

**MUNICIPALITY OF ANCHORAGE**

**ANCHORAGE ASSEMBLY**

Minutes for Regular Meeting of February 5, 2002

**1. CALL TO ORDER:**

The meeting was called to order at 5:03 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, Allen Tesche, Janice Shamberg, Dick Tremaine, Cheryl Clementson.  
Absent: None.

**3. PLEDGE OF ALLEGIANCE:**

The Pledge was recited.

**4. MINUTES OF PREVIOUS MEETING:**

Regular Meeting – October 16, 2001.

Mr. Tesche moved, to approve the minutes of the Regular Meeting of  
Seconded by Ms. Von Gemmingen, October 16, 2001.  
and it passed without objection,

Special Meeting – November 20, 2001.

Mr. Tesche moved, to approve the minutes of the Special Meeting of  
Seconded by Ms. Von Gemmingen, November 20, 2001.  
and it passed without objection,

**5. MAYOR'S REPORT:**

Municipal Manager Harry Kieling reported that Mayor Wuerch was in Tokyo. An update on the AWARE class was provided. A study group has been empanelled to look at the potential problem of an airline accident at Ted Stevens International Airport.

**6. ASSEMBLY CHAIR'S REPORT:**

Board of Ethics complaint on Mr. Joe Murdy, case #99-3. Mr. Murdy was asked if he had any objection to the Assembly concurring to the release the Ethics Board report. Mr. Murdy replied that he had no objection.

Ms. Von Gemmingen moved, to release the Ethics Board Report on Case #99-3.  
Seconded by Mr. Tremaine,  
and it passed without objection,

Mr. Tesche read Anchorage Resolution 2002-36, a resolution of the Anchorage Assembly recognizing and honoring Jessica E. Bury for her volunteer work at the World Trade Center Relief Center in New York City.

**7. COMMITTEE REPORTS:**

There were no committee reports.

**8. ADDENDUM TO AGENDA:**

Mr. Sullivan moved, to amend the agenda to include the addendum  
Seconded by Ms. Von Gemmingen, items.

Chairman Traini read the addendum items.

Question was called on the motion to amend the agenda to include the addendum items and it passed:

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

NAYES: None.

**9. CONSENT AGENDA:**

Mr. Tesche moved, to approve all items on the Consent Agenda as  
Seconded by Ms. Fairclough, amended.

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

B. RESOLUTIONS FOR ACTION – OTHER:

1. Resolution No. AR 2002-43, a resolution of the Municipality of Anchorage appropriating the sum of \$30,000 from the State of Alaska, Department of Transportation and Public Facilities,

Division of Statewide Planning Highway Safety Office and \$30,000 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department's 2002 Operating Budget, to the State Categorical Grants Fund (231) for **High Risk Driver Dangerous Violation Enforcement Program**, Anchorage Police Department.

a. Assembly Memorandum No. AM 132-2002.

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

2. Resolution No. AR 2002-44, a resolution of the Municipality of Anchorage providing for the appropriation of \$30,000 restricted donation from Anchorage Neighborhood Housing Services, Inc. to the Anchorage Parks and Recreation Service Area Fund (161), Cultural and Recreational Services Department, Parks and Recreation Division 2002 Operating Budget for the purpose of operating an **after-school recreational program**, Cultural and Recreational Services.
  - a. Assembly Memorandum No. AM 133-2002.

Chairman Traini requested this item be considered on the Regular Agenda. See Item 10.B.

3. Resolution No. AR 2002-47, a resolution of the Anchorage Municipal Assembly **supporting the State Division of Motor Vehicles in its effort to change the format of its drivers' licenses, instruction permits and State identification cards** from a photographic to digital system, Assemblymembers Tesche and Traini.

C. BID AWARDS:

1. Assembly Memorandum No. AM 128-2002, recommendation of award to Cal Worthington Ford, Tony Chevrolet, and Alaska Sales and Service for furnishing **miscellaneous light duty vehicles** to the Municipality of Anchorage, Facility and Fleet Maintenance Department (ITB 21-B103) (\$482,956), Purchasing.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 141-2002, **Anchorage Parking Authority Board of Directors appointment** (Kate Giard), Mayor's Office.
2. Assembly Memorandum No. AM 142-2002, **Bidding Review Board appointments** (Ted Chenier, Howard Levine), Mayor's Office.
3. Assembly Memorandum No. AM 143-2002, **Girdwood Board of Supervisors** (David Sears), Mayor's Office.
4. Assembly Memorandum No. AM 144-2002, **Housing and Neighborhood Development Commission appointments** (Kip Knudson, M. Diane Johnson), Mayor's Office.
5. Assembly Memorandum No. AM 145-2002, **Library Advisory Board appointment** (Charmaine Ramos), Mayor's Office.
6. Assembly Memorandum No. AM 146-2002, **Public Safety Advisory Commission appointment** (Elsa Malapit-Sargento), Mayor's Office.
7. Assembly Memorandum No. AM 129-2002, proprietary purchase of **computer software maintenance support** from MRO Software Corporation for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$40,240.76), Purchasing.
8. Assembly Memorandum No. AM 130-2002, 2002 contract award for **transportation assistance** at Anchorage Senior Center (\$50,000), Health and Human Services.
9. Assembly Memorandum No. AM 131-2002, 2002 contract award for **operational assistance** at the Chugiak Senior Center (\$250,000), Health and Human Services.
10. Assembly Memorandum No. AM 148-2002, approval for expenditure of Assembly funds for **closed caption services** – not to exceed \$18,000, Assembly Chairman Traini. (**Addendum**)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 12-2002, **Internal Audit Report** – 2001 Annual Report.
2. Information Memorandum No. AIM 13-2002, **scope of Mayor's veto powers** under Charter Section 5.02 (C), Assemblymembers Tesche and Traini.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2002-32, an ordinance amending the zoning map and providing for the rezoning of approximately 9.37 acres from B-3 (General Business District with Special Limitations) to I-1SL (Light Industrial District with Special Limitations) for **Campbell Creek Industrial Park, Tract A-1 and Tract B-2**; generally located between the Old and New Seward Highways, south of Tudor Road and between East 48<sup>th</sup> Avenue (Extended) and East 50<sup>th</sup> Avenue (Extended) (Campbell Park Community Council) (Planning and Zoning Commission Case 2001-088), Planning Department. P.H. 3-19-02.
  - a. Assembly Memorandum No. AM 135-2002.
2. Resolution No. AR 2002-45, a resolution of the Municipality of Anchorage appropriating \$75,000 from AWWU's 2002 Water Operating Budget Fund (540) and \$75,000 from AWWU's 2002 Wastewater Operating Budget Fund (550) to pay **personnel litigation costs and expenses**, Legal Department. P.H. 2-26-02.
  - a. Assembly Memorandum No. AM 134-2002.

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

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

NAYES: None.

**10. REGULAR AGENDA:****A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:**

Mr. Kieling, on behalf of the Mayor's Office, thanked everyone for their civic responsibility in signing on for these important boards and commissions.

**B. RESOLUTIONS FOR ACTION – OTHER:**

1. Resolution No. AR 2002-43, a resolution of the Municipality of Anchorage appropriating the sum of \$30,000 from the State of Alaska, Department of Transportation and Public Facilities, Division of Statewide Planning Highway Safety Office and \$30,000 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department's 2002 Operating Budget, to the State Categorical Grants Fund (231) for **High Risk Driver Dangerous Violation Enforcement Program**, Anchorage Police Department.
  - a. Assembly Memorandum No. AM 132-2002.

Mr. Van Etten requested more information on the description of the program, which the funds will be used for.

Mr. Van Etten moved,  
Seconded by Ms. Fairclough,  
and it passed without objection,

to approve AR 2002-43 now and obtain further  
information later.

Anchorage Police Department Deputy Chief Mark Mew subsequently provided comments on the traffic grant.

2. Resolution No. AR 2002-44, a resolution of the Municipality of Anchorage providing for the appropriation of \$30,000 restricted donation from Anchorage Neighborhood Housing Services, Inc. to the Anchorage Parks and Recreation Service Area Fund (161), Cultural and Recreational Services Department, Parks and Recreation Division 2002 Operating Budget for the purpose of operating an **after-school recreational program**, Cultural and Recreational Services.
  - a. Assembly Memorandum No. AM 133-2002.

Chairman Traini thanked the Anchorage Neighborhood Housing Services, South Anchorage Rotary and Boy Scouts for their efforts in providing these programs to Anchorage Mutual Housing residents. The agencies presented a check to the Municipality in support of these programs.

Ms. Fairclough moved,  
Seconded by Ms. Von Gemmingen,  
and it passed without objection,

to approve AR 2002-44.

- C. BID AWARDS: None.
- D. NEW BUSINESS:

Ms. Taylor requested an update from the administration on the Cheney Lake Master Plan for Tuesday, February 12, 2002.

Comments were heard from Assembly members on Item 9.E.2 on the legal opinion covering the controversy between the Assembly and the Administration over the scope of the Mayor's veto power and specifically the question under the Home Rule Charter whether the veto power with the line item language in it can be used by an executive to take out text (other than an appropriations measure or a number in an appropriations measure) in an ordinance approved by the Assembly.

- 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 2001-174, an ordinance amending the **Updated Far North Bicentennial Park Master Plan** to allow development of active recreation sports fields at the designed community park site located in the southwest corner of Far North Bicentennial Park, Project Management and Engineering Department.
  1. Assembly Memorandum No. AM 874–2001.  
(CONTINUED FROM 11-20-01 AND 12-11-01; PUBLIC HEARING CLOSED 12-18-01 CARRIED OVER FROM 12-18-01; POSTPONED FROM 1-15-02; CARRIED OVER FROM 1-29-02)

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

to postpone amending the Far North Bicentennial  
Master Plan, AO 2001-174, to February 12, 2002.

Mr. Kieling commented the postponement was requested at the behalf of Mayor Wuerch because he is out of the country and he wanted to participate in the discussion and be able to lend any explanation or expertise.

The meeting recessed at 5:36 p.m. and reconvened at 6:18 p.m.

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

- A. Ordinance No. AO 2002-10, an ordinance amending Anchorage Municipal Code Section 6.50.060 to **define the MOA Trust Fund** (730) as an endowment and implement a controlled spending policy for future annual dividends, Finance.
  1. Information Memorandum No. AIM 11-2002, Joint Resolution from Budget Advisory Commission and Investment Advisory Commission defining the MOA Trust Fund as an Endowment, Finance.

2. Assembly Memorandum No. AM 122-2002.  
(CONTINUED FROM 1-29-02)

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

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

to postpone action on AO 2002-10 to  
February 12, 2002.

- B. Ordinance No. AO 2002-11, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the next regular election a **ballot proposition to amend Charter Section 13.11 to define the MOA Trust Fund (730)** as an endowment and implement a controlled spending policy for future annual dividends, Finance.
1. Information Memorandum No. AIM 11-2002.
  2. Assembly Memorandum No. AM 123-2002.

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

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

to postpone action on AO 2002-11 to  
February 12, 2002.

- C. Ordinance No. AO 2002-13, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Subsection 6.20.020 A. by **reenacting the requirement of a dual majority vote for issuance of general obligation bonds in service areas**, Assemblymembers Fairclough, Clementson, and Sullivan.
1. Assembly Memorandum No. AM 85-2002.

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

Ms. Fairclough moved,  
Seconded by Ms. Clementson,

to adopt AO 2002-13.

Assembly members discussed the motion.

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

to postpone action on AO 2002-13 until 10:45 p.m.

Question was called on the motion to postpone action on AO 2002-13 until 10:45 p.m. and it passed:

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

Chairman Traini reconvened the discussion on AO 2002-13 at 10:45 p.m.

Mr. Tesche moved,  
Seconded by Mr. Tremaine,

to amend Ordinance No. AO 2002-13, line 22,  
insert before the words “general obligation debt,”  
just before that insert “while the Assembly may  
combine service area bonds for submission to the  
electorate as it deems appropriate.”

Assembly members discussed the motion.

Question was called on the motion to amend AO 2002-13 and it failed:

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

Question was called on the main motion to adopt AO 2002-13 and it passed:

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

Ms. Fairclough moved  
Seconded by Mr. Tremaine,

for immediate reconsideration of AO 2002-13.

Question was called for immediate reconsideration of AO 2002-13 and it failed:

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

14. **NEW PUBLIC HEARINGS:**

- A. Ordinance No. AO 2002-19, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$49,500,000 of General Obligation

Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymember Fairclough.

1. Assembly Memorandum No. AM 149-2002.

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

Ms Von Gemmingen moved, to postpone indefinitely AO 2002-19.  
seconded by Ms. Clementson,

Question was called on the motion to postpone indefinitely AO 2002-19 and it passed:

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

NAYS: Traini, Tremaine.

(Clerk's Note: Ms. Fairclough and Mr. Kendall were out of the room at the time of the vote).

Ms. Clementson moved, for immediate reconsideration of AO 2002-19.  
Seconded by Mr. Sullivan,

Question was called on the motion for immediate consideration of AO 2002-19 and it failed:

AYES: Traini, Tremaine.

NAYES: Clementson, Sullivan, Von Gemmingen, Taylor, Van Etten, Tesche, Shamberg.

(Clerk's Note: Ms. Fairclough and Mr. Kendall were out of the room at the time of the vote).

- B. Ordinance No. AO 2002-20, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$60,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymember Fairclough.

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

Ms. Fairclough moved, to postpone indefinitely AO 2002-20.  
Seconded by Mr. Tremaine,  
and it passed without objection,

- C. Ordinance No. AO 2002-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$44,720,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 2, 2002, Anchorage School District.
  1. Assembly Memorandum No. AM 82-2002.
  2. Ordinance No. AO 2002-14(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$44,720,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 2, 2002, Anchorage School District.
  3. Assembly Memorandum No. AM 82-2002(A).

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

Mr. Tremaine moved, to postpone AO 2002-14(S) to 2-12-02 in  
Seconded by Mr. Tesche, order for it to be heard with a similar motion  
scheduled for public hearing next week  
(AO 2002-40).

Question was called on the motion to postpone AO 2002-14(S) until 2-12-02 and it passed:

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

NAYES: None.

(Clerks Note: Ms. Fairclough and Mr. Kendall were out of the room at the time of the vote).

- D. Ordinance No. AO 2002-15, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$52,125,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Anchorage School District.
  1. Assembly Memorandum No. AM 82-2002.
  2. Ordinance No. AO 2002-15(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$52,125,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the

3. municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Anchorage School District.  
Assembly Memorandum No. AM 82-2002(A).

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

Ms. Von Gemmingen moved, to adopt AO 2002-15(S).  
Seconded by Ms. Taylor,

Assembly members commented on the issue.

Mr. Sullivan moved, to amend AO 2002-15(S) page 4, line 7 from  
seconded by Ms. Von Gemmingen, \$24.91 to \$26.36.  
and it passed without objection,

Question was called on the main motion to adopt AO 2002-15(S) as amended and it passed:

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

NAYES: Mr. Kendall.

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

Mr. Tremaine moved, for immediate reconsideration of AO 2002-15(S).  
Seconded by Ms. Clementson,  
and it failed.

Question was called on the motion for immediate reconsideration of AO 2002-15(S) and it failed:

AYES: None.

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

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

- E. Ordinance No. AO 2002-17, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$101,625,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymember Kendall.  
1. Assembly Memorandum No. AM 151-2002.

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

Ms. Von Gemmingen moved, to postpone indefinitely AO 2002-17.  
Seconded by Ms. Clementson,

Question was called on the motion to postpone indefinitely AO 2002-17 and it passed:

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

NAYES: None.

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

Ms. Von Gemmingen moved, for immediate reconsideration of AO 2002-17.  
Seconded by Ms. Clementson,

Question was called on the motion for immediate reconsideration of AO 2002-17 and it failed:

AYES: Fairclough, Tremaine.

NAYES: Traini, Tesche, Shamberg, Clementson, Sullivan, Von Gemmingen, Taylor, Van Etten.

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

- F. Ordinance No. AO 2002-18, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$49,500,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymembers Kendall and Fairclough.  
1. Assembly Memorandum No. AM 152-2002.

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

Ms. Fairclough moved, to adopt AO 2002-18.  
Seconded by Mr. Kendall,

PEGGY ROBINSON, President of the School Board, thanked the Assembly for time spent during the work session. She urged the Assembly to approve the bonds as presented by the School Board and strongly cautioned against adding a third bond or adding on to one of the existing bonds for the Chugiak High School.

CAROL COMEAU, Anchorage School District Superintendent, thanked the Assembly for time spent during the work session. She urged the Assembly to approve the bonds as presented by the School Board. She spoke to the defeat of the bond package last year, the investigation into the reasons why it was defeated and the recommendations that resulted. In response to Mr. Kendall, Ms. Comeau restated that the draft plan is to have the Eagle River high school open by 2006 and that it would be put on the ballot next year. The East Anchorage Middle School still requires a site purchase, Municipality collaboration and it is uncertain whether it can be done by next year or the year after. In response to Mr. Tesche, Ms. Comeau stated that discussions have involved building an 800-student capacity but designed to eventually accommodate 1600 students and that the model design is anticipated to be similar to the Dimond High School. Ms. Comeau stated that approval by the Assembly and the electorate of approximately \$49,500,000 in bonds this spring would not allow the new high school to open any sooner than 2006 due to the process of design, project bid and construction taking until approximately the fall of 2006. Even if the money were there, the process could not be sped up.

JIM YEARGAN, President of the Eagle River Chamber of Commerce, encouraged the Assembly to consider putting the Chugiak High School on the ballot. In response to Mr. Sullivan's question, Mr. Yeargan stated he was a teacher in the school district in the past and testified to the growth of people and housing in Eagle River.

CYNTHIA EBELACKER, parent and pediatric health care provider in Eagle River, testified to having seen firsthand the problems associated with severe overcrowding at Chugiak. He requested support for Ms. Fairclough in her stand-alone bond for the high school construction.

SAM FRIEDMAN, urged a "yes" vote on the school bonds. He stated renovations and improved conditions would benefit the entire Anchorage community.

JIMMIE DANIELS, Principal of Ptarmigan Elementary School, stated Eagle River does not need a new high school this year. He provided comparison capacity statistics on schools between Anchorage and Eagle River/Chugiak. Stated adding the Eagle River high school bond to the others would doom it to failure. Mr. Daniels asked that the school district's opportunity to provide equity to the majority of the students not be taken away to cater to a few. In response to a question from Ms. Fairclough, Mr. Daniels replied that the school board had not been approached regarding busing the kids from Clark to the Gruening Middle School.

PATTI PAIZ, President of the PTA at Ptarmigan Elementary School, stated Ptarmigan Elementary needs the addition proposed by the school district. Overcrowding has broken up a school population and the neighborhood. Voting for other stand-alone bonds or additions to the Administration's recommendation would be casting a vote against their children.

CRYSTAL KENNEDY, representing Eagle River Valley Community Council, recommended a proposition be placed with the school bonds that will provide funding for a second Eagle River High School. Building the school will be good for the students, teachers, community, area property owners and businesses. She requested the second Eagle River high school be placed on the ballot this year.

WENDY MIKOWSKI, representing Eklutna Native Corporation, spoke to several Eklutna developments in the Eagle River/Chugiak/Peter's Creek area. She was saddened to hear the issue pitted one community against another, that all fall within the Municipality of Anchorage and should all vote for school bonds regardless.

GREG KENNEDY, has lived in Eagle River for the past eight years and has children who have graduated, are currently enrolled in Chugiak or soon will be. He requested that the Assembly give voters the opportunity to debate and decide on the issue of a second high school in Eagle River on the ballot in April. The numbers provided during the last debate on the proposed Eagle River high school were wrong. In response to Ms. Fairclough, Mr. Kennedy commented on examples in the packet he provided to Assembly members.

ANN MURPHY, speaking as a parent and an educator, stated that the community professes to hold to high academic standards and social expectations for our children, and yet they are placed in a crowded environment that doesn't allow for opportunities to build relationships, rapport with adults and peers and to build character. He urged consideration that even those kids who are coping may not be getting the best. Ms. Fairclough asked if there was any additional information Ms. Murphy would like to provide. In response, Ms. Murphy said yes. In response to Mr. Sullivan's question, about using the large capacity that exists at the middle schools to alleviate the overcrowding at Chugiak, he stated that it may be a stopgap measure, but there is a danger it will turn into the solution instead of a stopgap and it doesn't provide the quality education and resources that are available at a high school.

DAVID LUNDBERG, spoke as a parent of children at Homestead Eagle River School. He expressed concern about his children receiving a quality education in high school if the current conditions continue to exist at Chugiak High. He stated a need for a second high school.

SARAH WRIGHT, spoke on the perspective of why the new high school is needed and how the delays that have occurred to this point have affected the issue. Lowering the total number of students by moving the 9<sup>th</sup> graders does not address other issues such as parking and relocatables and will result in overcrowding the middle schools.

JOE PACE, spoke to the overcrowding issue at Chugiak. Considering the growth projected for Anchorage and available land available in Eagle River, it doesn't appear the issue will resolve itself. With additional financial burdens being placed on the public over the next few years, the concern is that if we wait it will be even more difficult to pass this bond next year. He urged the bond package be placed as a stand-alone bond on the ballot. In response to Mr. Sullivan, Mr. Pace restated his position that increasing financial burdens over the next couple of years in the State, as a whole, will diminish the chances of future passage of the bond. Mr. Pace also stated that other projects to be considered for next year would harm the chances of the Eagle River High School.

KATHLEEN STEVENSON, stated the bond failure last year was the result of the Assembly voting against the School Board's recommendations not to lump the two school bonds together. The Assembly must take the heat for the failure. She urged that the community work together to educate the voters of the needs and get the bonds passed. She stated confusion about testifiers concerns about waiting a year to put the Eagle River school on the bond package for this year and

taking the chance of hurting all the schools again, versus waiting until next year, putting it on this year will not move up the date the school would be completed.

K. SCOTT DAUGHARTY, spoke to the school alternatives available within a five-mile radius to those living in Roger's Park in Anchorage versus those living in Eagle River who must travel 24 miles to experience the same alternatives.

ANN MORGESTER, spoke as a teacher at Wendler Middle School. She addressed the school building issues and needs that were hoped for in the last bond package. In response to Mr. Kendall, the Wendler Middle School is included in this year's bond package. In response to Mr. Tesche's comment, Ms. Morgester stated belief that there is support in the Governor's package of school construction bonds proposed statewide if it will get the money needed to bring the building up to code and do the best for the students.

LAEL MARLOW, spoke as a parent from Wendler Middle School, a representative to the Capital Resources Advisory Committee and as a PTA president. The PTA has unanimously endorsed the renovation and needed changes for the school. Urged that the bond package be left as is.

MICHAEL GRAHAM, spoke as the principal from East High School. Anchorage high school principals strongly supported the bond packages as proposed by the superintendent and Anchorage School Board.

JANET MCVEY, spoke as a parent of two children. She had heard the Eagle River High School is going to be needed, is going to be built and won't be affected whether it is on this ballot or not. She urged the Assembly to listen to the wisdom of the school district.

KITTE MILLER, spoke as a parent and as an area wide representative to the Capital Request Advisory Committee putting forth the bond package. She stated that the rationale behind putting these projects on these bonds this year is that it is money that can be used in the next twelve months. The primary concern is that the community supports education but getting the school bonds to pass is a problem. There is a need for continued education.

SHEILA HOWELL, spoke as a member of the Northeast Community Council, and as past president of the PTA at Parmigan Elementary. She stated the same questions are being asked now that were being asked then. The bond package is needed and this may be the last chance to keep our kids at home. Eagle River needs the right to vote on their bond alone if that's what they want.

DIANE ETTER, spoke as an East High School parent and a past member of the Anchorage School District Capital Improvement Committee. She urged the Assembly to pass the bond exactly as it is proposed by the Anchorage School District. She put forth a concern that the failure of the bond last year may be repeated this year. She expressed hope that the Assembly will pass the bond exactly as it is written. In response to a question, Ms. Etter stated that the CIP discussed what the bonds would include in future years and that they would continue with the high school renovations. She could not recall when the committee thought the high school should be placed on the bond proposal for Eagle River. In response to Mr. Van Etten, Ms. Etter indicated her participation on the CIP committee has been in Anchorage, not statewide.

BILL STARR, stated the need for an additional Eagle River/Chugiak high school is strongly supported. He spoke to the fact that growth, demographics, quality of education, timeliness of the solution, left-behind students, upcoming students, community development and overall need had been clearly demonstrated by testimony this evening.

NANCY DAVIS, addressed Eagle River development growth estimates and planned residential land development projects. In response to Ms. Shamberg's question as to what is the economic force that will drive that many people into Eagle River and build new homes, Ms. Davis responded it is slow, gradual growth and that Eagle River is where the available land is.

TOM LOONEY, has two daughters at Homestead Elementary School. One option proposed is to bus Chugiak students to other high schools but this significantly limits student's abilities to participate in activities and socialize with other students. He believed the Assembly should enthusiastically support all the bond issues and the Eagle River High School. He stated the 2020 Plan calls for growth in Eagle River, that there is an overcrowding issue today and that it will only get worse.

SAM DANIEL, President of the Girdwood Elementary/Junior High PTA, spoke of concern for Girdwood parents and residents regarding the local landfill. The Girdwood School and playgrounds are built on top of the landfill. The School District has been stellar in trying to come up with a plan. He requested the Assembly support the Municipality's consideration of source removal that involves digging up the landfill and relocating it. He urged the Assembly to support finding and allocating the funds for source removal as a permanent solution to the problem.

RYAN STARR, a student at Chugiak High School, provided statistics and first-hand information on portables, numbers of children, overcrowding and port-a-potties. In response to Mr. Tesche's request, Mr. Starr verified the portables and port-a-potty's spoken of in pictures provided by Ms. Fairclough. Mr. Starr indicated that the port-a-potty was provided for approximately 450-1000 children in the upper area of the high school.

CHRIS WALLER, spoke of his support for the Eagle River residents who support of the passing of the bond for an additional Eagle River school. He discussed the amount of new homes and development in Eagle River. He urged that educational support be put in place to support the expansion.

MARY BOYDEN, voiced frustrations at the possibility that her children may not see a new Eagle River high school and she is having to look at alternative programs in Anchorage that limits job possibilities or placing the children in private school. She urged the Assembly to demonstrate to Eagle River/Chugiak that they are part of the community by voting on that school bond.

LINDA KELLY, represents the Chugiak Youth Sports Association. She provided statistics on numbers using the programs and money paid to the Anchorage School District for usage of facilities. She spoke of the overcrowding impacts that extend beyond the students. She is discouraged by the extremely hard logistics in implementing any alternatives and interim solutions to building a new school.



DAN PHELPS, an Eagle River resident, indicated disappointment with the conditions at Bartlett High School. The conditions, lack of class choices, lack of participation opportunities, split lunch times and lack of socialization time, all affected his daughter and subsequently her sister. He urged Anchorage to support Eagle River.

KENA BRISHNA, complimented the quality of education her children receive in Alaska but indicated she was very upset at the overcrowding at Chugiak. She spoke to the growth and salability of homes in the area and the number of military families. She spoke to the advanced opportunities available in a high school (9<sup>th</sup> and higher) rather than a middle school with 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> grade.

LYNN AMAL, Eagle River resident since 1974 and a Chugiak High School graduate of 1983, addressed the ages of families moving in and who's buying homes and having children. She has seen the area grow considerably.

RITA HOLTHOUSE, represents the Anchorage School Board. She spoke to the issue of adding the Eagle River High School to the bonds. She stated three points: 1) Including the high school on this year's bond will not cause it to be built any sooner, 2) adding the bonds in any form to the school district bonds could jeopardize the bonds for the second year in a row, and 3) the delay would allow for a thorough analysis of the demographics regarding the number of high school students expected in that area in future years.

HARRIET DRUMMOND, represents the Anchorage School Board. She provided statistics on family numbers and capacity. She stated belief that it is fiscally irresponsible to add secondary space to Eagle River at this time. She stated that bond propositions only ask the voters for money that can be spent in the next 12 months after the election. She urged the Assembly to take the Anchorage School District's bond package as they are, without changes. Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.

Assembly members discussed the motion.

Mr. Kendall moved, to postpone AO 2002-18 until 2-12-02.  
Seconded by Mr. Tremaine,

Question was called on the motion to postpone AO 2002-18 to 2-12-2002 and it failed:

AYES: Fairclough, Kendall, Tesche, Tremaine.

NAYES: Taylor, Van Etten, Traini, Shamberg, Clementson, Sullivan, Von Gemmingen.

Question was called on the main motion to adopt AO 2002-18 and it failed:

AYES: Traini, Fairclough, Kendall.

NAYES: Van Etten, Tesche, Shamberg, Tremaine, Clementson, Sullivan, VonGemmingen, Taylor.

Ms. Clementson moved, for immediate reconsideration of AO 2002-18.  
Seconded by Ms. Shamburg,

Question was called on the motion for immediate reconsideration of AO 2002-18 and it failed:

AYES: Fairclough, Kendall, Traini.

NAYES: Tesche, Shamberg, Tremaine, Clementson, Sullivan, Von Gemmingen, Van Etten, Taylor.

- G. Ordinance No. AO 2002-24, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,900,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of public safety (police protection) and related capital improvements** in the Anchorage Metropolitan Police Service Area at an election in and for the Municipality of Anchorage on April 2, 2002.
1. Assembly Memorandum No. AM 153-2002.

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

Mr. Kendall moved, to adopt AO 2002-24.  
Seconded by Mr. Sullivan,

Assembly members discussed the motion.

Ms. Clementson moved, to amend AO 2002-24 page 2, line 9 to strike the word "police protection" and on line 11 strike "and related police protection capital improvements."  
seconded by Ms. Taylor,  
and it failed,

Mr. Tesche moved, to postpone AO 2002-24 to 2-12-02 with  
Seconded by Mr. Tremaine, a prior work session.  
and it passed without objection.

Ms. Fairclough moved, to extend public hearing to 10:45 p.m.  
Seconded by Mr. Tesche,  
and it was passed with Mr. Kendall  
objecting,

- H. Ordinance No. AO 2002-25, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$7,200,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of fire protection and related capital improvements in the Anchorage Fire Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002.
1. Assembly Memorandum No. AM 154-2002.

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

Ms. Taylor moved, to postpone action on AO-2002-25 to 2-12-02.  
 Seconded by Mr. Tremaine,  
 and it passed with Mr. Tesche  
 objecting,

- I. Ordinance No. AO 2002-28, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,090,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of an emergency operations center and costs acquiring ambulances in the Municipality of Anchorage** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002.
1. Assembly Memorandum No. AM 155-2002.

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

Chairman Traini requested an explanation from the administration regarding the impoundment of monies for the purchase of firearms for the APD Critical Response Team. The firearms issue is as much a crisis for the Municipality's preparedness in response to 911 as this request.

Mr. Tremaine moved, to postpone action on AO 2002-28 to 2-12-02.  
 Seconded by Ms. Taylor,  
 and it passed without  
 objection,

- J. Ordinance No. AO 2002-26, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$960,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements in the Eagle River-Chugiak Parks and Recreation Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002.
1. Assembly Memorandum No. AM 156-2002.

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

Ms. Fairclough moved, to postpone action on AO 2002-26 to 2-12-02.  
 Seconded by Mr. Tremaine,  
 and it passed without  
 objection,

- K. Ordinance No. AO 2002-22, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$8,930,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymember Tremaine. )
1. Assembly Memorandum No. AM 157-2002.

See Item 14. M.

- L. Ordinance No. AO 2002-27, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$8,330,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002.
1. Assembly Memorandum No. AM 158-2002.

See Item 14.M.

- M. Ordinance No. AO 2002-29, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,500,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of acquiring and developing ballfields, and related capital improvements**, on Tract B1, Seventh Subdivision and the NE 1/4 NE 1/4 NW 1/4 of Section 8, Anchorage Alaska, consisting of approximately 18.6 acres located on the south side of Lore Road east of Sandlewood Place and north of East 79<sup>th</sup> Avenue and the question of an increase in the municipal tax cap

limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 2, 2002.

1. Assembly Memorandum No. AM 159-2002.

Chairman Traini opened the public hearing on items 14K AO-2002-22, 14L AO-2002-27 and 14M AO-2002-29 and asked if anyone wished to speak.

DAVID MANZER, passed until next week.

VIVIAN MENDENHALL, testified on AO 2002-29. She represented the Anchorage Audubon Society, which supports natural open space for nature oriented recreation and wildlife habitat. She is opposed to the bond proposal as it stands. 1) Indicates other sites are suitable for the Little League sites as recommended in the study. 2) Other sites would be less expensive. 3) The cost of developing the fields at the Far North Bicentennial Park is not mentioned in the ordinance or the proposed ballot language. 4) The ordinance states that if the bond fails, the ball fields will be put in Far North Bicentennial Park and this is unacceptable. Other sites exist.

Ms. Fairclough moved,  
Seconded by Ms. Von Gemmingen,  
and it passed with Mr. Kendall  
objecting,

to extend public hearing until 11:15 p.m.

VIVIAN MENDENHALL, responded to Mr. Van Etten's question that she had not seriously considered combining the general park bond with the baseball field bond.

JILL WIDDICOMBE, is against the Mayor's proposed \$4.5 million separate Simonian Little League bond. It lacks sincerity, would cause more antagonism among the citizens of Anchorage, it endangers the larger recreational bond and there are superior alternatives available. She supported the \$8.5 million general parks and recreation bond.

TOBY WIDDICOMBE, urged rejection of the Mayor's proposed \$4.5 million separate Simonian Little League bond. He voiced the same issue as Jill Widdicombe and rejecting the Mayor's proposed bond would send a clear message.

SHEILA HOWELL, representing the Northeast Community Council, voiced concerns about poor language in the bond. She spoke to the importance of maintaining the area as wooded for children and great-grandchildren, and the other available land for ball fields. She opposes adding it on to another parks and recreation bond.

ANDY MELTZER, strongly opposed to the Mayor's proposed bond for the baseball fields for Simonian Little League. He is in favor of a reasonable and financially responsible solution for the Simonian Little League. He provided information and asked questions on financial statistics as relates to the project, discussed other alternatives, and asked the Assembly members to vote with fiscal responsibility on this issue.

(Clerk's Note: AO 2002-22, AO 2002-27 and AO 2002-29 public hearings were continued to 2-12-02.)

- N. Ordinance No. AO 2002-30, an ordinance authorizing and directing the **acquisition and development of Tract B1, Seventh Subdivision and the NE 1/4 NE 1/4 NW 1/4 of Section 8, Anchorage, Alaska**, consisting of approximately 18.6 acres located on the south side of Lore Road east of Sandlewood Place and north of East 79<sup>th</sup> Avenue as an alternative to the use of Far North Bicentennial Park as a recreational and ball fields site, subject to voter bond approval and compliance with applicable land use regulations.

Ms. Taylor moved,  
Seconded by Mr. Tremaine,  
and it failed with three objections,

to extend public hearing to 11:30 p.m.

(Clerk's Note: This item was carried over to 2-12-02.)

- O. Ordinance No. AO 2002-21, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$39,730,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of road, storm drainage and related capital improvements** in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 2, 2002, Assemblymembers Taylor, Clementson, and Fairclough.

(Clerk's Note: This item was carried over to 2-12-02.)

- P. Ordinance No. AO 2002-23, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$34,730,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of road, storm drainage and related capital improvements** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 2, 2002.
  1. Assembly Memorandum No. AM 160-2002.

(Clerk's Note: This item was carried over to 2-12-02.)

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

16. **SPECIAL ORDERS:** None.

17. **UNFINISHED AGENDA:** None.

- 18. AUDIENCE PARTICIPATION: None.
- 19. ASSEMBLY COMMENTS: None.
- 20. EXECUTIVE SESSIONS: None.
- 21. AJOURNMENT: Meeting adjourned at 11:15 p.m.

\_\_\_\_\_  
Chairman

ATTEST:

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

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

GM:cmw