

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of January 11, 2000

1. CALL TO ORDER:

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

2. ROLL CALL:

Present: Dan Kendall, Dan Sullivan, Dick Tremaine, Allan Tesche, Melinda Taylor, George Wuerch, Kevin Meyer, Anna Fairclough, Pat Abney, Fay Von Gemmingen, Cheryl Clementson.  
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Tremaine.

4. MINUTES OF PREVIOUS MEETING:

- A. Regular Meeting - October 12, 1999
- B. Regular Meeting - October 26, 1999

Mr. Wuerch moved, to approve the minutes of the regular meetings of October 12 and October 26, 1999.  
seconded by Ms. Taylor,  
and it passed without  
objection,

5. MAYOR'S REPORT:

Mayor Mystrom reported on activities at Cheney Lake. He explained the level of the water in the lake will be set at 208 feet, which will require some modifications to the storm drain and a difference in the road stabilization method. He met this morning with several people concerned with the lake and road project to explain the compromise. He felt all parties were reasonably comfortable with the plan. Secondly, the Mayor noted he attended the opening session of the State Legislature. He distributed Anchorage's Legislative Program, and had many discussions regarding revenue sharing. He suggested Ms. Fairclough meet with him soon to discuss strategy for the rest of the Session. Mayor Mystrom also reported on the disposition of complaints about racial discrimination in the Police Department. Over the past four years, there have been a total of fourteen complaints. He was pleased to announced the U.S. Department of Justice has reviewed all the complaints, and recently dismissed the remaining complaints, with no findings of discrimination. Lastly, Mayor Mystrom noted Anchorage hosted the International Conference of Mayors of Northern Cities in 1994. The organization officials requested that Anchorage bid to host the conference again in 2004. The conference would bring a large number of people to Anchorage. He would like to show the Assembly a preview of the bid presentation.

Mr. Tremaine thanked the organizers and sponsors of the Anchorage 2000 celebration. He was impressed how the Police and organizers handled the bomb threat at the Alaska Center for the Performing arts on New Year's Eve.

6. ADDENDUM TO AGENDA:

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

Chairman Meyer read the addendum items.

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

7. CONSENT AGENDA:

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

- A. BID AWARDS:
  - 1. Assembly Memorandum No. AM 38-2000, recommendation of award to GBR Electric, Inc. for the Anchorage Water and Wastewater Utility **standby generator installation** for the Municipality of Anchorage, Water and Wastewater Utility (AWWU) (ITB 99-C081), Purchasing.
  - 2. Assembly Memorandum No. AM 39-2000, recommendation of award to SMR Janitorial Service for providing **custodial services** to the Municipality of Anchorage Department of Property and Facility Management (ITB 99-B106), Purchasing.
  - 3. Assembly Memorandum No. AM 40-2000, recommendation of award to Tony Chevrolet of Anchorage and Cal Worthington Ford for furnishing **4x4 vehicles** to the Municipality of

Anchorage, Water and Wastewater Utility and the Department of Property Facility and Management (ITB 99-B131), Purchasing.

4. Assembly Memorandum No. AM 41-2000, recommendation of award to RA Environmental, Inc. for the **Chester Creek Sports Complex-Kosinski Field improvements** for the Municipality of Anchorage, Cultural and Recreational Services (ITB 99-C083), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2000-1, an ordinance submitting to the qualified voters residing in the **Section 6/Campbell Airstrip Road Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.210 and 27.30.300. Assemblymembers Clementson and Taylor. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
2. Ordinance No. AO 2000-2, an ordinance submitting to the qualified voters residing in the **Bear Valley Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.290 and 27.30.370. Assemblymembers Abney and Tremaine. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
3. Ordinance No. AO 2000-3, an ordinance submitting to the qualified voters residing in the **Sequoia Estates Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.300 and 27.30.380. Assemblymembers Abney and Tremaine. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
4. Ordinance No. AO 2000-4, an ordinance submitting to the qualified voters residing in the **Talus West Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.120 and 27.30.200. Assemblymembers Abney and Tremaine. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
5. Ordinance No. AO 2000-5, an ordinance submitting to the qualified voters residing in the **Upper O'Malley Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.130 and 27.30.210. Assemblymembers Abney and Tremaine. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
6. Ordinance No. AO 2000-6, an ordinance submitting to the qualified voters residing in the **Villages Scenic Parkway Limited Road Service Area** at the Regular Municipal Election April 4, 2000 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.310 and 27.30.390. Assemblymembers Abney and Tremaine. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 3-2000.
7. Ordinance No. AO 2000-7, an ordinance **authorizing the first renewal option of the lease of an area in the southern portion of the Transit Shed Warehouse at the Port of Anchorage**, totaling approximately 6,909 square feet, to Totem Ocean Trailer Express, Inc., Port of Anchorage. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 6-2000.
8. Ordinance No. AO 2000-8, an ordinance amending Title 23, Section 23.10.102.9.F.1.d of the Anchorage Municipal Code and **providing for a change in the use of unit heaters that comply with American National Standards Institute to be used in mobile aircraft shelters**, Public Works. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 7-2000.
9. Ordinance No. AO 2000-9, an ordinance **providing for the sale of Lots 1 through 5, Block 7, Galatea Estates; Lots 4 through 6, Block 4, Abbott Loop Manor; Lot 25A, Block 6, Lakehurst; and Lot 75, Section 18, T15N, R1W, S.M.**, Heritage Land Bank/Real Estate Services. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 8-2000.

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

10. Ordinance No. AO 2000-10, an ordinance amending the zoning map and providing for the rezoning from I-1 (Light Industrial) to B-3 (General Business) for the **Dimond Industrial Subdivision, Block 2, Lot 5A (including fragment Lots 1 through 13) and Tietze Subdivision, Block 2, Lot 1B**, generally located on the south side of West Dimond Boulevard and between the Old Seward Highway and the Alaska Railroad right-of-way (Bayshore-Klatt Community Council) (Planning and Zoning Commission Case 99-167), Community Planning and Development. public hearing 2-15-00.
  - a. Assembly Memorandum No. AM 9-2000.
11. Ordinance No. AO 2000-11, an ordinance amending the zoning map and providing for the rezoning from R-5 (Rural Residential) to B-3 (General Business) for the **Arlon Subdivision, Lots 3, 4, 5 and 6**, generally located on the north side of Abbott Road between Golovin Street and Arlon Street (Abbott Loop Community Council) (Planning and Zoning Commission Case 99-061), Community Planning and Development. public hearing ~~2-15-00~~ 3-7-00.
  - a. Assembly Memorandum No. AM 10-2000.

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

12. Ordinance No. AO 2000-13, an ordinance amending Anchorage Municipal Code Sections 14.60.030 and 15.70.060 to **increase the range of fines possible for noise disturbances** and to allow the Anchorage Police Department to give citations for violations of the Anchorage Noise Control Ordinance, Assemblymembers Meyer and Wuerch. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 22-2000.
13. Ordinance No. AO 2000-12, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$57,095,000 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 4, 2000, Anchorage School District. public hearing 2-1-00.
  - a. Assembly Memorandum No. AM 11-2000.
14. Ordinance No. AO 2000-25, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$107,900,000 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 4, 2000, Assemblymember Kendall. ~~public hearing 2-1-00.~~
  - a. Assembly Memorandum No. AM 45-2000.

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

15. Ordinance No. AO 2000-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,145,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of ambulances, emergency/areawide communications systems, Anchorage Cemetery, Anchorage Senior Center expansion, and related capital improvements in the Municipality of Anchorage** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 30-2000.
  - b. Information Memorandum No. AIM 6-2000, Fact Sheets. **(addendum)**
16. Ordinance No. AO 2000-15, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$2,370,000 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** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 31-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
17. Ordinance No. AO 2000-16, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$750,000 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 4, 2000, Office of Management and Budget. public hearing 1-25-00
  - a. Assembly Memorandum No. AM 32-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
18. Ordinance No. AO 2000-17, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,930,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of public transportation and related capital improvements** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 33-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
19. Ordinance No. AO 2000-18, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$325,000 of General Obligation Bonds of the Municipality of Anchorage to **pay the costs of administrative offices, a community meeting room and related capital improvements in the Girdwood Valley Service Area** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00)
  - a. Assembly Memorandum No. AM 34-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
20. Ordinance No. AO 2000-19, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,525,000 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** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 35-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
21. Ordinance No. AO 2000-20, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$6,515,000 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** at an election in and for the Municipality of Anchorage on April 4, 2000, Office of Management and Budget. public hearing 1-25-00

- a. Assembly Memorandum No. AM 36-2000.
- b. Information Memorandum No. AIM 6-2000. **(addendum)**
- 22. Ordinance No. AO 2000-21, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$28,770,000 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 4, 2000, Office of Management and Budget. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 37-2000.
  - b. Information Memorandum No. AIM 6-2000. **(addendum)**
- 23. Ordinance No. AO 2000-22, an ordinance **approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc.**, a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 42-2000.

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

- 24. Ordinance No. AO 2000-23, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code provision 1.15.170 **to require disclosure of financial interest by certain municipal employees**, Legal Department. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 43-2000.

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

- 25. Ordinance No. AO 2000-24, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Drinking Water Fund of an amount not to exceed \$31,194,000 for the purpose of **financing a portion of the costs of various water capital improvement projects** in the Municipality, and providing for related matters, Water and Wastewater Utility. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 44-2000.
- 26. Resolution No. AR 2000-13, a resolution of the Municipality of Anchorage appropriating \$4,243,926 from various sources to the Equipment Maintenance Internal Service Capital Fund (606) for the purposes of **purchasing vehicles and equipment**, Property and Facility Management. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 46-2000.
- 27. Resolution No. AR 2000-14, a **resolution revising the approved 2000 General Government Capital Improvement Budget (CIB) and the approved 2000-2005 General Government Capital Improvement Program (CIP)**, Office of Management and Budget. . public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 47-2000.
- 28. Resolution No. AR 2000-16, a resolution of the Municipality of Anchorage appropriating \$225,000 from the Anchorage Metropolitan Police Service Area (151) Fund Balance to the Anchorage Police Department for **professional legal services in support of labor relations activities in pending litigation regarding Messrs. Guillory and Nelson**, Employee Relations Department. public hearing 1-25-00. **(addendum)**
  - a. Assembly Memorandum No. AM 61-2000.

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

- 29. Ordinance No. AO 2000-26, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.20.040, **exempting federally-licensed wholesale and retail gun dealers from the Municipality's secondhand merchant's license requirement**, Assemblymember Kendall. public hearing 2-1-00. **(addendum)**
  - a. Assembly Memorandum No. AM 62-2000.
- 30. Ordinance No. AO 2000-27, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$107,900,000 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 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 4, 2000, Assemblymembers Kendall and Fairclough. public hearing 2-1-00. **(addendum)**
  - a. Assembly Memorandum No. AM 66-2000.
- 31. Resolution No. AR 2000-17, a resolution of the Municipality of Anchorage appropriating \$1,498,010 from the Fund Balances of the four major operating funds **to cover the costs associated with debt service on the January 1999 Tax Anticipation Notes**, Finance Department. public hearing 1-25-00. **(addendum)**
  - a. Assembly Memorandum No. AM 63-2000.
- 32. Resolution No. AR 2000-18, a resolution of the Municipality of Anchorage appropriating \$109,360 from Eagle River-Chugiak Park and Recreational Service Area Fund Balance (162) to the Eagle River-Chugiak Park and Recreational Service Area Capital Improvement Program Fund (483) **for capital improvements to Loretta French Park, Turner Park and Oberg Soccer Field**, Cultural and Recreational Services. public hearing 1-25-00. **(addendum)**
  - a. Assembly Memorandum No. AM 64-2000.

## C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-9, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Mary K. Johnson for her nearly 23 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Fairclough, Clementson, Kendall, Meyer, Sullivan, Taylor, Tremaine, Von Gemmingen, and Wuerch.

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

2. Resolution No. AR 2000-10, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Gary L. Barfuss for his 16 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.
  - a. Resolution No. AR 2000-10(S), a resolution of the Anchorage Municipal Assembly recognizing and honoring Senior Patrol Officer Gary L. Barfuss for his 16 years of service with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. (**addendum**)

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

3. Resolution No. AR 2000-11, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Theo M. Chenier, Jr. for his 25 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Abney, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

4. Resolution No. AR 2000-12, a resolution of the Anchorage Municipal Assembly **supporting the "King Day" Candlelight Vigil in memory of Dr. Martin Luther King, Jr.**, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

5. Resolution No. AR 2000-4, a resolution of the Municipality of Anchorage appropriating \$98,664 from Alaska Housing Finance Corporation (AHFC) to the State Categorical Grants Fund (231) for the **Weatherization Assistance Program** in the Department of Health and Human Services.
  - a. Assembly Memorandum No. AM 13-2000.
6. Resolution No. AR 2000-5, a resolution of the Municipality of Anchorage appropriating \$50,000 from the State of Alaska, Department of Health and Social Services/Public Health to the State Categorical Grants Fund (0231) for an amendment to the **Tobacco Sales to Minors Enforcement Program** under the Anchorage Police Department.
  - a. Assembly Memorandum No. AM 14-2000.
7. Resolution No. AR 2000-6, a resolution of the Municipality of Anchorage appropriating \$50,000 from the State of Alaska, Department of Transportation and Public Facilities and \$1,170 as a contribution from the 2000 Anchorage Police Department (0151) Operating Budget to the State Categorical Grants Fund (0231) for **Motor Carrier Safety Assistance Program**, Anchorage Police Department.
  - a. Assembly Memorandum No. AM 15-2000.
8. Resolution No. AR 2000-7, a resolution **authorizing a general wage adjustment to the Non-Represented Pay Schedule**, Employee Relations.
  - a. Assembly Memorandum No. AM 16-2000.

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

9. Resolution No. AR 2000-8, a resolution **authorizing the disposal of a municipal interest within the South 1/2 Tract 5, Spenard Heights Subdivision**, located in the vicinity of Jewel Lake Road and Chevikey Street, Water and Wastewater Utility.
  - a. Assembly Memorandum No. AM 17-2000.
10. Resolution No. AR 2000-15, a resolution of the Municipality of Anchorage **appropriating \$44,800 in enrollment fees, collected from the attendees of the AFD sponsored January 2000 Fire Academy** to the CY 1999 Anchorage Fire Service Area Operating (131) Fund to offset a portion of the expenditures incurred, Anchorage Fire Department.
  - a. Assembly Memorandum No. AM 48-2000.

## D. NEW BUSINESS:

1. Assembly Memorandum No. AM 21-2000, **confirmation of appointment to 457 Deferred Compensation Committee** (Beverly Wooley), Employee Relations.
2. Assembly Memorandum No. AM 23-2000, **Police and Fire Retiree Medical Funding Program Board of Trustees** (Andrew Provencio, Everett Robbins, Daniel Moore), Employee Relations.
3. Assembly Memorandum No. AM 1-2000, **Sunset of AO 97-31 - AMC 26.80.055; Reduction of solid waste fees for certain recycling operations**, Municipal Clerk.

4. Assembly Memorandum No. AM 2-2000, **Board and/or Commission termination dates** (Anchorage Memorial Park Cemetery Advisory Board, Housing & Neighborhood Development Commission, Municipal Health and Human Services Commission), Municipal Clerk.
5. Assembly Memorandum No. AM 24-2000, **Mario Restaurant** - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Application for a Restaurant Designation Permit (Eagle River Community Council), Clerk's Office.
6. Assembly Memorandum No. AM 25-2000, **Anchorage Cold Storage** - Transfer of Location of a General Wholesale Liquor License (Downtown Community Council), Clerk's Office.
7. Assembly Memorandum No. AM 26-2000, **Alaska Marketplace** (1400 W. Northern Lights Blvd.) - Transfer of Ownership of a Package Store Liquor License (Spenard Community Council), Clerk's Office.

Mr. Sullivan requested this item be considered on the Regular Agenda. See item 8.E.

8. Assembly Memorandum No. AM 27-2000, **Alaska Marketplace** (5530 E. Northern Lights Blvd.) - Transfer of Ownership of a Package Store Liquor License (University, Northeast & Russian Jack Community Councils), Clerk's Office.
9. Assembly Memorandum No. AM 28-2000, **Alaska Marketplace** (800 E. Dimond Blvd. #100) - Transfer of Ownership of a Package Store Liquor License (Taku/Campbell Community Council), Clerk's Office.
10. Assembly Memorandum No. AM 29-2000, **Alaska Marketplace** (12001 Business Blvd.) - Transfer of Ownership of a Package Store Liquor License (Eagle River Community Council), Clerk's Office.
11. Assembly Memorandum No. AM 18-2000, change order No. 2 to purchase order 71829 with Health South Primary Care Associate, Inc. for providing **physical examinations** on an "as required" basis for the Municipality of Anchorage, Employee Relations Department.

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

12. Assembly Memorandum No. AM 19-2000, contract amendment No. 2 to SeaCoast Construction, Inc. for the **construction of Fish Creek Channel Improvements**, DPW File No. 94-25, Public Works.
13. Assembly Memorandum No. AM 20-2000, contract amendment No. 2 to Tam Construction, Inc. for the **construction of Cherry Hill/Port of Anchorage Storm Drain, Phase II, Sediment Basin Project**, DPW 99-03, Public Works.
14. Assembly Memorandum No. AM 49-2000, contract amendment No. 2 to Black Smith & Richards, Inc. for **market value appraisal services in support of right of way acquisition on the 15<sup>th</sup> Avenue Safety Improvements**, ISTE A project, DPW 92-64, Public Works.

Ms. Fairclough requested this item be considered on the Regular Agenda. See item 8.E.

15. Assembly Memorandum No. AM 50-2000, change order No. 1 to purchase order 84499 to exercise the first option period with Alaska Pollution Control, Inc. for providing **transportation of PCB and hazardous waste materials** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
16. Assembly Memorandum No. AM 51-2000, change order No. 1 to purchase order 83951 with Carlos Tree Service for providing **tree and brush cutting services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
17. Assembly Memorandum No. AM 52-2000, change order No. 4 to purchase order 61009 with Milliman & Robertson, Inc. for providing **actuarial services** for the Municipality of Anchorage, Police and Fire Retirement System (P&FRS), Purchasing.
18. Assembly Memorandum No. AM 53-2000, change order No. 6 to purchase order 72999 with Robert D. Klausner, P.A. for providing **legal services related to pension law issues** for the Municipality of Anchorage, Property and Facility Management/Purchasing.
19. Assembly Memorandum No. AM 54-2000, sole source contract with Fire Lake Arena Management, Inc. for providing **operating/management services for the Harry J. McDonald Memorial Center** for the Municipality of Anchorage, Property and Facility Management/Purchasing.
20. Assembly Memorandum No. AM 55-2000, change order to the lease with Giddings Mortgage, Inc. for **leasing 1,124 square feet of space in City Hall for the Heritage Land Bank and adjusting all City Hall leases to expire on the same date**, Property and Facility Management.
21. Assembly Memorandum No. AM 56-2000, change order No. 3 to purchase order 83359 with VZM/TransSystems for providing services to **upgrade the Port of Anchorage Master Plan** for the Municipality of Anchorage, Port of Anchorage/Purchasing.
22. Assembly Memorandum No. AM 57-2000, change order No. 1 to purchase order 990170 to exercise the first option period with Callan Associates, Inc. for providing **investment consultant services** for the Municipality of Anchorage, Finance Department/Purchasing.
23. Assembly Memorandum No. AM 58-2000, grant agreement with Greater Anchorage, Inc. to **support the 2000 Fur Rendezvous Winter Festival**, Municipal Manager's Office.
24. Assembly Memorandum No. AM 59-2000, Year 2000 **professional services contract with Anchorage Economic Development Corporation (AEDC)**, Municipal Manager's Office.
25. Assembly Memorandum No. AM 60-2000, sole source contract with Global Election Systems, Inc. for providing an **Optical Scanning Tabulation System** to the Municipality of Anchorage, Clerk's Office/Purchasing. (addendum)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 1-2000, Internal Audit Report 99-12 - **AnchorRIDES contract with Paratransit Services, Inc.**, Public Transportation Department/Internal Audit.
2. Information Memorandum No. AIM 2-2000, Internal Audit Report 99-13 - **Police and Fire Bonds**, Internal Audit.

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

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

**8. REGULAR AGENDA:**

- A. TIME CRITICAL ITEMS: None.
- B. BID AWARDS: None.
- C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2000-9, an ordinance **providing for the sale of Lots 1 through 5, Block 7, Galatea Estates; Lots 4 through 6, Block 4, Abbott Loop Manor; Lot 25A, Block 6, Lakehurst; and Lot 75, Section 18, T15N, R1W, S.M.**, Heritage Land Bank/Real Estate Services. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 8-2000.

Mr. Wuerch, Mr. Tesche and Mr. Tremaine joined in introducing this ordinance. The public hearing was scheduled for January 25, 1999.

Mr. Wuerch requested a map be included by the time of the public hearing which indicates the locations of the various lots.

Executive Manager Elaine Christian agreed to provide the map.

2. Ordinance No. AO 2000-11, an ordinance amending the zoning map and providing for the rezoning from R-5 (Rural Residential) to B-3 (General Business) for the **Arlon Subdivision, Lots 3, 4, 5 and 6**, generally located on the north side of Abbott Road between Golovin Street and Arlon Street (Abbott Loop Community Council) (Planning and Zoning Commission Case 99-061), Community Planning and Development. public hearing ~~2-15-00~~ 3-7-00.
  - a. Assembly Memorandum No. AM 10-2000.

Mr. Wuerch, Ms. Fairclough and Ms. Taylor joined in introducing this ordinance.

Mr. Wuerch noted the applicant requested the public hearing be rescheduled.

Mr. Wuerch moved,	to schedule the public hearing for AO 2000-11 for March 7,
seconded by Mr. Kendall,	2000.
and it passed without	
objection,	

3. Ordinance No. AO 2000-25, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$107,900,000 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 4, 2000, Assemblymember Kendall. ~~public hearing 2-1-00~~.
  - a. Assembly Memorandum No. AM 45-2000.

Mr. Kendall moved,	to postpone action on AO 2000-25 indefinitely.
seconded by Mr. Wuerch,	
and it passed without	
objection,	

4. Ordinance No. AO 2000-22, an ordinance **approving a long-term lease of the Hilltop Ski Area of the Municipality's Far North Bicentennial Park to Youth Exploring Adventure, Inc.**, a non-profit corporation doing business as Hilltop Ski Area to continue the use, management and development of the Hilltop Ski Area by Youth Exploring Adventure, Inc. as a public recreation area and **submitting to the qualified voters of the Municipality at the Regular Municipal Election April 4, 2000 a ballot proposition to approve said long-term lease**, Legal Department. public hearing 1-25-00.
  - a. Assembly Memorandum No. AM 42-2000.

Ms. Clementson, Mr. Kendall and Ms. Taylor joined in introducing this ordinance. The public hearing was scheduled for January 25, 2000.

Ms. Clementson requested a worksession be held to discuss this ordinance, on January 25. There was no objection.

5. Ordinance No. AO 2000-23, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code provision 1.15.170 **to require disclosure of financial interest by certain municipal employees**, Legal Department. public hearing 1-25-00.
- a. Assembly Memorandum No. AM 43-2000.

Mr. Tesche, Ms. Taylor and Ms. Von Gemmingen joined in introducing this ordinance. The public hearing was scheduled for January 25, 2000.

In response to Mr. Tesche, Municipal Attorney Mary Hughes agreed to provide Judge Serdahely's report to the Assembly before the public hearing. She suspected it had already been forwarded and was in transit.

6. Resolution No. AR 2000-16, a resolution of the Municipality of Anchorage appropriating \$225,000 from the Anchorage Metropolitan Police Service Area (151) Fund Balance to the Anchorage Police Department for **professional legal services in support of labor relations activities in pending litigation regarding Messrs. Guillory and Nelson**, Employee Relations Department. public hearing 1-25-00. **(addendum)**
- a. Assembly Memorandum No. AM 61-2000.

Mr. Tesche, Ms. Fairclough and Mr. Sullivan joined in introducing this resolution. The public hearing was scheduled for January 25, 2000.

Mr. Tesche noted this litigation has been pending for many years. He was concerned about the cost of the ongoing litigation and the prognosis. He requested an Executive Session be held to address specific questions he will forward to the Administration.

Municipal Attorney Mary Hughes said it would be convenient to discuss the issue tonight under Executive Sessions. See item 18.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2000-9, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Mary K. Johnson for her nearly 23 years of service** with the Municipality of Anchorage, Assemblymembers Abney, Fairclough, Clementson, Kendall, Meyer, Sullivan, Taylor, Tremaine, Von Gemmingen, and Wuerch.

Mr. Wuerch moved, to approve AR 2000-9.  
seconded by Ms. Taylor,  
and it passed without  
objection,

Mr. Wuerch read the resolution while Mr. Sullivan presented it to Ms. Johnson.

Ms. Johnson thanked the Assembly. She said it had been a pleasure to work for and with the citizens of Anchorage.

2. Resolution No. AR 2000-10, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Senior Patrol Officer Gary L. Barfuss for his 16 years of service** with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.
- a. Resolution No. AR 2000-10(S), a resolution of the Anchorage Municipal Assembly recognizing and honoring Senior Patrol Officer Gary L. Barfuss for his 16 years of service with the Anchorage Police Department, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch. **(addendum)**

Mr. Tremaine moved, to approve AR 2000-10.  
seconded by Mr. Kendall,  
and it passed without  
objection,

Mr. Tremaine read the resolution while Mr. Tesche presented it to Officer Barfuss.

Officer Barfuss thanked his family for their support. He was appreciative for the opportunity to serve the citizens of a great city.

3. Resolution No. AR 2000-11, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Theo M. Chenier, Jr. for his 25 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Abney, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

Ms. Clementson moved, to approve AR 2000-11.  
seconded by Ms. Taylor,



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

to postpone action on AR 2000-11 until January 25, 2000  
to allow Mr. Chenier to be present.

4. Resolution No. AR 2000-12, a resolution of the Anchorage Municipal **Assembly supporting the "King Day" Candlelight Vigil in memory of Dr. Martin Luther King, Jr.**, Assemblymembers Abney, Clementson, Fairclough, Kendall, Meyer, Sullivan, Taylor, Tesche, Tremaine, Von Gemmingen, and Wuerch.

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

to approve AR 2000-12.

A recording was played of Martin Luther King Jr.'s "I have a dream" speech of August 28, 1963, and Robert F. Kennedy's announcement of Reverend King's assassination.

Ms. Von Gemmingen read the resolution while Ms. Abney presented it to Celeste Hodge.

Ms. Hodge, on behalf of the NAACP Anchorage Branch, thanked the Assembly for supporting the vigil, which will be held on January 15. She felt recognition of the vigil was another step toward advocating justice.

5. Resolution No. AR 2000-7, a resolution **authorizing a general wage adjustment to the Non-Represented Pay Schedule**, Employee Relations.  
a. Assembly Memorandum No. AM 16-2000.

Mr. Tesche moved,  
seconded by Mr. Sullivan,

to approve AR 2000-7.

In response to Mr. Tesche, Employee Relations Director Tom Tierney confirmed the proposed increase would equal that given to Anchorage Municipal Employees Association (AMEA) members. He noted the amount of the increase will not be known until results of the 1999 Consumer Price Index calculations are available sometime in February.

Ms. Abney moved,  
seconded by Ms. Fairclough,  
and it was withdrawn,

to postpone action on AR 2000-7 until January 25, 2000  
pending firm information on the amount of the increase.

Ms. Abney said she recalled an incident when an increase was supposed to be a certain amount, and it changed considerably.

In response to Ms. Clementson, Mr. Tierney said delaying this item would not be a problem, since the CPI calculations will not be available until February.

Mayor Mystrom added historically, non-rep wages and increases have been the same as those of AMEA.

In response to Mr. Wuerch, Mayor Mystrom reiterated non-rep wages are always tied to those of AMEA, so there is no flexibility on that point. It is possible a change to executive pay rates might have occurred in the past.

Ms. Abney withdrew her motion, with the concurrence of Ms. Fairclough.

Question was called on the motion to approve AR 2000-7 and it passed without objection.

#### E. NEW BUSINESS:

1. Assembly Memorandum No. AM 26-2000, **Alaska Marketplace** (1400 W. Northern Lights Blvd.) - Transfer of Ownership of a Package Store Liquor License (Spenard Community Council), Clerk's Office.

Mr. Sullivan moved,  
seconded by Mr. Tremaine,

to approve AM 26-2000.

Mr. Sullivan pointed out Moira Paddock, Chief Executive of the Alaska Marketplace stores, has agreed to some voluntary conditions on the proposed license. She has also begun working with the community, including the Spenard Community Council and the Public Inebriate Task Force of the North Star Community Council. He asked her to address the Assembly.

Ms. Paddock noted she and all her store and liquor managers will be attending community council meetings to establish a rapport with the community. She is also a member of the North Star Public Inebriate Task Force. The Spenard Community Council suggested some conditions which she has agreed to: not to sell fortified wines, not to sell items less than \$5, not to sell half-gallons of hard liquor under \$10, to report problems to police, and establish a phone tree among all the liquor stores to exchange information. She added employees convicted of selling alcohol to a minor would be immediately terminated. Ms. Paddock said she looked forward to a long-lasting relationship with this community.

Mr. Wuerch disclosed he attended the Spenard Community Council meeting and heard Ms. Paddock address the issues she mentioned. He commended all the Alaska Marketplace management for attending with Ms. Paddock.

In response to Ms. Clementson, Ms. Paddock said the conditions she mentioned would be applied to all the Marketplace locations, including Fairbanks and Wasilla. She said it was easier for advertising purposes. She encourages all store managers to attend the community council meetings in their specific areas.

Mr. Sullivan disclosed he also attended the Spenard Community Council meeting and remained for the discussion of the proposed license. He did not feel there was any information exchanged that affected his judgment on this issue.

Question was called on the motion to approve AM 26-2000 and it passed without objection.

2. Assembly Memorandum No. AM 18-2000, change order No. 2 to purchase order 71829 with Health South Primary Care Associate, Inc. for providing **physical examinations** on an "as required" basis for the Municipality of Anchorage, Employee Relations Department.

Mr. Tremaine moved, to approve AM 18-2000.  
seconded by Ms. Clementson,

In response to Mr. Tremaine, Mr. Tierney said he would have to research the reason the contract extension was delayed.

Question was called on the motion to approve AM 18-2000 and it passed without objection.

3. Assembly Memorandum No. AM 49-2000, contract amendment No. 2 to Black Smith & Richards, Inc. for **market value appraisal services in support of right of way acquisition on the 15<sup>th</sup> Avenue Safety Improvements**, ISTE A project, DPW 92-64, Public Works.

Ms. Fairclough moved, to approve AM 49-2000.  
seconded by Ms. Clementson,

In response to Ms. Fairclough, Public Works Director Jim Fero pointed out the property acquisitions for the 15<sup>th</sup> Avenue project have been more difficult than anticipated. The easy, non-contested properties were done first and were settled quickly. Negotiations with the remaining property owners who are "holding out" are slower, which is the reason for the increased costs. He felt going out to bid for a new appraiser, and changing contractors in the middle of the process would not be wise. Mr. Fero felt the Black Smith & Richards should finish the project, because they were familiar with all the negotiations.

Question was called on the motion to approve AM 49-2000 and it passed without objection.

F. INFORMATION AND REPORTS: None.

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

- A. Resolution No. AR99-357, a resolution authorizing the **disposal of a municipal interest within Tract A-1 & B, Woronzof Tracts Subdivision** located south and east of the Asplund Sewer Treatment Plant, Water and Wastewater Utility.
  1. Assembly Memorandum No. AM 1195-99.
  2. Information Memorandum No. AIM 3-2000.
 (POSTPONED FROM 12-14-99)

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

Ms. Clementson said her questions on this item were answered. She learned the term "disposal" can be applied to obtaining or disposing. She requested clarity of those terms in future documents.

In response to Ms. Von Gemmingen, Anchorage Water and Wastewater Utility General Manager Mark Premo said he was not completely sure if the subject property overlaps the Coastal Trail right-of-way. However, after examining the map attached to the resolution, he felt there was probably not an overlap.

Question was called on the motion to approve AR 99-357 and it passed without objection.

## 10. APPEARANCE REQUESTS:

- A. **Jonne Slemons**, Program Coordinator - State of Alaska Department of Fish and Game, Division of Wildlife Conservation, regarding *Living with Wildlife in Anchorage: A Cooperative Planning Effort* plan.

Ms. Slemons requested the Municipality enter into a memorandum of understanding with the State. She noted in 1997, the Alaska Department of Fish and Game conducted a survey of Anchorage residents to determine their attitudes and beliefs about wildlife in Anchorage. The results of the survey indicated a strong appreciation for Anchorage's wildlife, a belief that wildlife helps make Anchorage a unique place to live, and a great deal of tolerance for the conflicts created by wildlife, except those in which people are harmed. Ms. Slemons said with the information from the survey, twenty-one organizations worked on the proposed Plan in a cooperative effort for two years. The team included Federal and State agencies, the Municipality, diverse interest groups, community council representatives and members of the public. She noted this was the nation's first urban wildlife plan for multiple species. The overall goal of the plan was to maximize the benefits and minimize the conflicts of living with wildlife in Anchorage. Five sub-goals were also identified: to conserve, enhance and restore optimal populations of native wildlife; maximize opportunities for positive interactions between wildlife and people; minimize opportunities for conflicts while responding to conflict situations as required; to foster a sense of stewardship for wildlife and their habitats; and to promote the economic, social and other benefits of wildlife in their habitats. Ms. Slemons noted these goals have been incorporated into the Anchorage Comprehensive Plan. The entire Wildlife Plan is now expected

to be a detail plan cited in the Comprehensive Plan's open spaces section. She noted beyond establishing goals, the Wildlife Plan also identified a twenty-five item list of actions to achieve the goals. The proposed memorandum of understanding is not binding and does not commit either staffing or funding. It states that the signatories endorse the goals of the Plan and documents the intent to implement actions as staffing and funding allow. She requested the Assembly vote to allow the Municipality to enter into the Memorandum.

Ms. Taylor invited Ms. Slemons to the next Assembly Comprehensive Plan Committee meeting.

Mr. Tremaine felt the Plan was appropriate and timely.

Mr. Wuerch suggested the Assembly consult with the Administration before they take action.

Mr. Tesche and Ms. Abney also voiced their support and thanks.

The meeting recessed at 6:20 p.m. and reconvened at 6:50 p.m.

## 11. CONTINUED PUBLIC HEARINGS :

- A. Ordinance No. AO 99-145, an ordinance of the Municipality of Anchorage **creating Street Paving Special Assessment District 4P99 - G Street/H Street Alley Paving - 11<sup>th</sup> Avenue to 13<sup>th</sup> Avenue** and determining to proceed with proposed improvements therein, Public Works Department.
1. Assembly Memorandum No. AM 1009-99.  
(CONTINUED FROM 12-14-99)

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

ELISE HUGGINS, a resident on property adjacent to the subject alley, noted she was shown as "owner preference unstated" in the Public Works petition roll. She clarified that she was informed about the project several years ago, and the South Addition Community Council tried to coordinate this project with utility undergrounding. The undergrounding effort failed. She did submit a statement that she was concerned with the lack of utility undergrounding. She did not oppose the paving project, as long as undergrounding would be considered. Ms. Huggins explained utility poles block access to her property and pose many problems. She felt undergrounding issues should be more carefully considered, especially coordination with other construction projects.

In response to Ms. Abney, Public Works Director Jim Fero explained the Municipal Code defined relation as a change in alignment of more than six spans. There are only five spans in the two blocks of the proposed project.

Municipal Manager George Vakalis added the utility poles will not be affected by the construction project.

Ms. Abney noted the paving project provided an opportunity to reduce the cost of undergrounding considerably. Also, it is a Municipality goal to eventually underground existing utility lines. She was concerned the opportunity for undergrounding is being disregarded.

In response to Mr. Tesche, Mr. Fero said he inquired of Municipal Light & Power about the cost to lower the lines for those two blocks. The cost for the electric lines alone, not including telephone lines that are also attached to the poles, was \$360,000. This would exclude charges to the property owners to bring power from the new underground lines into their homes.

In response to Mr. Tesche, Mr. Vakalis said he could not immediately address the question of whether the woodstave project would be extended in this alley. He doubted that extension would have a bearing on the cost and feasibility of utility undergrounding. He pointed out the Water Utility's tariff does not include utility undergrounding. If the homeowners want to cover the cost of undergrounding in conjunction with the woodstave project, they might be able to request a special assessment district.

In response to Mr. Tesche, Mr. Fero said he did not know exactly the amount of undergrounding work that has been done in the last few years. However, he recalled one recent project buried lines that crossed the Cemetery from Cordova to Fairbanks Streets. Also, many of the utilities will be undergrounded on the 15<sup>th</sup> Avenue project next summer.

Mr. Vakalis added Municipal Light and Power is generally meeting the four percent Code requirement for undergrounding.

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

Ms. Clementson pointed out it has been very difficult for property owners to obtain the cost estimates for undergrounding. She thought tonight was the first time a specific cost has been mentioned. She felt the property owners should have been given choices and told the various costs. She reiterated her request that the Administration to investigate the possibilities of combining undergrounding with other construction projects.

Mr. Wuerch asked that Ms. Linford's written comments be appended to the record. She is the owner of Lot 7, Block 23C. He noted she supported the paving project.

Mr. Tesche moved, to adopt AO 99-145,  
seconded by Mr. Wuerch,

Mr. Tesche supported the project. He concurred with Ms. Clementson's remarks. He felt the Administration could improve communication with residents especially about opportunities of special assessment districts for undergrounding.

Question was called on the motion to adopt AO 99-145 and it passed:

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

12. NEW PUBLIC HEARINGS:

- A. Ordinance No. AO 99-158, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$50,000,000 in aggregate principal amount of Tax Anticipation Notes** of the Municipality; fixing certain details of said notes; providing for the form and manner of sale of said notes; pledging the receipts from ad valorem property taxes to be levied during Year 2000 and the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said notes; and related matters, Finance.
- a. Assembly Memorandum No. AM 1189-99.

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

THERESA OBERMEYER requested that more Assembly agendas be made available at the meetings.

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

Ms. Clementson moved, to adopt AO 99-158.  
seconded by Ms. Taylor,

In response to Mr. Wuerch, Don Duhr of the Finance Department explained the amount of tax anticipation notes is not increasing each year. The size of the note issued is determined by the cash flow deficit. Last year, there were revenues received early in the year, which due to the sale of the telephone utility were shifted to the end of the year. Consequently, when cash flow was calculated, a larger deficit than normal was found. He said the amount has been about \$40 million in the past two years. Mr. Duhr added instead of borrowing money from the Municipality at a taxable rate, he borrows money at a tax exempt rate. The notes are for 359 days, which allows Municipal funds to make interest for a longer period of time.

In response to Mr. Tremaine, Mr. Duhr said the Municipality is earning about six percent, and can borrow notes for less interest. Last year, the Municipality earned about two percent more than was paid on tax anticipation notes.

Question was called on the motion to adopt AO 99-158 and it passed:

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

Ms. Fairclough moved, to change the orders of the day to consider some Special  
seconded by Ms. Clementson, Orders.  
and it passed without  
objection,

Ordinance No. AO 2000-28, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$77,900,000 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 4, 2000, Assemblymembers Fairclough and Kendall. (**LAI D ON THE TABLE**)

Ms. Fairclough, Ms. Taylor and Mr. Wuerch joined in introducing this ordinance. The public hearing was scheduled for February 1, 2000.

Ordinance No. AO 2000-29, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$42,000,000 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 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 4, 2000, Assemblymembers Fairclough and Kendall. (**LAI D ON THE TABLE**)

Ms. Fairclough, Mr. Wuerch and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for February 1, 2000.

- B. Ordinance No. AO 99-159, an ordinance of the Municipality of Anchorage, Alaska, providing for the **issuance of Lease Revenue Bonds of the Municipality in the aggregate amount of not to exceed \$70,000,000** for the purpose of providing funds to pay all or part of the cost of acquiring, constructing and equipping a new correctional facility to be leased to the State of Alaska and to pay costs of issuance, including reserves as necessary; providing for the form and manner of sale of the bonds; authorizing the preparation and approval of a preliminary and final official statement; authorizing a trust agreement and an agreement for ongoing disclosure; and authorizing the sale of such bonds, Finance.
1. Assembly Memorandum No. AM 1202-99.
2. Ordinance No. AO 99-159(S), an ordinance of the Municipality of Anchorage, Alaska, providing for the issuance of Lease Revenue Bonds of the Municipality in the aggregate amount of not to exceed \$70,000,000 for the purpose of providing funds to pay all or part of the cost of acquiring,

- constructing and equipping a new correctional facility to be leased to the State of Alaska and to pay costs of issuance, including reserves as necessary; providing for the form and manner of sale of the bonds; authorizing the preparation and approval of a preliminary and final official statement; authorizing a trust agreement and an agreement for ongoing disclosure; and authorizing the sale of such bonds, Finance. (**addendum**)
3. Assembly Memorandum No. AM 65-2000.

Chairman Meyer 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 99-159(S).  
seconded by Mr. Sullivan,

In response to Mr. Wuerch, Don Duhr of the Finance Department explained \$56 million is the cost of the project. The Municipality is authorized to include funds for a reserve fund, which would be about \$5.4 million. Also, there are funds included for capitalized interest. The project will take about two years to complete, and during that time there will be no source of revenues to pay for it. He said the bond will be reduced if it is determined a reserve fund is not required. The bond will also be adjusted according to interest rate fluctuations.

In response to Ms. Clementson, Mr. Duhr explained the lease is predicated on \$56 million, or debt service of not to exceed \$128 million. They are working in conjunction with the State Department of Revenue, which has agreed to everything so far.

Cynthia Weed spoke representing the Municipality’s revenue bond counsel, Preston Gates and Ellis. She noted lease payments from the State will be considerably in excess of \$56 million. The only limitation of the \$56 million figure is the amount that can be spent on the project. The State will pay the full amount of debt service on the bonds, up to \$128 million.

In response to Mr. Wuerch, Don Simmons of Property and Facility Management noted construction bids on the project were higher than anticipated. The construction budget was \$41 million. The total project budget is \$56 million. He felt during the procurement process, the issue will be resolved within the \$56 million budget. He added the design costs are about \$4 million, and project management costs are about \$1.6 million.

In response to Mr. Wuerch, Bart Mauldin, acting Purchasing Director, addressed the Assembly. He explained it was the current intent, and there is precedent for construction projects that go over estimated costs, to evaluate the urgency of the project. There is a determination made, and sometimes there is a decision to re-bid the project. In some cases, they will proceed with negotiations. In this case, the Purchasing Officer decided to gather information for negotiations with the apparent low bidder. There is a \$5.5 million gap between the construction budget at the time of the bid opening, and the amount offered by the apparent low bidder.

In response to Mr. Wuerch, Ms. Weed explained why the bond amount was \$70 rather than \$61 million. She said the excess was because when the ordinance was drafted, a bond insurer had not been selected. There was some concern that whatever insurer was selected might have requested extra reserves because of the nature of the project. A maintenance reserve, separate from a bond reserve is occasionally required in project financing. The bond insurer that was selected does not appear to require those extra reserves. According to State statutes, there is no possibility that the extra reserves will be used for construction costs on the project. She did not object to the body of the ordinance being amended to reflect \$65 million, because they would not issue more than that amount, although it would make the title and body inconsistent.

Mr. Wuerch moved, to amend AO 99-159(S) on page 3, lines 4 and 13 to change  
seconded by Ms. Clementson, the \$70 million amount to \$65 million.

Ms. Von Gemmingen opposed the amendment. She pointed out bonds are only spent for the specific need. She felt it should be left to the discretion of the Administration.

Question was called on Mr. Wuerch’s motion to amend and it failed:

AYES: Tremaine, Tesche, Meyer, Wuerch.  
NAYS: Kendall, Sullivan, Taylor, Fairclough, Abney, Von Gemmingen, Clementson.

Question was called on the motion to adopt AO 99-159(S) and it passed:

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

- C. Resolution No. AR99-358, a resolution appropriating \$8,022 Current Year Special Assessment and Interest Collections and \$230,923 Prior Year Special Assessment and Interest Collections within the Special Assessment Bond Redemption Fund (0899) for **1999 Special Assessment Bond Debt Service** for the Public Works Department, Finance.
1. Assembly Memorandum No. AM 1204-99.

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

Ms. Clementson moved, to approve AR 99-358.  
seconded by Ms. Taylor,

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

- D. Resolution No. AR99-359, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$108,680 with the State of Alaska, Department of Transportation and Public Facilities, for financing the **implementation of a Public Transportation Marketing Program** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department.
1. Assembly Memorandum No. AM 1205-99.

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

Mr. Sullivan moved, to approve AR 99-359.  
 seconded by Ms. Taylor,

In response to Mr. Wuerch, Public Transportation Director Bob Kniefel explained the Municipality is accepting funds from the State to pay for the Transit marketing program. He said the funds are Federal AMATS funds and can only be used for marketing or capital purchases, and cannot be used for operating issues.

In response to Ms. Taylor, Mr. Kniefel updated the Assembly on the free rides program. As of the end of the year, ridership is up between 25 and 30 percent. He said a demographic survey will be conducted during the last two weeks of January, which will also indicate use patterns and the effectiveness of the program.

In response to Mr. Tremaine, Mr. Kniefel said the proposed TORA funds were included in the Department's grant budget for 2000. It is an ongoing program that has been done for about four years.

In response to Ms. Taylor, Mr. Kniefel said each year the grant is increased about five percent.

Question was called on the motion to approve AR 99-359 and it passed:

AYES: Kendall, Sullivan, Tremaine, Tesche, Taylor, Meyer, Wuerch, Fairclough, Abney, Von Gemmingen.  
 NAYS: None.

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

- E. Resolution No. AR99-360, a resolution of the Municipality of Anchorage appropriating \$119,640 received from the State of Alaska, Department of Natural Resources, to the Anchorage Fire Services Area (131) Fund as **reimbursement for services performed under the CY 1999 "Mutual Aid" agreement**, Fire Department.
1. Assembly Memorandum No. AM 1206-99.

Chairman Meyer 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 approve AR 99-360.  
 seconded by Mr. Sullivan,

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

- F. Resolution No. AR99-364, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to enter into a Transfer of Responsibilities Agreement in the amount of \$281,725 with the Department of Transportation and Public Facilities, State of Alaska, for the **Municipal Share-A-Ride Program** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department.
1. Assembly Memorandum No. AM 1210-99.

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

Mr. Sullivan moved, to approve AR 99-364.  
 seconded by Ms. Fairclough,

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

- G. Ordinance No. AO99-156, an ordinance amending Anchorage Municipal Code Chapters 6.50.060 and 4.50.090 to **further define the responsibilities of the Investment Advisory Commission**, Legal Department.
1. Assembly Memorandum No. AM 1175-99.

Chairman Meyer 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 adopt AO 99-156.  
seconded by Ms. Von Gemmingen,

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

- H. Ordinance No. AO 99-157, an ordinance amending the Anchorage Municipal Code to amend Section 8.40.040 and to **recover costs of responses to false alarms by the Anchorage Police Department** and enact a new Chapter 10.75, Inspection Fees, to **recover costs of inspections by the Anchorage Fire Department**, Legal Department.
1. Assembly Memorandum No. AM 1178-99.

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

BOB PRICE, representing the Anchorage School District (ASD), noted the District generates many of the Municipality's alarm responses. He pointed out the ASD has 94 facilities, with 2,935 security devices that can issue alarms. Mr. Price said in the past few years, District officials have done everything possible to limit the number of false alarms. Two security personnel were assigned to this project. They are on duty seven days per week, and when alarms are triggered, ASD security respond. If they cannot respond, an ASD contractor, Pinkerton Security responds. The only time the Anchorage police are summoned, is when there is evidence on the scene that there has been trespass of a building. Mr. Price said after research of industry statistics on failure rates, the ASD could have up to five false alarms per day. He reiterated District officials are doing all they can to curtail false responses. Raising the fee for false alarms would have a notable impact on the ASD budget. He added schools are inspected by the Fire Department once per year. Charging \$50 per hour for these inspections would be an impact of \$13,500 for only 30 percent of the schools. This is an amount which has not been budgeted. He asked that the proposed fee schedule not be applied to the ASD.

In response to Ms. Clementson, Mr. Price explained if the police are called to respond to a potential intruder in a building, and no one is found inside, it is considered a false alarm. Also, when ASD security are occupied and cannot respond to an alarm, the police are requested to respond directly. There are not many false alarms any more. He clarified a situation when police respond to an alarm at a swimming pool, which are managed and operated by the Municipality. If people are found inside who are authorized to be there, it is considered a false alarm and charges are made to the ASD.

TOM MCGRATH opposed the ordinance. He pointed out public safety is the main purpose of government; without public safety service, there is no reason to have government. He noted Anchorage has one of the worst records in the country as far as fire deaths. Anything that would be an impediment to inspections, including a fee, was a terrible idea. Mr. McGrath noted Fire Department personnel have developed ideas to increase inspections, and those ideas have been rejected by the Administration. He felt those ideas should be considered in order to increase inspections. He noted businesses contribute a lot to the Municipality, in the form of business property taxes and community outreach activities, so charging a fee for police false alarms is unjustified. He pointed out some businesses, such as massage parlors and bars, receive regular visits from police without being charged a fee.

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

Mr. Kendall moved, to adopt AO 99-157.  
seconded by Ms. Von Gemmingen,

Ms. Von Gemmingen moved, to postpone action on AO 99-157 until May 23, 2000.  
seconded by Ms. Fairclough,

Ms. Von Gemmingen felt a delay was in order because there are several issues raised that need discussion. She added the Fire Department management audit is still pending. She would like to review the audit before proceeding on the proposed ordinance.

In response to Ms. Fairclough, Municipal Manager George Vakalis confirmed that anticipated revenues from the proposed fees were included in the 2000 budget.

Ms. Fairclough felt two ASD security persons to cover all the District facilities was inadequate.

Mr. Tremaine pointed out decreasing revenues by the postponement would require compensating cuts to expenditures.

Mr. Wuerch supported the motion. He opposed the ordinance.

In response to Mr. Tesche, Gene Dusek of the Office of Management and Budget said revenues from the proposed fees are projected to be an increase of \$58,000 for false alarms, and \$325,000 for fire inspections, which is a new fee.

Question was called on Ms. Von Gemmingen's motion to postpone and it failed:

AYES: Taylor, Meyer, Wuerch, Abney, Von Gemmingen.  
NAYS: Kendall, Sullivan, Tremaine, Tesche, Fairclough, Clementson.

Mr. Tremaine moved, to amend AO 99-157 to delete Section 1 in its entirety.  
seconded by Mr. Tesche,  
and it was withdrawn,

Mr. Sullivan felt the citizens who testified made some good points. He suggested fees might be more appropriate for situations where police respond to an actual problem. He supported the motion.

Mr. Tremaine withdrew his motion, with the concurrence of Mr. Tesche.

Mr. Tremaine moved, to amend AO 99-157 in Section 1, line 31 to read: "...six-month period: \$35.00"  
seconded by Mr. Tesche,

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

Mr. Sullivan moved, to amend AO 99-157 in Section 1 to add a new paragraph to read: "Municipally-owned facilities are exempt from this section."  
seconded by Ms. Taylor,

Ms. Fairclough said she did not want to charge the School District, but also wanted them to maintain their efforts to reduce false alarms.

In response to Ms. Clementson, Police Chief Duane Udland said alarms receive a fairly high priority and officers are dispatched as quickly as possible. However, most alarms are false, typically triggered by people who are authorized to be in a facility. Alarms triggered by wind or power failures are not considered "false."

Question was called on Mr. Sullivan's motion to amend and it failed:

AYES: Sullivan, Tremaine, Taylor, Abney.  
NAYS: Kendall, Tesche, Meyer, Wuerch, Fairclough, Von Gemmingen, Clementson.

In response to Mr. Kendall, Fire Chief Mike Nolan explained residential housing units that are tri-plex and above are inspected once every three years. He felt this practice has reduced deaths from fire, since it was initiated about two and a half years ago. A fire inspection is not required for new construction.

In response to Ms. Von Gemmingen, Chief Nolan said \$50 is a minimum fee. It is for one hour's time, which is the minimum amount of time typically taken on an inspection. More complex buildings such as hotels take quite a bit longer. He said usually when corrections are required, re-inspections reveal corrections are made and further re-inspections are not necessary. Occasionally, people are difficult and several re-inspections are necessary. He said day care facilities are required to be inspected annually. He added that many day care facilities try to find ways to circumvent the Code, and have illegal electrical connections and blocked exits. These situations cannot be tolerated.

In response to Mr. Sullivan, Chief Nolan explained currently, inspection fees are charged only for special circumstances, such as when someone requests an inspection outside of regular service hours. These situations only arise about two or three times per year.

In response to Mr. Wuerch, Chief Nolan felt there would not be much opposition to the fees from owners of facilities. He noted their insurance rates are usually better as a result of a better inspection program. He said the reason for proposing the new fees was because of the loss of State revenues. His options were to either enact fees or reduce services. Employee layoffs is the only area available to reduce costs. He agreed the best way to reduce fire deaths and damage is by prevention, which is the point of the inspection program.

Mr. Wuerch moved, to amend AO 99-157 to delete Section 2 in its entirety, and  
seconded by Ms. Taylor, renumber the following section accordingly.

Mr. Tremaine pointed out deleting the fees would result in a budget shortfall. He felt reductions in areas other than the Fire Department should be made to balance the budget.

Mr. Vakalis pointed out fire inspection fees are charged in many other cities in the country. He noted a \$50 flat rate would be inequitable because there is a lot of time involved in inspecting hotels and large industrial facilities.

Mr. Tesche concurred with Mr. Tremaine. He supported the fees unless the Assembly can identify cuts to other areas of the budget.

Ms. Clementson moved, to postpone action on AO 99-157 until February 15, 2000  
seconded by Ms. Von Gemmingen, pending receipt of more information on economic effects and similar provisions in other cities.

AYES: Meyer, Wuerch, Fairclough, Abney, Von Gemmingen, Clementson.  
NAYS: Kendall, Sullivan, Tremaine, Tesche, Taylor.

- I. Resolution No. AR99-344, a resolution amending Regulation 21 of the Anchorage Municipal Code of Regulations by enacting a new Chapter 21.67, Stormwater Discharge, to **provide for stormwater plan review fees**, Public Works.  
1. Assembly Memorandum No. AM 1162-99.

Chairman Meyer 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 approve AR 99-344.  
seconded by Mr. Kendall,



AYES: Kendall, Sullivan, Tremaine, Tesche, Taylor, Meyer, Wuerch, Fairclough, Abney, Von Gemmingen.  
 NAYS: None.

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

- J. Ordinance No. AO 99-155, an ordinance of the Municipality of Anchorage **authorizing the purchase of Tract A, Block 1, Georgeville Estate**, TID #012-272-53, generally located at the northeast corner of 88th and Jewel Lake Road, for the replacement of Fire Station No. 7 in Sand Lake, Heritage Land Bank/Property and Facility Management
1. Assembly Memorandum No. AM 1167-99.

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

Mr. Sullivan moved, to adopt AO 99-155.  
 seconded by Ms. Von Gemmingen,

In response to Mr. Tremaine, Fire Chief Mike Nolan explained plans for the old fire station. In the short term, the facility will be used as warm-storage for reserve apparatus.

Question was called on the motion to adopt AO 99-155 and it passed:

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

- K. Ordinance No. AO 99-137, an ordinance amending Anchorage Municipal Code of Ordinances Title 21 concerning **publicly owned and operated outdoor recreation facilities** such as athletic fields, tennis courts, parks and playgrounds and publicly owned and operated buildings and uses in residential zoning districts, Assemblymember Tesche.
1. Assembly Memorandum No. AM 946-99.
  2. Information Memorandum No. AIM 4-2000, Community Planning and Development.

Mr. Tesche requested this ordinance be referred back to the Planning and Zoning Commission (P&Z) for additional consideration.

Mr. Tesche moved, to continue the public hearing for AO 99-137 until  
 seconded by Mr. Sullivan, May 16, 2000 pending further review by P&Z, and to schedule  
 a meeting with P&Z in the interim to discuss potential  
 technical amendments.

Chairman Meyer opened the public hearing and asked if anyone wished to speak. He noted he would give some latitude if someone wished to testify tonight and again on May 16, because of the potential for substantive changes in the interim.

AN UNIDENTIFIED MAN felt existing laws were adequate and satisfactory. The proposed ordinance was in reaction to one persons' yard, which is offensive to many people. He was also offended by the appearance of the yard, but noted the owner had freedom as a citizen to keep it that way. If the situation is not creating a health hazard or a danger to children, he felt it should be protected. He pointed out one person's junk can be a treasure to another person.

In response to Ms. Fairclough, the gentleman said he was testifying in reaction to an article in the Anchorage Daily News some weeks ago, which said the Municipality took action against a man because of his yard.

Mr. Tesche clarified the proposed ordinance was designed to remove a flaw in the Municipal Code regarding certain permitted uses in private parks. He acknowledged the issue came to light as a result of a dispute in the Fairview neighborhood where a man was using his property to store building materials, household equipment and vehicles. The man defended his actions by saying the property was a type of public park.

Question was called on the motion to continue the public hearing for AO 99-137 until May 16, 2000 and it passed:

AYES: Kendall, Sullivan, Tremaine, Tesche, Taylor, Meyer, Wuerch, Fairclough, Abney, Von Gemmingen.  
 NAYS: Clementson.

- L. Ordinance No. AO 99-160, an ordinance amending Anchorage Municipal Code Chapter 15.80 by eliminating the I/M Program Design Document dated October 30, 1996, to include vehicle operators as responsible for compliance, adding new definitions and clarifying verbiage, to comply with changes in State I/M Regulations updating test analyzers and adding windshield sticker requirements, and incorporating a modified version of the **I/M Program Design Document** into new Anchorage Municipal Code Chapter 15.85, Health and Human Services.
1. Assembly Memorandum No. AM 1203-99.

Chairman Meyer 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 99-160.  
 seconded by Ms. Fairclough,

Mr. Wuerch explained use of the word “operator” involves enforcement of registration laws. Because the subject ordinance deals with environmental laws, he felt the word “motorist” would be more appropriate.

Mr. Wuerch moved, seconded by Ms. Clementson, and it passed without objection,	to amend AO 99-160 on page 1, line 18 to read: “...Every motorist operating a vehicle ...”, on page 8, line 40 to read: “Motorists operating vehicles not subject to...” and on page 9, lines 32 and 39 to read: “Motorists operating non-exempt vehicles shall...”
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Question was called on the motion to adopt AO 99-160 as amended and it passed:

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

- M. Ordinance No. AO 99-147, an ordinance amending the zoning map and providing for the rezoning from R-7 (Intermediate Rural Residential) to B-4/SL (Rural Business District with Special Limitations) for **Eklutna ANCSA 14(C)(1) Lot 2A located within the SE 1/4 of Section 24, T16N, R1W, S.M., AK**, generally located to the west of Eklutna Village Road and north of New Glenn Highway (Eklutna Community Council) (Planning and Zoning Commission Case 99-150), Community Planning and Development.
1. Assembly Memorandum No. AM 1139-99.
  2. Information Memorandum No. AIM 5-2000, Municipal Clerk. (**addendum**)

Chairman Meyer opened the public hearing and asked if anyone wished to speak. There was no one.

Mr. Kendall moved, seconded by Mr. Wuerch, and it passed without objection,	to continue the public hearing for AO 99-147 to March 21, 2000.
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13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.
14. **SPECIAL ORDERS:** Some ordinances were introduced earlier in the meeting. See after item 12.A.
15. **ASSEMBLY COMMENTS:**

Mr. Kendall announced he would be out of town on January 25 and asked to be excused from the Assembly meeting that night.

Mr. Tremaine, Mr. Tesche and Ms. Taylor congratulated Chairman Meyer for his first meeting as Chair.

Mr. Wuerch noted the offices of the Assembly Department would be closed on January 17 in recognition of Martin Luther King, Jr. Day.

Ms. Fairclough thanked the organizers of the New Year’s Eve Night of Light celebration downtown. She also thanked everyone who worked on New Year’s Eve to keep watch on Y2K issues.

Ms. Abney invited everyone to the candlelight vigil in honor of Martin Luther King, Jr. She credited former Assemblymember Jim Barnett with helping to establish the monument to Rev. King.

Ms. Von Gemmingen also congratulated Chairman Meyer, and thanked organizers of the Night of Light.

16. **UNFINISHED AGENDA:** None.
17. **AUDIENCE PARTICIPATION:**

TOM MCGRATH addressed a petition currently being circulated which would cap property tax rates at 10 mills. He felt the proposal, if approved by the voters of the State would have a serious impact on the bargaining agreement between the Anchorage School District and teachers. If the teachers’ union request prevails, it would equate about 3.44 mills, or about \$50 million.

18. **EXECUTIVE SESSIONS:**

A. **Pending** Litigation.

Mr. Wuerch moved, seconded by Mr. Tesche, and it passed without objection,	to recess into executive session to discuss pending litigation matters and to resolve questions about AR 2000-16.
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- Resolution No. AR 2000-16, a resolution of the Municipality of Anchorage appropriating \$225,000 from the Anchorage Metropolitan Police Service Area (151) Fund Balance to the Anchorage Police Department for **professional legal services in support of labor relations activities in pending litigation regarding Messrs. Guillory and Nelson**, Employee Relations Department. public hearing 1-25-00. (**addendum**)
- a. Assembly Memorandum No. AM 61-2000.

Mr. Tesche, Ms. Clementson and Ms. Von Gemmingen joined in introducing AR 2000-16. The public hearing was scheduled for January 25, 2000.

(Clerk’s Note: See also item 8.C.6.)

The meeting recessed at 9:35 p.m. and reconvened at 10:50 p.m.

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

to keep the tapes of tonight’s executive session confidential  
in the Clerk’s possession until final judgment, or a not-  
appealable situation develops on all the cases, or any type of  
action is barred by the statute of limitations.

19. ADJOURNMENT:

The meeting adjourned at 10:51 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: February 15, 2000

LF/db

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