullivan, Dick Traini, Pat Abney, Dan Kendall, Allan Tesche, Fay Von Gemmingen, Dick Tremaine, Anna Fairclough, Melinda Taylor, Doug Van Etten, Cheryl Clementson.
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Clementson.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - October 31, 2000
- B. Regular Meeting - December 19, 2000

Mr. Sullivan moved, seconded by Mr. Traini, and it passed without objection, to approve the minutes of the October 31, 2000 and December 19, 2000 regular meetings.

5. MAYOR'S REPORT:

Municipal Manager Harry Kieling thanked the 2,700 Municipal employees for doing their jobs everyday.

6. ADDENDUM TO AGENDA:

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

Chair Von Gemmingen read the addendum items.

Mr. Van Etten requested that item C.16, AR 2001-122, be added to the addendum, and there were no objections.

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

7. CONSENT AGENDA:

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

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 327-2001, recommendation of award to WESCO for furnishing **electrical conductor and cable** to the Municipality of Anchorage, Municipal Light and Power (ITB 21-B026) (\$321,200), Purchasing.
- 2. Assembly Memorandum No. AM 328-2001, recommendation of award to SeaCoast Construction Co., Inc. for the **MOA transit shelter construction** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (ITB 21-C005) (\$142,720), Purchasing.
- 3. Assembly Memorandum No. AM 350-2001, recommendation of award to Van Water & Rogers for providing **water treatment chemicals** to the Municipality of Anchorage, Water and Wastewater Utility (ITB 21-B012) (\$294,525.64), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 2001-85, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code Section 11.20.037 to permit the Transportation Commission to **issue a limited number of non-transferable permits to meet the needs of the disabled community** for demand-response transportation; to require specialized equipment be repaired within 96 hours; amending AMC 11.30.020C to provide vehicles permitted pursuant to Subsection 11.20.037F, shall maintain current certifications in first aid, CPR, sensitivity training and securing wheelchair devices; and amending Anchorage Municipal Code of Regulation Section 11.10.004 to provide the specialized

equipment in vehicles permitted pursuant to Subsection 11.20.037F shall be in a safe, operable condition, Municipal Manager/Transportation Inspection. *public hearing 5-8-01.*

- a. Assembly Memorandum No. AM 355-2001.
2. Ordinance No. AO 2001-90, an ordinance merging the Anchorage Municipal Code of Regulations Chapter 25.60 into the Anchorage Municipal Code Chapter 25.60 and amending the Code to more accurately designate the property of the **Anchorage Memorial Park Cemetery**, to update the gravesite decoration rules, to require a funeral director's presence at all burials, to increase the allowable size of an infant casket from 24 inches to 36 inches, and to make other related code improvements, Legal Department. *public hearing 5-8-01.*
 - a. Assembly Memorandum No. AM 357-2001.
3. Ordinance No. AO 2000-157, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Subsection 21.20.120 B. related to **Assembly approval of zoning map amendments** (Planning and Zoning Commission Case No. 2000-231), Assemblymembers Tremaine, Abney, and Tesche. *public hearing 5-15-01.*
 - a. Assembly Memorandum No. AM 358-2001.
4. Ordinance No. AO 2001-81, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.070 regarding **bay windows**, Assemblymember Tesche. *public hearing 7-10-01.*
 - a. Assembly Memorandum No. AM 321-2001.

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

5. Resolution No. AR 2001-102, a resolution of the Municipality of Anchorage appropriating \$109,000 as a cash contribution from the 2001 General Government Operating Budget Fund (101) to the State Categorical Grants Fund (231) for the **Child Care Licensing Program** in the Department of Health and Human Services. *public hearing 4-24-01.*
 - a. Assembly Memorandum No. AM 322-2001.
6. Resolution No. AR 2001-103, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$168,000 with the State of Alaska, Department of Transportation and Public Facilities, for financing the **analysis of transit route structure and development of recommendations for route improvements** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department. *public hearing 4-24-01.*
 - a. Assembly Memorandum No. AM 323-2001.
7. Resolution No. AR 2001-107, a resolution appropriating a grant from the State of Alaska, Department of Transportation and Public Facilities in the amount of \$105,600 to the Municipality of Anchorage, Street Maintenance Department, State Categorical Grants Fund (231) for the purpose of conducting a **PM-10 dust control program on unpaved Anchorage roadways**, Office of Planning, Development, and Public Works. *public hearing 4-24-01.*
 - a. Assembly Memorandum No. AM 353-2001.
8. Resolution No. AR 2001-108, a resolution **selecting a site for a new high school in Eagle River**, to consist of approximately 50 acres, described as Tract C, Eagle Bluff Subdivision, and BLM Lots 88 (portion), 90, 91 (portion), 106 (portion), 107 through 111, 112 (portion), and 124 through 127, in the SE 1/4 of Section 14, Township 14N, Range 2W, Seward Meridian, Alaska, and generally located on Yosemite Drive, north of the Hiland Road-Eagle River Loop Road intersection, and east of the New Glenn Highway, Planning Department. *public hearing 5-8-01.*
 - a. Assembly Memorandum No. AM 354-2001.
9. Resolution No. AR 2001-121, a resolution of the Municipality of Anchorage appropriating up to \$453,000 from the Areawide General Fund (101) Balance to the Department of Finance to provide a **tentative settlement agreement with low income housing properties** regarding real property tax appeals, Finance. *public hearing 4-24-01 5-8-01. (addendum)*
 - a. Assembly Memorandum No. AM 371-2001.

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-91, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$15,000 with the State of Alaska, Department of Transportation and Public Facilities, for financing the **Year 2001 Alaska Bus and Van Roadeo** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation.
 - a. Assembly Memorandum No. AM 331-2001.
2. Resolution No. AR 2001-92, a resolution of the Municipality of Anchorage appropriating \$10,000 to the Miscellaneous Operational Grants Fund (261), Mayor's Office, from AT&T Alascom for the **"Good News, Great Kids" program**, Mayor's Office.
 - a. Assembly Memorandum No. AM 332-2001.
3. Resolution No. AR 2001-104, a resolution of the Anchorage Assembly approving the **2001 Heritage Land Bank Work Program**, Heritage Land Bank.
 - a. Assembly Memorandum No. AM 324-2001.

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

4. Resolution No. AR 2001-105, a resolution of the Municipality of Anchorage appropriating \$85,000 as a grant from the U.S. Fish and Wildlife Service to the Federal Grant Fund (241), Department of Project Management and Engineering, for the **Chester Creek Aquatic Restoration Project** No. 01-05, Office of Planning, Development, and Public Works.
 - a. Assembly Memorandum No. AM 351-2001.
5. Resolution No. AR 2001-106, a resolution authorizing the Municipality of Anchorage to **purchase Tract A, Honeywood Subdivision** to improve traffic safety and property screening for the Turpin Street Septage Receiving Station, Water and Wastewater Utility.
 - a. Assembly Memorandum No. AM 352-2001.
6. Resolution No. AR 2001-110, a resolution of the Anchorage Municipal Assembly approving the expenditure of funds for **legal fees** and appropriating the sum of \$10,870 from Areawide General Fund (101) Balance to the Department of the Assembly, Assemblymember Traini.
 - a. Assembly Memorandum No. AM 363-2001.
7. Resolution No. AR 2001-111, a resolution of the Anchorage Municipal Assembly approving the expenditure of funds for **legal fees** and appropriating the sum of \$9,000 from Areawide General Fund (101) Balance to the Department of the Assembly, Assemblymember Traini.
 - a. Assembly Memorandum No. AM 364-2001.
8. Resolution No. AR 2001-112, a resolution of the Anchorage Municipal Assembly approving the expenditure of funds for **legal fees** and appropriating the sum of \$6,000 from Areawide General Fund (101) Balance to the Department of the Assembly, Assemblymember Traini.
 - a. Assembly Memorandum No. AM 365-2001.

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

9. Resolution No. AR 2001-113, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$22,640 from Areawide General Fund (101) Balance to the Department of Health and Human Services to provide a **grant to the Chugiak Senior Center in support of the Adult Day Care Program**, Assemblymembers Fairclough and Kendall.
 - a. Assembly Memorandum No. AM 366-2001.

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

10. Resolution No. AR 2001-114, a resolution of the Municipality of Anchorage **endorsing and supporting passage of state legislation relating to health care coverage for persons diagnosed with breast or cervical cancer**, Health and Human Services & Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

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

- a. Assembly Memorandum No. AM 367-2001.
11. Resolution No. AR 2001-115, a resolution of the Anchorage Municipal Assembly appropriating \$5,000 from Areawide General Fund Balance (101) to NonDepartmental to be used as a **grant to the African American Historical Society of Alaska for the 2001 Juneteenth Celebration**, Assemblymember Taylor.
 - a. Assembly Memorandum No. AM 368-2001.
12. Resolution No. AR 2001-116, a resolution of the Anchorage Municipal Assembly **requesting an internal audit of the Municipality's "Knox Box" system and procedures**, Assemblymember Clementson.

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

13. Resolution No. AR 2001-117, a resolution of the Anchorage Municipal Assembly **supporting the Cook Inlet Aquaculture Association's plan for assistance to the Cook Inlet fishing community** through fisheries enhancement and rehabilitation, Assemblymembers Abney and Clementson. **(addendum)**

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

14. Resolution No. AR 2001-119, a resolution of the Anchorage Municipal Assembly **declaring itself malapportioned** in accordance with Charter Section 4.01, Assemblymember Tesche. **(addendum)**
15. Resolution No. AR 2001-120, a resolution of the Anchorage Municipal Assembly **recognizing National Youth Service Day** and applauding young people who have contributed their time and efforts to local community youth programs and school service programs, Assemblymembers Sullivan, Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. **(addendum)**

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

16. Resolution No. AR 2001-122, a resolution of the Anchorage Municipal Assembly relating to supporting legislation proposed in the Alaska State Legislature to institute **municipal taxation of alcoholic beverages and increasing the alcoholic beverage tax rates**, Assemblymember Van Etten. **(LAID ON THE TABLE)**

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 359-2001, **Planning and Zoning Commission appointment** (Nancy Killoran), Mayor's Office.

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

2. Assembly Memorandum No. AM 360-2001, **Animal Control Appeals Board reappointment** (Linda Chang-Edwards), Mayor's Office.
3. Assembly Memorandum No. AM 361-2001, **Public Facilities Advisory Commission appointments** (Raj Bhargava, Tanya Bratslavsky, Dan Sullivan), Mayor's Office.
4. Assembly Memorandum No. AM 362-2001, **Lakehill Limited Road Service Area Board of Supervisors appointments** (John Lau, Robert Rae), Mayor's Office.
5. Assembly Memorandum No. AM 333-2001, change order No. 1 to purchase order 200664 to exercise the first option period with E & S Diversified Services for providing **custodial services at the Anchorage Police Department Headquarters** for the Municipality of Anchorage, Facility Management Department (\$76,320.12), Purchasing.
6. Assembly Memorandum No. AM 334-2001, change order No. 1 to vendor contract 20MLP286 to exercise the first option period with Alaska Econo Copy for furnishing **monthly copier rentals** at various locations for the Municipality of Anchorage, Municipal Light and Power (\$60,832), Purchasing.
7. Assembly Memorandum No. AM 335-2001, recommendation of award to Alaska Testlab for providing **quality control testing services for municipal capital improvement projects** to the Municipality of Anchorage, Project Management & Engineering (RFP 21-P014) (\$150,000), Purchasing.
8. Assembly Memorandum No. AM 336-2001, recommendation of award to DOWL Engineers and ASCG, Inc. for providing **professional surveying services** to the Municipality of Anchorage, Department of Project Management and Engineering (RFP 20-P063) (\$400,000), Purchasing.
9. Assembly Memorandum No. AM 337-2001, cooperative purchase of **traffic paint and reflective glass beads** from TMT Pathway, LLC for the Municipality of Anchorage, Traffic Department (\$55,385.45), Purchasing.
10. Assembly Memorandum No. AM 338-2001, change order No. 2 to purchase order 206134 to exercise the first option period with Professional Colorgraphics for furnishing **printing and mailing services for the annual Water Quality Report** or the Municipality of Anchorage, Water and Wastewater Utility (\$27,000), Purchasing.
11. Assembly Memorandum No. AM 339-2001, proprietary approval for **Carter replacement pumps** from Alaska Pump and Supply for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$42,000), Purchasing.
12. Assembly Memorandum No. AM 340-2001, change order No. 2 to purchase order 201739 with Unwin, Scheben, Korynta, Huettl, Inc. (USKH) to provide **professional architectural/engineering services for capital improvement projects** for the Municipality of Anchorage, Merrill Field Airport (\$79,210), Merrill Field Airport.
13. Assembly Memorandum No. AM 341-2001, change order No. 5 to the contract with the Anchorage Permit and Development Center, LLC **lease of a Municipal Permit Center**, Heritage Land Bank.

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

14. Assembly Memorandum No. AM 342-2001, proposed amendment No. 4 to professional services contract with HDR Engineering, Inc. for **Chester Creek Improvements, Westchester Lagoon to New Seward Highway**, Project #92-16 (\$75,600), Office of Planning, Development, and Public Works.
15. Assembly Memorandum No. AM 343-2001, amendment No. 4 to the contract for professional services with Montgomery Watson Americas, Inc. for the **Service High Reservoir and Anchorage Loop Water Transmission Main - Phase V projects**, in the amount of \$50,000, Water and Wastewater Utility.
16. Assembly Memorandum No. AM 344-2001, proprietary purchase of **Lifepack parts and repair services** from Medtronic Physio-Control Corporation for the Municipality of Anchorage, Fire Department (\$50,000), Purchasing.
17. Assembly Memorandum No. AM 345-2001, change order No. 1 to vendor contract 20MIS481 with Resource Data, Inc. to develop an **integrated Land Information System (LIS) and Geographic Information Services (GIS) prototype database pilot project** for the Municipality of Anchorage, Management Information Systems Department (\$15,000), Purchasing.
18. Assembly Memorandum No. AM 346-2001, proprietary purchase of **computer software maintenance** from SAS Institute, Inc. for the Municipality of Anchorage, Management Information Systems Department (MISD) (\$35,100), Purchasing.
19. Assembly Memorandum No. AM 347-2001, change order No. 1 to exercise the first option period on contracts with various vendors for providing **miscellaneous hydraulic, electrical, and shop/maintenance supplies** to the Municipality of Anchorage, Purchasing Department (\$280,000), Purchasing.
20. Assembly Memorandum No. AM 348-2001, proprietary purchase of **asphalt emulsion** from Emulsion Products of Alaska, Inc. for the Municipality of Anchorage, Office of Planning, Development, and Public Works (\$1,357,000), Purchasing.
21. Assembly Memorandum No. AM 349-2001, recommendation of award to ASCG, Inc. for providing **professional land surveying services** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 21-P001) (\$150,000), Purchasing.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 37-2001, report of **Project Management & Engineering's construction contract amendments**, Office of Planning, Development, and Public Works.
2. Information Memorandum No. AIM 38-2001, **Assembly First Quarter Budget Amendments**, Office of Management and Budget. **(addendum)**

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

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

8. REGULAR AGENDA:

A. BID AWARDS: None.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2001-81, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.070 regarding **bay windows**, Assemblymember Tesche. *public hearing 7-10-01.*
 - a. Assembly Memorandum No. AM 321-2001.

Mr. Tesche, Ms. Clementson, and Ms. Taylor joined in introducing this ordinance. It was referred to the Planning and Zoning Commission for review, to return at a later date for public hearing before the Assembly.

(Clerk's Note: The public hearing date was set later in the meeting for the first week in July 2001. See after 8.E., Information and Reports.)

2. Resolution No. AR 2001-121, a resolution of the Municipality of Anchorage appropriating up to \$453,000 from the Areawide General Fund (101) Balance to the Department of Finance to provide a **tentative settlement agreement with low income housing properties** regarding real property tax appeals, Finance. *public hearing 4-24-01 5-8-01.* **(addendum)**
 - a. Assembly Memorandum No. AM 371-2001.

Mr. Tesche, Ms. Abney, and Mr. Tremaine joined in introducing this resolution. The public hearing was scheduled for May 8, 2001.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-104, a resolution of the Anchorage Assembly approving the **2001 Heritage Land Bank Work Program**, Heritage Land Bank.
 - a. Assembly Memorandum No. AM 324-2001.

Ms. Clementson moved, to approve AR 2001-104.
 seconded by Ms. Abney,

(Clerk's Note: This item was considered later in the meeting. See after item 8.E, Information and Reports.)

2. Resolution No. AR 2001-112, a resolution of the Anchorage Municipal Assembly approving the expenditure of funds for **legal fees** and appropriating the sum of \$6,000 from Areawide General Fund (101) Balance to the Department of the Assembly, Assemblymember Traini.
 - a. Assembly Memorandum No. AM 365-2001.

Mr. Tremaine moved, to approve AR 2001-112.
 seconded by Ms. Fairclough,

Mr. Tremaine moved, to postpone action on AR 2001-112 indefinitely.
 seconded by Mr. Tesche,

(Clerk's Note: See minutes of April 24, 2001 for further action on this item.)

3. Resolution No. AR 2001-113, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$22,640 from Areawide General Fund (101) Balance to the Department of Health and Human Services to provide a **grant to the Chugiak Senior Center in support of the Adult Day Care Program**, Assemblymembers Fairclough and Kendall.
 - a. Assembly Memorandum No. AM 366-2001.

Ms. Clementson moved, to approve AR 2001-113.
 seconded by Mr. Kendall,

Ms. Clementson moved, to postpone action on AR 2001-113 until April 24, 2001, to
 and it died for lack of a second, be considered with the first quarter budget amendments.

Question was called on the motion to approve AR 2001-113 and it passed with Ms. Clementson objecting.

4. Resolution No. AR 2001-114, a resolution of the Municipality of Anchorage **endorsing and supporting passage of state legislation relating to health care coverage for persons diagnosed with breast or cervical cancer**, Health and Human Services & Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Abney moved, to approve AR 2001-114.
seconded by Mr. Traini,
and it passed without
objection,

5. Resolution No. AR 2001-116, a resolution of the Anchorage Municipal Assembly **requesting an internal audit of the Municipality's "Knox Box" system and procedures**, Assemblymember Clementson.

Mr. Tesche moved, to approve AR 2001-116.
seconded by Ms. Taylor,

Mr. Tesche said he was confident the Fire Department, in consultation with the Risk Manager and the Municipal Attorney, was taking appropriate measures to remedy this issue. He felt the Assembly's involvement was inappropriate and an internal audit was unnecessary.

Ms. Clementson gave the background of this issue and said she had requested a report, which had not yet been provided. She said the notebook she had been provided on this subject indicated a need for an internal audit to identify procedures that should be implemented to avoid this situation in the future.

Municipal Manager Harry Kieling said while he was not opposed to requesting an internal audit of the procedure, he said the incident had occurred, the process had been reviewed in detail, and procedures had been developed to ensure it would not happen again. He was confident they now had a procedure in place where the Knox Boxes could be monitored. He offered to provide the Assembly with all of the information on the steps that had been taken to address the issue.

Fire Chief Fullenwider advised the Assembly that an internal investigation was being conducted by Captain Bill Miller of the Anchorage Police Department. He said the policies and procedures had been rewritten to ensure that this did not happen again, and all of the Knox Boxes had been rekeyed and would be reinstalled.

Question was called on the motion to approve AR 2001-116 and it failed:

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

Chair Von Gemmingen reiterated that the Assembly would like current information and a report on the status of this matter.

Mr. Tesche moved, to change the orders of the day to consider item 14, Special
seconded by Mr. Tremaine, Orders.
and it passed without
objection,

Assembly Memorandum No. AM 259-2001, **certification of the April 3, 2001, Regular Municipal Election**, Clerk's Office.

Ms. Abney moved, to approve AM 259-2001.
seconded by Mr. Tesche,

Elections Commission Chair Marie Lastufka advised that a Report of Canvass covering all questioned and absentee ballots for the April 3, 2001 elections was included in the Assembly packets. She responded to Assembly member questions.

Mr. Van Etten invited Ms. Lastufka to attend the next meeting of the Election Ad Hoc Committee.

Question was called on the motion to approve AM 259-2001 and it passed:

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

The meeting recessed at 5:45 p.m. and reconvened at 5:55 p.m.

Vice Chair Tremaine assumed the Chair.

Alaska Superior Court Judge Reese administered the oath of office to newly-elected Assembly members Kendall, Von Gemmingen, Van Etten, Traini, Taylor and Shamberg.

Chair Von Gemmingen returned to the Chair. She thanked Judge Reese for attending and for performing the swearing in ceremony.

6. Resolution No. AR 2001-117, a resolution of the Anchorage Municipal Assembly **supporting the Cook Inlet Aquaculture Association's plan for assistance to the Cook Inlet fishing community** through fisheries enhancement and rehabilitation, Assemblymembers Abney and Clementson. **(addendum)**

Ms. Abney moved, to approve AR 2001-117.
seconded by Mr. Tesche,

Ms. Abney moved, to amend AR 2001-117 to revise section 2 as follows: "That
seconded by Mr. Traini, this body supports efforts by the Kenai Peninsula Borough to
and it passed without secure federal funding for the Cook Inlet Aquaculture
objection, Association to provide long-term assistance to the Cook Inlet
fishing community."

Question was called on the motion to approve AR 2001-117 as amended and it passed without objection.

Ms. Abney requested that a copy of Resolution No. AR 2001-117 be sent to the State legislature and the Alaska congressional delegation in Washington, D.C. She noted it was a time-critical issue.

7. Resolution No. AR 2001-120, a resolution of the Anchorage Municipal Assembly **recognizing National Youth Service Day** and applauding young people who have contributed their time and efforts to local community youth programs and school service programs, Assemblymembers Sullivan, Abney, Clementson, Fairclough, Kendall, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. **(addendum)**

Mr. Tremaine moved, to approve AR 2001-120.
seconded by Mr. Traini,
and it passed without
objection,

Mr. Tremaine read the resolution, while Mr. Sullivan presented it to Beau Bassett.

Mr. Bassett thanked the Assembly on behalf of the nation's youth. He invited the Assembly members to attend a dinner at Northwood School on Saturday, April 21, to recognize more than 50-high school and middle school students who were nominated for the President's Student Service Award.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 359-2001, **Planning and Zoning Commission appointment** (Nancy Killoran), Mayor's Office.

Ms. Clementson moved, to approve AM 359-2001.
seconded by Mr. Kendall,

Ms. Clementson urged expediency in getting the seats filled as the vacancies were negatively impacting both the P&Z Commission and the Joint School Site Selection Committee.

Mr. Tesche requested that the Administration provide Nancy Killoran's background on land use planning.

Office of Planning, Development and Public Works Director Craig Campbell responded that Ms. Killoran had been a community activist in the Eagle River area for 20 years and had been involved in many community council issues during that time. He said additional information would be provided.

Ms. Fairclough reported that Ms. Killoran had contacted her the previous day and they had discussed the Anchorage 2020 Plan. Ms. Fairclough noted that the Eagle River Chamber of Commerce had verbally endorsed Ms. Killoran's appointment. Ms. Fairclough said the Eagle River community would be honored to have Ms. Killoran represent them on the P&Z Commission.

By Assembly agreement, action on AM 359-2001 was postponed until May 8, 2001.

2. Assembly Memorandum No. AM 341-2001, change order No. 5 to the contract with the Anchorage Permit and Development Center, LLC **lease of a Municipal Permit Center**, Heritage Land Bank.

Mr. Tremaine moved, to approve AM 341-2001.
seconded by Mr. Tesche,

Mr. Tremaine moved, to postpone action on AM 341-2001 until April 24, 2001.
seconded by Ms. Fairclough,
and it was withdrawn,

Municipal Manager Harry Kieling advised that data contained in change order No. 5 to the contract was fundamentally flawed, and he requested that this item be tabled indefinitely.

Mr. Tremaine withdrew his motion to postpone, with the concurrence of Ms. Fairclough.

Mr. Tremaine moved, to postpone action on AM 341-2001 indefinitely.
seconded by Ms. Fairclough,
and it passed without
objection,

E. INFORMATION AND REPORTS: None.

The Assembly then returned to item 8.C.1, AR 2001-104, and 8.B.1, AO 2001-81.

Resolution No. AR 2001-104, a resolution of the Anchorage Assembly approving the **2001 Heritage Land Bank Work Program**, Heritage Land Bank.
a Assembly Memorandum No. AM 324-2001.

Ms. Clementson moved, to amend AR 2001-104 to include the long-term lease of the
seconded by Mr. Tremaine, Alaska Botanical Gardens and to include recognition of the
and it passed without Heritage Land Bank's work with the Assembly Joint School
objection, Site Selection Committee to select and acquire a site for a new
middle school in Muldoon.

Mr. Tremaine moved, to amend AR 2001-104 at page 8, Section V, to delete
seconded by Ms. Fairclough, paragraph No. 5, Alaska Mental Health Trust Settlement
and it passed without Agreement (AO 95-138), in its entirety.
objection,

Ms. Fairclough moved, to amend AR 2001-104 to delete the last phrase of the last line
seconded by Mr. Tremaine, of paragraph 2 of the Director's Message, which reads, ",
to include the ultimate conveyance of BLM Campbell Tract
lands."

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

NAYS: Sullivan, Kendall, Von Gemmingen.

Ms. Fairclough moved, to amend AR 2001-104 on page 9, Section VI, line 7, to read,
seconded by Mr. Tremaine, "the 2001 meeting is scheduled for May."
and it passed without
objection,

Question was called on the motion to approve AR 2001-104 as amended and it passed:

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

NAYS: None.

Ordinance No. AO 2001-81, an ordinance of the Anchorage Municipal Assembly amending Anchorage
Municipal Code Section 21.45.070 regarding **bay windows**, Assemblymember Tesche. *public hearing 7-10-*
01.

a. Assembly Memorandum No. AM 321-2001.

Mr. Tesche moved, to set AO 2001-81 for public hearing on the first regular
seconded by Mr. Tremaine, Assembly meeting in July.
and it passed without
objection,

The meeting recessed at 6:35 p.m. and reconvened at 7:10 p.m.

Mr. Traini requested a point of personal privilege to recognize Boy Scout Troop 186 from the Sand Lake area. The Boy Scouts and Dave Sherman, Assistant Scout Master, introduced themselves. They were working on the requirements to obtain their citizenship in the community merit badges.

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

- A. Assembly Memorandum No. AM 208-2001, Port of Anchorage Tariff Revisions-**New Port of Anchorage Terminal Tariff No. 5**, Port of Anchorage.
1. Information Memorandum No. AIM 25-2001, Recommended Port of Anchorage Tariff Revisions-
New Port of Anchorage Terminal Tariff No. 5, Port of Anchorage.
(POSTPONED FROM 2-27-01 AND 3-27-01)

This item was carried over to April 24, 2001.

- B. **NOTICE OF RECONSIDERATION: Assembly Memorandum No. AM 319-2001**, request for approval of **2001 funding and the professional services agreement with the Anchorage Convention and Visitors Bureau (ACVB)** (\$5,600,000), Cultural and Recreational Services.
(APPROVED 3-27-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TREMAINE 3-27-01)

Notice of Reconsideration died for lack of action. The previous action was sustained.

- C. **NOTICE OF RECONSIDERATION:** 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; POSTPONED FROM SPECIAL MEETING HELD 3-23-01; PUBLIC HEARING WAS RE-OPENED AND CLOSED 3-27-01; AMENDED AND APPROVED 3-27-01; RECONSIDERATION WAS ENTERED ON THE MINUTES 3-27-01)

Notice of Reconsideration died for lack of action. The previous action was sustained.

- D. Ordinance No. AO 2001-55, an ordinance of the Anchorage Assembly amending Anchorage Municipal Code Section 14.60.030 to provide a civil fine schedule for Sections 8.35.020 (Sale of Drug Paraphernalia), 8.35.025 (Possession of Drug Paraphernalia) and 8.35.030 (Penalty; Additional Remedies) and providing for the **forfeiture of drug paraphernalia**, Legal Department.
1. Assembly Memorandum No. AM 190-2001.
(POSTPONED FROM 3-20-01)

This item was carried over to April 24, 2001.

10. APPEARANCE REQUESTS:

- A. **Jeff Jessee**, concerning API, UAA, and Mental Health Land Trust.

Mr. Jessee did not appear.

11. CONTINUED PUBLIC HEARINGS:

- A. Ordinance No. AO 2001-46, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by adding a definition of **Large Retail Establishment**; adding Large Retail Establishment as a conditional use in Zoning Districts B-1A, B-1B, B-2A, B-2B, B-2C, B-3, B-4, I-1, I-2, and I-3; revising the maximum gross floor area for retail uses in Zoning District B-1B; and adding conditional use standards for Large Retail Establishments, Assemblymembers Fairclough, Tesche, Traini, and Tremaine.
1. Ordinance No. AO 2001-46(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by adding a definition of *Large Retail Establishment*; adding *Large Retail Establishment* as a conditional use in Zoning Districts B-1A, B-1B, B-2A, B-2B, B-2C, B-3, B-4, I-1, I-2, and I-3 Districts; revising the maximum gross floor area for retail uses in Zoning District B-1B; and adding conditional use standards for *Large Retail Establishments*, Assemblymembers Tesche, Fairclough, Taylor, Traini, Tremaine, Van Etten, and Von Gemmingen.
 2. Assembly Memorandum No. AM 313-2001, AO 2001-46(S); design and site plan requirements for large commercial establishments, Assemblymember Tesche.
(CONTINUED FROM 3-27-01)

Mr. Tesche advised that as a result of the Planning & Zoning Commission's review of the "big box store" ordinance, a new ordinance, AO 2001-80, had been drafted set for public hearing on April 24, 2001.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one.

Mr. Tesche moved, to continue the public hearing on AO 2001-46 until
seconded by Ms. Taylor, April 24, 2001.
and it passed without
objection,

- B. Ordinance No. AO 2001-72, an ordinance of the Municipality of Anchorage renumbering and amending Anchorage Municipal Code Section 9.12.010 to 9.28.019 and **modifying the penalties in Chapter 9.28, including the impound and forfeiture of vehicles used in the offense**, to incorporate the addition of the new Section 9.28.019, Assemblymember Traini.
1. Assembly Memorandum No. AM 372-2001. (**addendum**)
 2. Information Memorandum No. AIM 46-2001. (**addendum**)
(CONTINUED FROM 3-27-01)

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

RANDY SMITH, Mt. View Community Council and Mt. View Patrol, said he was pleased to see this ordinance being put forward for Assembly approval. He felt it would provide a strong deterrent for repeat offenders.

TOM McGRATH thanked Mr. Traini for bringing this ordinance forward. He said being able to drive was a privilege, not a right, and the citizens of Anchorage have a right to expect safe streets. He said license plates should not be transferable, and the Department of Motor Vehicles should require proof of insurance before providing a driver's license or license plates to an applicant. He added that people stopped for traffic violations should be required to provide their driver's license, registration, and proof of insurance, and if they could not provide any item, their license plate should be confiscated immediately.

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

Mr. Traini moved, to adopt AO 2001-72.
seconded by Mr. Tesche,

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

Ms. Fairclough recommended that public education programs and/or services be made available to inform the public of this change and its implications. Mr. Traini concurred.

In response to Ms. Fairclough, Mr. Traini said he would prepare a resolution to be submitted to the legislature.

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 2001-73, a resolution of the Municipality of Anchorage appropriating \$850,000 from the MOA Trust Fund (0730) for **expert financial management services** provided in calendar year 2001, Finance Department.
1. Assembly Memorandum No. AM 264-2001.

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

CHARLES McKEE expressed concern regarding identity theft and requested that the expert financial management services provider be advised of this problem as it relates to the State of Alaska having access to Alaskan residents' birth certificates and other forms of identification.

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

Ms. Fairclough moved, to approve AR 2001-73.
seconded by Ms. Taylor,

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

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

- B. Resolution No. AR 2001-94, a resolution of the Municipality of Anchorage appropriating \$1,379,340 of 2001 Tax Revenues from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund (119) to the CBERRRSA Capital Improvement Program Mill Levy Fund (419) and appropriate \$30,023 of 2000 Capital Improvement Program mill levy revenues contributed as part of 2000 first quarter budget revisions for **road and drainage capital improvement projects**, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 304-2001.

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

Ms. Fairclough moved, to approve AR 2001-94.
seconded by Ms. Taylor,

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

- C. Resolution No. AR 2001-70, a resolution **confirming and levying special assessments for Special Assessment District No. 5SR96**, which reconstructed streets in the Kempton Hills Subdivision Area, and setting the date of assessment installment payments, interest on unpaid assessments, and providing for penalties and interest in the event of delinquency, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 220-2001.

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

Mr. Tremaine moved, to approve AR 2001-70.
seconded by Mr. Traini,

Ms. Fairclough moved, to amend AR 2001-70 at line 23 to fill in the blank with "April 17," at line 33 to fill in the blanks with "1st" and "August," and at line 34 to fill in the blank with "August 1st," and that the attached roll dated February 12, 2001, be used.
seconded by Mr. Tremaine,
and it passed without objection,

Question was called on the motion to approve AR 2001-70 as amended and it passed:

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

Ms. Clementson requested a work session on the overall policy for street reconstruction.

- D. Resolution No. AR 2001-90, a resolution authorizing eminent domain proceedings and acceptance of the Decisional Document for the **construction of the Boston Street and East 12th Court Upgrade**, Project #98-07, Office of Planning, Development, and Public Works.
1. Assembly Memorandum No. AM 310-2001.

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

Ms. Clementson moved, to approve AR 2001-90.
seconded by Mr. Traini,

At Municipal Engineer Howard Holtan's request, Tom Knox, Municipal Surveyor and Supervisor of Right-of-Way Acquisitions for the Department of Project Management and Engineering, briefed the Assembly on information that must be included in the record.

Mr. Sullivan moved to reopen the public hearing on AR 2001-90.
seconded by Ms. Clementson,
and it passed without
objection,

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

KENNETH SUN objected to this resolution because he did not believe the engineering had been reviewed carefully enough to ensure that the subject property owners would be treated fairly. He said his specific objection was that the profile of Boston Street and East 12th Court were being changed, which would adversely impact his mother's property.

Mr. Holtan said this project was for the construction of the collector street improvements beginning at Muldoon Road and going east on 12th Avenue to the intersection at Boston Street, then south then north to Debarr Road on the south end and around the curve. He said they had designed the project to address the challenging terrain in the area.

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

Mr. Knox provided the background of the collector road project, the scope of the work, and the negotiations with the property owners who were affected by the project.

Ms. Clementson moved, to approve AR 2001-90.
seconded by Mr. Tesche,

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

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

- E. Ordinance No. AO 2001-74, an ordinance of the Anchorage Assembly amending the **curfew law** in Anchorage Municipal Code Section 8.75.060 and other related sections of the Code pertaining to curfew, Legal Department.
1. Ordinance No. AO 2001-74(S), an ordinance of the Anchorage Assembly amending the curfew law in Anchorage Municipal Code Section 8.75.060 and other related sections of the Code pertaining to curfew, Legal Department. **(LAID ON THE TABLE)**

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

JENNIFER RUTTINGER, Executive Director of the Alaska Civil Liberties Union (ACLU), stated her opposition to the curfew ordinance and questioned whether it would withstand legal challenge. She told the Assembly that this ordinance was premature, and she urged them to wait until the Supreme Court made a decision on the appeal.

RANDY SMITH, Mt. View Patrol, spoke in favor of the curfew. He said in his experience, the young people he sees out late at night are youths who do not have good parental supervision, and their parents may not even know where they are. He said the curfew would help to keep kids safe, and it should apply to young people who were under 18 years old.

THERESA OBERMEYER said it was apparent there was no ACLU in Anchorage because they were not there when she was denied the right to speak before the Anchorage School Board.

DAVID SCHURMER concurred with Mr. Smith's comments. He said the Anchorage School District has a massive project every fall to fix all of the broken school windows. He said the windows do not get broken in daytime, but late at night when kids should be at home and not out running the streets, causing damage and getting into trouble.

REX SHATTUCK, Scout Master, concurred with Mr. Smith's comments. He said the curfew provides parents with an additional tool in raising their children, and it acts as a deterrent in the community. He said a curfew was in the best interest of Anchorage.

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

Mr. Sullivan moved, to adopt AO 2001-74(S).
seconded by Mr. Traini,

Municipal Attorney Bill Greene responded to Assembly members' questions regarding the appeal and how it would impact this ordinance.

Mr. Tesche said he would vote in favor of this ordinance, and it would be his intent to incorporate into the record of this meeting's proceedings all of the statistical data, evidence, and materials that were previously before the Assembly on the curfew issue as an aid to the interpretation and application of the ordinance that was before the Assembly at this time. In response to Mr. Tesche, Mr. Greene said he would see that Mr. Tesche's request was carried out and made a part of the record as an AM or an AIM if that was the Assembly's wish.

<p>Mr. Traini moved, seconded by Mr. Sullivan, and it was withdrawn,</p>	<p>to amend AO 2001-74(S) at lines 16 and 17 to change 1:00 a.m. to 12:00 midnight.</p>
--	---

Mr. Greene recommended that the Assembly not make that change with this ordinance until further review, investigation, and statistical analyses could be conducted.

Mr. Traini withdrew his motion with the consent of Mr. Sullivan.

Question was called on the motion to adopt AO 2001-74(S) and it passed:

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

The meeting recessed at 9:10 p.m. and reconvened at 9:20 p.m.

(Chair Von Gemmingen left the meeting during the recess.)

Vice Chair Tremaine assumed the Chair. There was a suggestion that the public hearings for AO 2001-75 and AR 2001-75 be combined, and there were no objections.

- F. Ordinance No. AO 2001-75, an ordinance adopting the **2001 Long-Range Transportation Plan** as an element of the Anchorage Comprehensive Plan and amending Chapter 21.05 of the Anchorage Municipal Code, Planning Department.
 - 1. Information Memorandum No. AIM 29-2001.
- G. Resolution No. AR 2001-75, a resolution of the Assembly adopting the **AMATS 2001 Anchorage Bowl Long-Range Transportation Plan**, Planning Department.
 - 1. Assembly Memorandum No. AM 275-2001.
 - 2. Information Memorandum No. AIM 29-2001.

Vice Chair Tremaine opened the public hearings for AO 2001-75 and AR 2001-75 and asked if anyone wished to speak.

PAUL NANGLE stated his opposition to truck traffic on Christensen Drive. He asked if the memorandum requested by Assembly member Taylor or Fairclough two weeks ago had been prepared and what the Traffic Engineer's position was on this issue as it affected the Ship Creek area.

Municipal Traffic Engineer David Mumford said they were preparing the memorandum, and it was their position that commercial truck traffic on Christensen Drive, with the reconstruction project, was not desirable. He said they were working with the Alaska Truckers Association to address the impacts of this issue. He anticipated that the memorandum would be distributed next week, and said he would send Mr. Nangle a copy.

PAUL LAVERTY said neither this project nor the recent proposal for the Ingra/Gambell Extension project, both of which proposed to use public funds, had taken the Alaska Railroad's draft Master Plan into consideration. He said the question of whether land use would drive transportation or transportation would drive land use needed to be resolved. He urged the Administration to consider a very thorough land use plan for the Ship Creek area before any transportation plans were proposed.

TERRY BURRELL said the University Area Community Council had passed two road improvement resolutions at their meeting of April 4, 2001, one for East 42nd Avenue and one for Emmanuel Drive at Tudor Road, to address the problem of cut-through traffic. She said the street that was in the most need of attention in this area was Checkmate Drive. She also asked that the 2002 funding for the improvements in the Alaska Pacific University area be moved to 2003 or 2004 or whenever the land use for the area had been decided. Ms. Burrell also asked that emergency and handicap accessibility be provided for the Tony Knowles Coastal Trail Extension.

CHERYL RICHARDSON, Anchorage Citizens Coalition, felt the 2001 Long-Range Transportation Plan (LRTP) was a temporary fix to enable the Municipality to continue receiving federal funds for the construction of its transportation system. She said the plan did not explain what the costs would be to operate and maintain the system. She said that land use alternatives should be considered as part of the East Anchorage transportation study. She also expressed concern that the plan did not reflect the legal obligations of the various agencies to analyze the impacts on different parts of the community.

ANN HERSCHLEB, member, Girdwood Board of Supervisors (BOS), read excerpts of a letter written by BROOKS CHANDLER, former member of the Girdwood BOS, regarding the 2001 Long-Range Transportation Plan. The excerpts she read specifically related to the Rail Recommendations section of the Plan. Ms. Herschleb added that Girdwood residents do not consider themselves part of the Anchorage Bowl, and Girdwood should not be included in the Anchorage Long-Range Transportation Plan. She requested that the last item in Table 5 on page 42 of the Plan be deleted.

DEANNA ESSERT asked that the Assembly not approve the ordinance adopting the 2001 Long-Range Transportation Plan until all testimony on the resolution had been heard. She requested that public involvement be a major component of the LRTP and that the best practices outlined in the publication "Anchorage on the Move" be adopted as part of the LRTP. She also requested that two legislators be seated on the AMATS policy board and be allowed to participate in decision-making, and that the Alaska Railroad Corporation's participation in AMATS be limited to information-gathering and studies funded under the FTA. Ms. Essert addressed several issues related to the ambient air quality standards as they related to federal transportation funding.

At Ms. Taylor's request, Lance Wilber spoke to Ms. Essert's comments concerning the federal cease and desist order that had stopped work on the federally funded projects.

GREGORY NELSON, PCA, expressed concerns about the Part B transit recommendations contained on page 38 of the public review draft of the LRTP. He said both his mother and his brother were disabled, and he had witnessed disturbing incidents related to the AnchorRides system. He said AnchorRides was not comparable to the People Mover system, and the administrators of the program were insensitive to the actual needs of its clients/users.

Vice Chair Tremaine asked if anyone else wished to speak. There was no one, and he closed the public hearings.

Ms. Fairclough moved, to adopt AO 2001-75.
seconded by Mr. Tesche,

Mr. Tesche moved, to amend AO 2001-75 at page 16 to add a sentence at the end
seconded by Ms. Abney, of the last paragraph to read, "Review of this project shall be
and it passed without undertaken in accordance with the principles set forth in
objection, AR 2001-101 as approved by the Anchorage Assembly on
March 27, 2001."

Mr. Tremaine noted that the Assembly members did not all have the same document. Mr. Wilber said the staff had tried to respond to the comments as they came in and to provide an up-to-date draft to the Assembly in a timely manner.

Mr. Traini moved, to postpone action on AO 2001-75 until April 24, 2001.
seconded by Ms. Abney,

Mr. Traini pointed out that some of the Assembly members had blue copies and some did not. In response to Mr. Tremaine, Mr. Wilber said delaying approval of the ordinance would result in delaying the conformity approval by another week. Office of Planning, Development and Public Works Director Craig Campbell recommended that the Assembly act on this item tonight. He said if the Assembly delayed action tonight, the AMATS Policy Committee would then have to delay their consideration of the item.

Mr. Traini withdrew his motion with the consent of Ms. Abney.

Ms. Abney moved, to extend public hearings until 11:00 p.m.
seconded by Mr. Van Etten,
and it passed without
objection,

Ms. Taylor moved, to amend AO 2001-75 at page 33 to delete the proposed road
seconded by Mr. Van Etten, near Goose Lake that runs through the University Community
Council from Northern Lights to East 36th Avenue, to delete
the road that runs from Tudor Road south connecting Abbott
Loop Road, and to delete the connection between Boniface
Parkway to Dowling Road that runs through Bicentennial
Park, and further, to delete any reference to those roads
throughout the document.

Ms. Abney made a friendly amendment, accepted by Ms. Taylor and Mr. Van Etten, to delete Bragaw from Northern Lights to O'Malley.

Mr. Traini pointed out that the purpose of the East Anchorage Corridor Study was to study the feasibility of the projects that were the subject of Ms. Taylor's and Ms. Abney's motions.

After lengthy discussion, Mr. Tremaine suggested that the lines be removed and the entire study area be shaded or cross-hatched with a note in the legend that this was the East Anchorage Transportation Study area. He said following completion of the study and recommendations, the map would be updated. The Assembly concurred.

Ms. Taylor and Mr. Van Etten accepted Mr. Tremaine's suggestion as a friendly amendment.

Mr. Tremaine restated his intent as follows: The last three paragraphs on page 35 would be deleted in their entirety; the first two paragraphs on page 36 would be deleted in their entirety along with the phrase that begins, "Due to the issues described above...." The map on page 33 would be revised so that the entire study area would be cross-hatched, the asterisks would be removed, the legend would refer to the study area as "cross-hatched," the dotted line by Goose Lake would be deleted, the dotted line extending from Boniface to Dowling would be deleted, the dotted line from Bragaw to Abbott Loop Road would be deleted, and the solid line along Abbott Loop Road between Abbott Road and O'Malley would be deleted.

Ms. Abney made a friendly amendment, accepted by Ms. Taylor and Mr. Van Etten, to change the term "Abbott Road/Lake Otis Parkway" to "Abbott Loop."

Ms. Taylor moved, to extend the meeting until 11:30 p.m.
seconded by Mr. Tesche,
and it failed with objections
by Mr. Kendall and
Ms. Clementson,

Mr. Van Etten moved, to extend the meeting until 11:15 p.m.
seconded by Ms. Taylor,
and it failed with objections
by Mr. Kendall and
Ms. Clementson,

Mr. Van Etten moved, the previous question.
seconded by Ms. Taylor,

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

NAYS: Kendall, Fairclough.

(Clerk's Note: Ms. Von Gemmingen was not present at the time of the vote.)

Question was called on the motion to amend AO 2001-75, as amended, and it passed:

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

NAYS: Sullivan, Kendall, Fairclough, Clementson.

Mr. Tesche moved, to amend AO 2001-75 to delete on page 41 the reference,
seconded by Ms. Taylor, "construct new facilities for Williams Energy in Anchorage"
and to delete the reference and Footnote 2 at the top of page
42, referring to "Williams Energy plans to construct additional
trackage at Ocean Dock Road petroleum terminal."

Vice Chair Tremaine noted that time had expired. This item was carried over to April 24, 2001.

- H. Resolution No. AR 2001-85, a resolution of the Anchorage Municipal Assembly **recognizing the Girdwood Community Association as the Community Council for the Girdwood Valley Community Council District**, Assemblymember Abney.
- I. Ordinance No. AO 2001-62, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple Family Residential District) to B-3SL (General Business District) with Special Limitations for **Sperstad Subdivision, Block F, Lots 7, 8A, 10, 11 and 12; Block G, Lots 7A, 8A, 9A, 10, 11 and 12**; generally located on the west side of Arctic Boulevard, between West 53rd and West 56th Avenues (Taku Campbell Community Council) (Planning and Zoning Commission Case 2000-159), Planning Department.
 1. Assembly Memorandum No. AM 235-2001.

Items 12.H and 12.I were carried over to April 24, 2001.

- J. Ordinance No. AO 2001-63, an ordinance amending the zoning map and providing for the rezoning from R-2A (Two Family Residential District) to R-3 (Multiple-Family Residential District) for a **portion of the E 1/2, SW 1/4, Section 25, T13N, R3W, S.M., AK**; generally located on the curve of Muldoon and Tudor Roads, south of 36th Avenue (Scenic Foothills Community Council) (Planning and Zoning Commission Case 2000-172), Planning Department.
 1. Assembly Memorandum No. AM 236-2001.

Chair Von Gemmingen announced earlier in the meeting that the petitioners had formally withdrawn their application and request for a public hearing on this rezone request.

- K. Ordinance No. AO 2001-73, an ordinance amending Anchorage Municipal Code Subsections 21.40.080D, 21.40.100D, 21.40.110D, and Section AMC 21.45.110, and adding Section 21.50.320 to **allow fences over six (6) feet in height in the R-6, R-8 and R-9 Zoning Districts by conditional use permit** and to provide conditional use standards for fences over six (6) feet in height, Planning Department.
 1. Assembly Memorandum No. AM 272-2001.
- L. Ordinance No. AO 2000-135, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.45.110 to **allow for front yard fences to be up to eight feet in height in Zoning Districts R-6, R-8, and R-9 when the fencing material is non-sight obscuring**, Assemblymembers Tremaine and Abney.
 1. Assembly Memorandum No. AM 833-2000.
 2. Assembly Memorandum No. AM 273-2001, Planning Department.
- M. Ordinance No. AO 2001-79, an ordinance amending Anchorage Municipal Code Section 21.35.020 and amending Anchorage Municipal Code Section 21.50.210 to amend the **definitions for Open Space and Usable Open Space**; add a definition for **Common Open Space**; and to provide standards for the provision of **Common Usable Open Space** in cluster housing development, Assemblymember Fairclough. **(TO BE SUBMITTED)**
 1. Ordinance No. AO 2001-79(S), an ordinance amending Anchorage Municipal Code Section 21.35.020 and amending Anchorage Municipal Code Section 21.50.210 to amend the definitions for *Open Space* and *Usable Open Space*; add a definition for *Common Open Space*; and to provide standards for the provision of *Common Usable Open Space* in cluster housing development

- (Planning and Zoning Commission Case 2000-260; Platting Board Case S-10693), Planning Department.
- 2. Assembly Memorandum No. AM 329-2001.

Items 12.K through 12.M were carried over to April 24, 2001.

- N. Ordinance No. AO 2001-88, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code 21.40.117 to **modify parking requirements in the New Girdwood Townsite**, Assemblymember Tremaine.

Mr. Tremaine announced earlier in the meeting that consideration of this item would be delayed until June 5, 2001.

- O. Ordinance No. AO 2001-87, an ordinance enacting a new Section 25.70.070 authorizing the issue of **conduct orders in certain public areas** to remedy listed violations of the Anchorage Municipal Code and providing for appeals from those orders; amending Section 8.45.010 relating to the crime of trespass and Section 14.20.020 regarding administrative hearings, Assemblymembers Tesche, Traini, and Tremaine.
 - 1. Assembly Memorandum No. AM 317-2001, Assemblymember Tesche.
 - 2. Assembly Memorandum No. AM 370-2001, AO 2001-87; Conduct Ordinance - Floor Amendments, Assemblymember Tesche. (**addendum**)

This item was carried over to April 24, 2001.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

- A. Assembly Memorandum No. AM 259-2001, **certification of the April 3, 2001, Regular Municipal Election**, Clerk's Office.

This item was considered earlier in the meeting. See after item 8.C.5.

15. UNFINISHED AGENDA: None.

16. AUDIENCE PARTICIPATION: None.

17. ASSEMBLY COMMENTS: None.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 11:00 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: September 25, 2001

LF/csc

INDEX

<i>Subject</i>	<i>Page</i>
Adult Day Care Program.....	3, 5
Alaska Bus And Van Rodeo.....	2
Alcoholic Beverage Tax Rates.....	3
Anchorage Bowl Comprehensive Plan.....	12
Anchorage Convention And Visitors Bureau.....	8
Anchorage Loop Water Transmission Main.....	4
Anchorage Memorial Park Cemetery.....	2
Anchorage Metropolitan Area Transportation Study (AMATS).....	12
APPEARANCE REQUESTS	
Jeff Jessee, Concerning API, UAA, And Mental Health Land Trust.....	9
Appropriations.....	2, 3, 5, 10
Architectural/Engineering Services.....	4
Asphalt Emulsion.....	4
Assembly Approval Of Zoning Map Amendments.....	2
Assembly First Quarter Budget Amendments.....	5
Assembly Malapportionment.....	3
Bay Windows.....	2, 5, 8
Board Or Commission Appointments.....	4, 7
Chester Creek Aquatic Restoration Project.....	3
Chester Creek Improvements.....	4
Child Care Licensing Program.....	2
Code Changes.....	1, 2, 5, 8, 9, 11, 12, 14, 15
Computer Purchases, Maintenance Or Licensing.....	4
Conditional Use Changes.....	9, 14
Construction Contract Amendments.....	5
Cook Inlet Aquaculture Association.....	3, 7
Copier Rentals.....	4
Curfew Law.....	11
Custodial Services.....	4
Database Pilot Project.....	4
Drug Paraphernalia.....	9
Dust Control Program.....	2
Eagle River High School Site Selection.....	2
Election Certification.....	6, 15
Electrical Conductor And Cable.....	1
Eminent Domain.....	11
Financial Management Services.....	10
Fire Department.....	4
Fisheries Enhancement And Rehabilitation.....	3, 7
General Government Operating Budget.....	2
Good News, Great Kids Program.....	2
Health Care Coverage.....	3, 6
Heritage Land Bank.....	4, 7
Heritage Land Bank Work Program.....	2, 5, 8
Hydraulic, Electrical, And Shop/Maintenance Supplies.....	4
Internal Audit Of The Municipality's "Knox Box" System And Procedures.....	3, 6
Juneteenth Celebration.....	3
Land Information System (LIS) And Geographic Information Services (GIS) Prototype Database.....	4
Land Sale, Purchase, Lease, Conveyance Or Donation.....	3
Land Sale, Purchase, Lease, Conveyance Or Donation.....	4, 7
Land Surveying Services.....	4
Large Retail Establishments (Big Box).....	9
Legal Fees.....	3
Lifepack Parts And Repair Services.....	4
Limited Road Service Areas.....	4
LITIGATION	
Tentative Settlement Agreement With Low Income Housing Property Owners.....	2, 5
Low Income Housing Credits.....	9
Low Income Housing Settlement.....	2, 5
Merrill Field Airport.....	4
MOA Trust Fund.....	10
Open Space Definitions.....	14
Parking Requirements In The New Girdwood Townsite.....	15
Planning And Zoning Commission.....	2, 14, 15
Platting Board.....	15
Police Department.....	4
Port Of Anchorage Tariff Revisions.....	8
Printing And Mailing Services.....	4
Quality Control Testing Services.....	4
RECOGNITION	
Girdwood Community Association As The Community Council For The Girdwood Valley Community Council District.....	14
National Youth Service Day.....	3, 7

Replacement Pumps	4
Rezoning.....	14
Road And Drainage Capital Improvement Projects	10
Road Improvement Projects	11
Service High Reservoir	4
Special Assessment Districts.....	10
State Legislation.....	3, 6
State Transfer Of Responsibilities Agreement (TORA).....	2
Surveying Services.....	4
Taxicab Disabled Permits.....	1
Traffic Paint And Reflective Glass Beads.....	4
Traffic Safety And Property Screening	3
Transit Route Structure And Development Of Recommendations For Route Improvements	2
Transit Shelter Construction.....	1
Trespassing In Public Areas	15
Vehicles, Impound And Forfeiture Of	9
Water Treatment Chemicals.....	1