

# MUNICIPALITY OF ANCHORAGE

## ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of December 8, 1998

1. **CALL TO ORDER:**

Chair Von Gemmingen convened the meeting at 5:10 p.m. in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. **ROLL CALL:**

Present: Bob Bell, Ted Carlson, George Wuerch, Melinda Taylor, Charles Wohlforth, Fay Von Gemmingen, Cheryl Clementson, Kevin Meyer, Dan Kendall, Joe Murdy.  
Absent: Pat Abney (excused).

3. **PLEDGE OF ALLEGIANCE:** Mr. Bell led the pledge.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - August 18, 1998.

Mr. Wuerch moved, to approve the minutes of  
seconded by Mr. Kendall, August 18, 1998.  
and it passed without  
objection,

5. **MAYOR'S REPORT:**

Mayor Mystrom gave an overview of the status on zoning enforcement cases. He commented that the number of outstanding cases has been reduced.

Mr. Meyer thanked the Mayor and Public Works for helping clean up some of the backlog of zoning enforcement cases. Mr. Meyer expressed his concern about repeat offenders.

6. **ADDENDUM TO AGENDA:**

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

Chair Von Gemmingen read the addendum items.

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

(Clerk's Note: Ms. Clementson had not arrived at the time of the vote.)

7. **CONSENT AGENDA:**

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

A. **BID AWARDS:** None.

B. **ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:**

1. Ordinance No. AO 98-188, an ordinance amending Title 21 of the Anchorage Municipal Code of Ordinances amending the B-2A, Central Business District, Core, B-2B Central Business District, Intermediate and B-2C, Central Business District, Periphery, to limit the number of **streetscape bonus points** to the amount needed for required site minimums or 25 percent of the points required for the development, to allow streetscape bonus points for only shops with windows at street level, and to set minimum standards for windows at street level and to re-require such windows, Community Planning and Development. public hearing 1-5-99.
  - a. Assembly Memorandum No. AM 1102-98.
2. Resolution No. AR 98-336, a resolution of the Anchorage Municipal Assembly approving an **appointment to fill a vacancy on the Anchorage Telephone Utility (ATU) Board of Directors**, beginning January 1999, Assembly Chair Von Gemmingen. public hearing 12-15-98.
3. Resolution No. AR 98-382, a resolution of the Municipality of Anchorage appropriating \$1,288,550 to the State Categorical Grants Fund (0231) from the Department of Community and Regional Affairs for the **State Training and Employment Program (STEP)**, Health and Human Services. public hearing 12-15-98.
  - a. Assembly Memorandum No. AM 1103-98.
4. Resolution No. AR 98-383, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to enter into a Transfer of Responsibilities Agreement in the amount of

\$295,000 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 (0231), Public Transportation Department. public hearing 12-15-98.

- a. Assembly Memorandum No. AM 1104-98.
5. Resolution No. AR 98-384, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$105,000 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 (0231), Public Transportation Department. public hearing 12-15-98.
  - a. Assembly Memorandum No. AM 1105-98.
6. Resolution No. AR 98-391, a resolution of the Municipality of Anchorage appropriating \$1,572,800 from major operating funds to **cover the cost associated with debt service on the December 1997 Tax Anticipation Notes**, Finance. public hearing 12-15-98.
  - a. Assembly Memorandum No. AM 1121-98.
7. Resolution No. AR 98-392, a resolution of the Municipality of Anchorage providing for a **revision of the 1998 General Government Operating Budget**, Office of Management and Budget. public hearing 12-15-98.
  - a. Assembly Memorandum No. AM 1122-98.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 98-366, a resolution of the Anchorage Municipal Assembly **appointing Alan Muise as Ombudsman for a two-year term to expire December 31, 2000** and determining annual salary, Assembly Chair Von Gemmingen.

Mr. Murdy asked this item be considered on the Regular Agenda. See 8.D.

2. Resolution No. AR 98-385, a resolution of the Municipality of Anchorage appropriating \$38,710 from the State of Alaska, Department of Community and Regional Affairs, to the State Categorical Grants Fund (0231) for **continuing implementation of the Anchorage Coastal Management Program**, Community Planning and Development.
  - a. Assembly Memorandum No. AM 1106-98.
3. Resolution No. AR 98-386, a resolution of the Municipality of Anchorage appropriating the sum of \$40,000 from the Alaska Department of Transportation and Public Facilities to the State Categorical Grants Fund (0231) for the **Air Quality Public Awareness Campaign**, Health and Human Services.
  - a. Assembly Memorandum No. AM 1107-98.
4. Resolution No. AR 98-387, a resolution of the Municipality of Anchorage appropriating \$90,000 from the Areawide General Fund Balance (0101) to the 1998 Executive Manager Operating Budget for a **management audit of the Anchorage School District's construction program**, Office of Management and Budget.
  - a. Assembly Memorandum No. AM 1108-98.

Mr. Murdy asked this item be considered on the Regular Agenda. See 8.D.

5. Resolution No. AR 98-390, a resolution of the Anchorage Municipal Assembly **expressing appreciation to Donald W. Shiesl for his 24 years of service** to the Municipality of Anchorage upon his retirement, Assemblymembers Abney, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Taylor, Von Gemmingen, Wohlforth, and Wuerch.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 1101-98, **El Tapatio** - Transfer of Ownership of a Restaurant/Eating Place Liquor License and Restaurant Designation Permit (Campbell Park/Spennard/ Tudor Area Community Councils), Clerk's Office.
2. Assembly Memorandum No. AM 1118-98, **1999-2000 Liquor License Renewals**: Barry's Baranof Lounge, Cabin Tavern, Club 210 East, "F" Street Station, Lone Star Steakhouse & Saloon, Sea Galley, Wm. A. Egan Civic & Convention (Beverage Dispensary); AmVets Post #2 (Club); George Sullivan Arena (Recreational Site); Kmart #7569 - 8601 Old Seward Hwy. (Package Store); Sorrento's Pizzeria (Restaurant/Eating Place), Clerk's Office.

Mr. Meyer asked this item be considered on the Regular Agenda. See 8.E.

3. Assembly Memorandum No. AM 1109-98, change order No. 1 to professional services contract for **Permit Automation System**, Public Works.
4. Assembly Memorandum No. AM 1110-98, contract amendment No. 6 to Alaska Construction & Engineering, Inc. for the **construction of Cherry Hill/Port of Anchorage Storm Drain, Phase II**, DPW No. 98-04, Public Works.

Mr. Wohlforth asked this item be considered on the Regular Agenda. See 8.E.

5. Assembly Memorandum No. AM 1111-98, amendment No. 3 to professional services contract with CRW Engineering Group for the **East 68th Avenue Street Improvements Project (Lake Otis Parkway to Abbott Loop Road)**, File No. 93-14, Public Works.

6. Assembly Memorandum No. AM 1112-98, approval of proprietary utility agreement with Matanuska Electric Association, Inc. to **relocate transmission line at the Anchorage Regional Landfill**, Solid Waste Services.
7. Assembly Memorandum No. AM 1113-98, amendment No. 2 to professional services agreement with HDR Alaska, Inc. for the **Airport Water Project - Phase 1B Water Transmission Main**, Water and Wastewater Utility.
8. Assembly Memorandum No. AM 1114-98, change order No. 1 to purchase order 80526 to exercise the option with Willis Corroon Corporation for providing **professional insurance brokerage services** to the Municipality of Anchorage, Finance Department/ Purchasing.
9. Assembly Memorandum No. AM 1115-98, change order No. 1 to purchase order 81151 with McKesson Drug Company for furnishing **medical supplies** to the Municipality of Anchorage, Department of Health and Human Services/ Purchasing.
10. Assembly Memorandum No. AM 1116-98, proprietary **lease and maintenance of a DocuTech Publishing System** from Xerox Corporation for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Meyer asked this item be considered on the Regular Agenda. See 8.E.

11. Assembly Memorandum No. AM 1117-98, change order No. 1 to purchase order 74597 with Kenai Supply, Inc. for providing **miscellaneous hydrant, pipe, and plumbing supplies** to the Municipality of Anchorage, Water and Wastewater Utility/ Purchasing.
12. Assembly Memorandum No. AM 1123-98, contract change order No. 1 to Vista Electrical Contractors, Inc. for the **Hiland Vault electrical service** (No. C-80373), Water and Wastewater Utility.
13. Assembly Memorandum No. AM 1124-98, amendment No. 2 to the professional engineering services contract with R&M Consultants, Inc. for the **Eagle River Reservoir and Eagle River Water Main Improvements**, Water and Wastewater Utility.
14. Assembly Memorandum No. AM 1125-98, contract change order No. 6 to Rockford Corporation for the **Girdwood Wastewater Treatment Facility, Phase I**(No. C-70316), Water and Wastewater Utility.
15. Assembly Memorandum No. AM 1126-98, change order No. 7 to **Minnesota Drive Storm Drain Rehabilitation Project**, Annette's Trucking, Contract No. C-70335, DPW No. 95-11, Public Works.
16. Assembly Memorandum No. AM 1127-98, proprietary contract with Jerome Selby for a **feasibility study for construction of a Salmon Fisheries and Research Center** proposed in the Ship Creek Basin for the Municipality of Anchorage, Executive Manager's Department/Purchasing.
17. Assembly Memorandum No. AM 1128-98, recommendation of award to Scott Wetzel Services, Inc. for providing **professional claims adjuster services** for the Municipality of Anchorage, Finance Department (RFP 52-98), Purchasing.

Ms. Clementson asked this item be considered on the Regular Agenda. See 8.E.

18. Assembly Memorandum No. AM 1129-98, change order No. 1 to purchase order 80527 with Dan Quinn Consulting for **professional services related to Year 2000 (Y2K) computer upgrades** for the Municipality of Anchorage, Management Information Systems Department/ Purchasing.
19. Assembly Memorandum No. AM 1130-98, proprietary purchase with Spectrum Technology Group, Inc. for providing **professional services to implement the PeopleSoft Finance System** for the Municipality of Anchorage, Municipal Light and Power/Purchasing.
20. Assembly Memorandum No. AM 1131-98, recommendation of a sole source contract to Kumin Associates, Inc. for providing **architectural/engineering services for the Chugiak Senior Center, Adult Day Care Center Addition**, for the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
21. Assembly Memorandum No. AM 1132-98, change order No. 13 to purchase order 53821 with Skyline Electric, Inc. for furnishing **repair/installation of street lights/poles, traffic signals, lift stations, and thaw wires** for the Municipality of Anchorage, Public Works Department/ Purchasing.
22. Assembly Memorandum No. AM 1142-98, **expenditure of Assembly funds** - approval by Assembly (purchase 13 chairs for use at the Assembly Chambers), Assemblymember Von Gemmingen. (addendum)

Mr. Wohlforth asked this item be considered on the Regular Agenda. See 8.E.

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 146-98, **Monthly Financial Report** - October 1998, Finance.
2. Information Memorandum No. AIM 147-98, AMC 3.70.090.B **Bargaining Status Report**, Employee Relations.

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

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Meyer, Kendall, Murdy.  
 NAYS: None.

(Clerk's Note: Ms. Clementson had not arrived at the time of the vote.)

8. REGULAR AGENDA:

- A. TIME CRITICAL ITEMS: None.

- B. BID AWARDS: None.
- C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.
- D. RESOLUTIONS FOR ACTION:

- 1. Resolution No. AR 98-366, a resolution of the Anchorage Municipal Assembly **appointing Alan Muise as Ombudsman for a two-year term to expire December 31, 2000**, and determining annual salary, Assembly Chair Von Gemmingen.

Mr. Murdy moved, to approve AR 98-366.  
seconded by Ms. Taylor,

Mr. Murdy commented how Mr. Muise has done a terrific job as the Ombudsman.

Mr. Wohlforth recommended it would be more appropriate to have discussion under Executive Session. Even though the Assembly does not normally do a performance review on employees, it would be worthwhile to discuss the Ombudsman's position.

Mr. Wohlforth moved, to postpone action on AR 98-366 until  
seconded by Mr. Murdy, later in the meeting.  
and it passed with Mr. Bell  
objecting,

(Clerk's Note: See minutes of December 15, 1998 for further action on this item.)

- 2. Resolution No. AR 98-387, a resolution of the Municipality of Anchorage appropriating \$90,000 from the Areawide General Fund Balance (0101) to the 1998 Executive Manager Operating Budget for a **management audit of the Anchorage School District's construction program**, Office of Management and Budget.
  - a. Assembly Memorandum No. AM 1108-98.

Mr. Murdy moved, to approve AR 98-387.  
seconded by Ms. Taylor,

Mr. Murdy questioned spending \$90,000 to do an audit instead of using the internal auditor, and if the amount was the lowest possible.

In response to Mr. Wohlforth, Mr. Raiskums confirmed that the audit was not in his work plan; it was contracted out. He will manage the contract and direct the contractor. Mr. Raiskums described the work in detail. He confirmed that he has the expertise to administer the contract; however, he does not have the expertise to do the audit itself.

Mr. Wohlforth discussed how this audit differs from the audit that was done a couple of years ago regarding consolidation.

In response to Mr. Wohlforth, Mr. Raiskums said the School District was very supportive of the audit.

In response to Mr. Wohlforth, Mr. Raiskums confirmed that audits that are done by outside contractors do not fall under the ordinance that requires audits to be in the work plan.

Mr. Bell pointed out that the Assembly passed legislation on this topic some months ago. He said that the School District does school construction on behalf of the Assembly. It is appropriate for the Assembly to fund a management audit to see how good a job the District is doing.

Mr. Meyer referred to the attached memorandum and discussed how the Assembly transferred school construction responsibility to the District.

Question was called on the motion to approve AR 98-387 and it passed with one objection from Mr. Murdy.

E. NEW BUSINESS:

- 1. Assembly Memorandum No. AM 1118-98, 1999-2000 Liquor License Renewals: Barry's Baranof Lounge, Cabin Tavern, Club 210 East, "F" Street Station, Lone Star Steakhouse & Saloon, Sea Galley, Wm. A. Egan Civic & Convention (Beverage Dispensary); AmVets Post #2 (Club); George Sullivan Arena (Recreational Site); Kmart #7569 - 8601 Old Seward Hwy. (Package Store); Sorrento's Pizzeria (Restaurant/Eating Place), Clerk's Office.

Mr. Meyer moved, to approve AM 1118-98.  
seconded by Mr. Murdy,

Ms. Clementson moved, to divide the question by separating out the George  
seconded by Mr. Meyer, Sullivan Arena license from the other license renewals.  
and it passed without  
objection,

Ms. Clementson explained why she would like to divide the question, approve the rest of the uncontested licenses, and get more information from the Sullivan Arena on its policies. Ms. Clementson reported that the Assembly asked for Quarterly Bar Violation reports that affect Municipal facilities, for the past few years. To date the Assembly has not seen a Quarterly Bar

Violation report that included any of these facilities. Ms. Clementson referred to an incident that occurred, earlier this year, when a woman was returning from an ACES hockey game. Ms. Clementson referred to the policy which allowed different rental rates based on alcohol consumption. Evidently, the more alcohol and merchandise sold, the lower the rental fee.

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

to approve the renewal of all other licenses listed in AM 1118-98.

Ms. Clementson moved, seconded by Mr. Murdy,

to postpone the renewal of the Sullivan Arena recreational site license until December 15, 1998.

In response to Mr. Bell, Property and Facility Management Director Joe Beauchamp indicated there may be some impact on the operations of the Sullivan Arena for about one month, if the renewal license was postponed one week.

Mr. Bell explained that this action would only postpone the application for the renewal of the liquor license. Since the cut-off date is January 17, 1999, there should not be any impact on the operation of the concessions.

In response to Mr. Meyer, Mr. Beauchamp agreed that the lease rate would be affected by the amount of alcohol sales at the Sullivan Arena.

Ms. Clementson commented that people and off-duty police officers have told her they have seen problems at concerts or hockey games, where intoxicated people become very unruly.

In response to Ms. Clementson, Mr. Beauchamp said that the incident of the woman leaving the ACES games had no association with the Sullivan Arena.

Mr. Wuerch explained that in commercial practice, a percentage of sales goes to the facility, the total fee collected would be the base rent for the hall plus a percentage of sales. Mr. Beauchamp agreed to respond by memo on the billing structure used by Sullivan Arena.

Question was called on the motion to postpone action on the Sullivan Arena license until December 15 and it passed without objection.

2. Assembly Memorandum No. AM 1110-98, contract amendment No. 6 to Alaska Construction & Engineering, Inc. for the **construction of Cherry Hill/Port of Anchorage Storm Drain, Phase II**, DPW No. 98-04, Public Works.

Mr. Wohlforth moved, seconded by Ms. Taylor,

to approve AM 1110-98.

In response to Mr. Wohlforth, Public Works Director Jim Fero indicated that he did not know where the remediation would take place, but he would find out.

Mr. Wohlforth moved, seconded by Mr. Murdy, and it passed without objection,

to postpone action on AM 1110-98 until December 15, 1998.

In response to Mr. Wuerch, Mr. Fero explained that contamination was most likely not by breakage of the lines. He agreed to verify that and have an answer by the next meeting.

3. Assembly Memorandum No. AM 1116-98, proprietary **lease and maintenance of a DocuTech Publishing System** from Xerox Corporation for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Meyer moved, seconded by Mr. Murdy,

to approve AM 1116-98.

In response to Mr. Meyer, Purchasing Officer Ted Chenier explained the reason why the maintenance cost more than the lease payment. He said it is typical for a machine like this to have higher maintenance on a six-year lease, which includes upgrades to the software, all parts and labor, and approximately 800,000 copies per month. Mr. Chenier did not know if the lease had begun or the purchase price. He said he would research that question and return with an answer at a later date.

Mr. Wohlforth moved, seconded by Mr. Meyer, and it passed without objection,

to postpone action on AM 1116-98 until December 15, 1998.

Mr. Wohlforth indicated he would like to have a copy of the cost analysis showing the \$500,000 savings as stated in the memorandum.

4. Assembly Memorandum No. AM 1128-98, recommendation of award to Scott Wetzel Services, Inc. for providing **professional claims adjuster services** for the Municipality of Anchorage, Finance Department (RFP 52-98), Purchasing.

Mr. Murdy moved, to approve AM 1128-98.  
seconded by Ms. Clementson,

Ms. Clementson announced she did not support this award. She described some of the cases that she was called on to resolve because of problems with the proposed contractor.

In response to Mr. Wohlforth, Risk Manager Glenn Smith explained the process for reviewing adjusters' performance with respect not only to cost but also to customer service and legitimate claims. He clarified that claims go directly to the Risk Manager, not to the adjuster. Mr. Smith explained the full cycle of processing a claim.

In response to Mr. Wohlforth, Mr. Smith explained what the adjuster does with the claim after review by Risk Management. He indicated that generally he is pleased with the adjusters' work. He mentioned six claims that went to the Ombudsman and were resolved favorably after the Ombudsman's review.

Ms. Clementson added she has not had problems in this area since Mr. Smith joined the administration.

Question was called on the motion to approve AM 1128-98 and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Meyer, Kendall, Murdy.  
NAYS: Clementson.

5. Assembly Memorandum No. AM 1142-98, expenditure of Assembly funds - approval by Assembly (purchase 13 chairs for use at the Assembly Chambers), Assemblymember Von Gemmingen. (addendum)

Mr. Wohlforth moved, to approve AM 1142-98.  
seconded by Mr. Murdy,

Mr. Wohlforth was not supportive of the purchase of the new chairs because he felt that the existing chairs are adequate.

Question was called on the motion to approve AM 1142-98 and it passed:

AYES: Carlson, Wuerch, Von Gemmingen, Clementson, Kendall, Murdy.  
NAYS: Bell, Taylor, Wohlforth, Meyer.

F. INFORMATION AND REPORTS: None.

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

- A. Assembly Memorandum No. AM 1015-98, amendment No. 1 to professional services contract with HDR Alaska, Inc. for **south extension of the Coastal Trail - Kincaid Park to Potter Weigh Station**, Cultural and Recreational Services.  
(FAILED 11-3-98; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. CLEMENTSON 11-3-98; RECONSIDERED AND POSTPONED FROM 11-17-98)

Chair Von Gemmingen announced the original motion to approve 1015-98 was on the floor.

Mr. Bell pointed out the concerned parties had a meeting on November 30 and December 30. He explained what occurred at the meetings.

Mr. Bell moved, to amend AM 1015-98 to appropriate \$84,979 out of Phase II into Phase I to implement the public involvement activities to appropriate \$34,746 out of Phase II into Phase I to complete the Purpose and Needs statement and the Facility Concept report.  
seconded by Mr. Kendall,

In response to Ms. Clementson. JIM CHILDERS, Project Manager for this project from the Alaska Department of Transportation (ADOT) indicated he did not think Mr. Bell's proposal would create problems. He said that ADOT would prefer to take a step farther, to mapping of alternative alignments. Mr. Childers indicated that it should not add much more cost, but would demonstrate good faith. He agreed there is a certain amount of suspicion surrounding the issue.

Mr. Bell pointed out, in order to do the full-range of alternate route maps, the Facility Concept report must be completed. Mr. Childers agreed and mentioned that ADOT is reviewing how to reach logical completion of that step.

In response to Ms. Clementson, Mr. Childers confirmed the estimate of an additional \$143,000 to prepare maps. He said he did not prepare that estimate but understood that was the estimate.

In response to Mr. Wohlforth, Mr. Childers was unsure as to whether or not it would be practical for the Assembly to fund the public involvement portion without funding other parts of the work. He said he was not aware of how much public involvement was included in the initial figure since he did not prepare the estimate. Further discussion was held on the public involvement phase.

MARK DALTON, HDR ALASKA, clarified the different amounts. The \$143,648 included additional public involvement and an advisory group.

In response to Mr. Wohlforth, Mr. Dalton addressed Mr. Bell's proposal to fund \$143,000 for routes. He explained that by using the total \$544,799, there would be \$281,426 left not funded in Phase II. The contract would need to return to the Assembly for additional authorization. He outlined the completion of Phase II and explained the logical break point.

In response to Mr. Wuerch, Mr. Dalton confirmed that the original contract for Phase I produced a Purpose and Need statement and a Facilities Concept report. It did not produce alignment sheets. He did not see anything wrong with finishing Phase I. The contractor intends to plan the public process so that people understand what the Purpose and Needs means and what the Facility Concept report is about. Mr. Dalton hoped the completion date would be early spring.

Mr. Wuerch commented that there was time to appropriate the rest of the funds needed for what would then be Phase II, and time to work up an amendment. He recommended finishing Phase I, then come back for Phase II.

Mr. Wohlforth moved, to amend AM 1015-98 by increasing the figure by \$143,648 to  
seconded by Ms. Clementson, depict the route alternatives.

Mr. Wohlforth said he was willing to go along with the idea of breaking the contract up into smaller bites; however, the breaks need to make sense. He recommended delineation of map lines. Mr. Wohlforth indicated that the HDR team is a good team and are professionals. He felt that the Assembly should heed HDR's advise as to where the better break point is for the work.

Mr. Bell pointed out that the breaking point was originally at this same point. Phase I never did include the alternate route maps; it was always in Phase II. The Facilities Concept report and the Purpose and Needs statement were in Phase I. The original idea was to have the break between Phase I and Phase II at the completion of the Facilities Concept report.

Mr. Bell agreed the alternate route maps are important. He pointed out that the idea is to first establish a Facilities Concept report and Purpose and Need statement. He said the proposal did not impact the flow of work unless the Assembly waited to do additional funding. He felt that the concern was really the timing of the funding. The concern was to inspire enough public confidence to go ahead. He recommended not to amend to add another \$143,000 that was never intended to be in Phase I in the first place.

Ms. Clementson acknowledged all the time and effort Mr. Bell put in to this amendment. She agreed he made a good argument. However, she was in support of having lines on maps.

Mr. Wuerch spoke against the amendment to add the additional \$143,648. He felt by adding extra funds, it would abandon the idea of project phasing. He encouraged the Assembly to vote against Mr. Wohlforth's amendment.

Mr. Wohlforth said he would be prepared to vote for the \$544,000. He pointed out the ADOT Project Manager's advise of the best place to break this contract is after the maps are done.

Mr. Bell pointed out that the original phasing did not include this \$143,000 in Phase I. He recommended against the amendment.

Question was called on Mr. Wohlforth's motion to increase the amount by \$143,648 for route alternative maps and it failed:

AYES: Wohlforth, Von Gemmingen, Clementson.  
NAYS: Bell, Carlson, Wuerch, Taylor, Meyer, Kendall, Murdy.

Mr. Wuerch moved, to amend Mr. Bell's amendment by deleting the \$84,979,  
seconded by Mr. Meyer, leaving the funding level of \$34,746, which is the amount  
needed to complete the Purpose & Needs statement and  
Facilities Concept report.

Mr. Wuerch explained that the amendment would bring back the phasing approach originally proposed for this project. He said it would not put the project behind, according to the contractor's testimony.

Mr. Bell spoke against the amendment. He felt that the public involvement activity was needed to begin the process without which revisions would be endless. He felt that it was critical to leave the \$84,989 so that this project can move forward.

Mr. Wohlforth agreed with Mr. Bell.

Question was called on Mr. Wuerch's motion to amend Mr. Bell's amendment to eliminate \$84,979 for the public involvement process and it failed:

AYES: Carlson, Wuerch.  
NAYS: Bell, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.

Question was called on Mr. Bell's motion to amend and it passed:

AYES: Bell, Carlson, Wuerch, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: Taylor, Wohlforth.

Question was called on the original motion to approve AM 1015-98 as amended and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

- B. Ordinance No. AO 98-163, an ordinance **creating Colonial Lateral Sanitary Sewer Special Assessment District 50-18**, and determining to proceed with the proposed improvements therein, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 951-98.  
(POSTPONED FROM 10-27-98)

Mr. Kendall moved, to postpone action on AO 98-163 until after action on item 12.I,  
seconded by Mr. Wuerch, AR 98-360.  
and it passed without  
objection,

(Clerk's Note: Due to lack of time, action on AO 98-163 was continued until December 15, 1998.)

The meeting recessed at 6:30 p.m. and reconvened at 7:10 p.m.

10. **APPEARANCE REQUESTS:** None.

11. **CONTINUED PUBLIC HEARINGS:**

- A. Ordinance No. AO 98-141, an ordinance of the Municipality of Anchorage **creating a Board of Adjustment panel separate from the Assembly, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction** and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment, Assemblymember Wohlforth.
1. Assembly Memorandum No. AM 770-98.  
(AMENDED & POSTPONED FROM 9-15-98; PUBLIC HEARING WAS RE-OPENED 9-15-98;  
CONTINUED FROM 10-27-98)
  2. Ordinance No. AO 98-141(S), an ordinance of the Municipality of Anchorage creating a Board of Adjustment panel separate from the Assembly, retaining the Assembly as a Board of Adjustment panel with limited jurisdiction and delineating the respective duties, responsibilities, powers and jurisdiction with respect to appeals to the Board of Adjustment. **(LAID ON THE TABLE)**

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

Mr. Wohlforth moved, to adopt AO 98-141.  
seconded by Mr. Murdy,

Mr. Wohlforth recalled the item was postponed to allow community councils time to review it. He said his community council expressed no great opposition to or support for this concept. He said the ordinance would allow the Assembly to substitute its judgment for that of the lower Board and continue to serve constituents in that capacity. However, it diverts technical issues with land use, law and procedures to a technical board. He hoped that it would get the Assembly out of the position of having to make legal judgments that it is not qualified to make. He urged the Assembly to support the ordinance.

Mr. Kendall said he was not supportive of AO 98-141. He reported that his community council reviewed it, and the Eagle River council, in particular, was in opposition to it. He felt that the ordinance adds another appointed Board to the process of approving plats and rezoning cases. He felt that the Assembly is fully capable and qualified to review the cases. If appeals are a burden, then the Assembly needs to be eliminated from the process entirely. The court is the next step after the Assembly. Mr. Kendall felt that the ordinance would not help; it would slow down the process.

Mr. Wuerch recognized that the ordinance was a well-intention effort to conserve the time of Assembly members. The public does not see the volumes of material associated with appeals. However, he felt that it would cause the public to be faced with an even longer process to get a decision. Mr. Wuerch agreed with Mr. Kendall in not supporting this ordinance.

Ms. Clementson respectfully disagreed. She did not support appeals going directly to court because that would cut out a large part of the public. However, the process is slowed down so much now because lengthy appeals, 800-pages, require advice from an attorney to the Board of Adjustment. The reason is because the Assembly does not have the ability, at present, to understand the validity of the legal issues associated with appeals. With the ordinance, the Assembly would retain the ability to overturn a decision based on something other than a legal decision. Whether the Assembly appoints a Board or whether it hires an attorney on a case-by-case basis, the process would still be slowed considerably. Ms. Clementson reminded the body that there are five appeals currently awaiting Assembly action.

Mr. Bell referred to the Eagle Crossing appeal and the time required for it. Mr. Bell felt that the appellants have not been treated fairly, because so much time has passed. He suggested that the proposed Board could take care of the legalistic and technical details, and give the Assembly a condensed version. In addition, if the lower Board erred then it would go back to them to get fixed, and the Assembly would not even see it. The Assembly would only see an appeal to substitute its judgment, which is a political decision for the Assembly. Mr. Bell was in favor of the ordinance.

Mr. Meyer reported that the Abbott Loop Community Council, which has the most appeals in the Midtown District, was adamantly opposed to the ordinance. Council members see it as just another layer of bureaucracy that they have to go through in making appeals. Mr. Meyer discussed some of the Abbott Loop Community Council's concerns. He felt that the Planning and Zoning Board was doing a good job and that the Assembly is doing a decent job of considering appeals. Mr. Meyer did not see the necessity for the additional Board at this time.

Ms. Clementson reminded the body that when the law was first written, appeals were written by individuals, not by attorneys.



Ms. Clementson moved, to substitute AO 98-141(S).  
seconded by Ms. Taylor,

Ms. Clementson explained that she added Section B, which basically sets out the quasi-judicial nature of the Board, and the fact that it can not have ex parte communication or conflicts of interest.

Mr. Carlson commented that the biggest problem that he encountered is about ex parte communication. He felt that the ordinance was not the right thing to do.

Mr. Murdy agreed with Mr. Kendall. He felt that people elected them to do a job and hearing appeals was part of the job when members were elected. He agreed with the idea of perhaps setting aside one night per month to do nothing but appeals. Mr. Murdy stated he was against the ordinance.

Chair Von Gemmingen said she was in support of the ordinance. When this issue came up in 1995, she did not vote in favor because she was not aware of all the volumes of paperwork and time spent as she is now. She felt it was time to bring the issue back and discuss it again.

Mr. Kendall said community councils feel there is an accountability in the process when the Assembly is involved in appeals. Mr. Kendall felt it is important to keep government close to the people and keep the process simple; the proposed ordinance does not do that. Mr. Kendall was not in support of the ordinance.

Ms. Clementson felt that the next step would be to write a Code amendment that would prohibit attorneys from writing appeals. If attorneys want to get involved then they could appeal to court. She felt the Assembly still needs to manage appeals.

In response to Ms. Taylor, Ms. Clementson explained that the Assembly would not be dealing with legal appeal issues in the proposed ordinance. Those issues would be sorted out by the technical panel. The Assembly would be able to deal with non-legal issues and retain the ability to disagree with the lower body.

Mr. Wuerch felt the issue was the right of citizens. Any scheme to deny citizens the right to the best representations would be wrong. Citizens have the right to appeal before elected officials. Creating a barrier against this access would be abdicating responsibilities as elected officials. He strongly encouraged the Assembly not to adopt another layer of bureaucracy.

Question was called on Ms. Clementson's motion to substitute and it passed:

AYES: Bell, Taylor, Wohlforth, Von Gemmingen, Clementson, Kendall, Murdy.  
NAYS: Carlson, Wuerch, Meyer.

Mr. Wohlforth moved, to postpone action on AO 98-141(S) until January 5,  
seconded by Ms. Clementson, 1999.

Mr. Wohlforth noted that he would vote no and reconsider if the Assembly did not postpone.

Question was called on Mr. Wohlforth's motion to postpone and it failed:

AYES: Bell, Wohlforth, Von Gemmingen, Clementson.  
NAYS: Carlson, Wuerch, Taylor, Meyer, Kendall, Murdy.

Mr. Bell pointed out that several Boards hear appeals. He questioned whether all of them should be eliminated.

In response to Mr. Carlson, Ms. Clementson explained some of the other Boards are acting on the Assembly's authority, and discussion continued.

Mr. Carlson commented that the proposal would confuse the public. He felt that it was a bad idea.

Question was called on the motion to adopt AO 98-141(S) and it failed:

AYES: Bell, Taylor, Von Gemmingen, Clementson.  
NAYS: Carlson, Wuerch, Wohlforth, Meyer, Kendall, Murdy.

- B. Ordinance No. AO 98-160, an ordinance amending various sections of Anchorage Municipal Code Titles 8, 14, and 21 to require any **unlicensed nightclub** in Zoning Districts B-2A Central Business District Core; B-2B Central Business District, Intermediate; B-2C Central Business District, Periphery; B-3 General Business District; B-4 Rural Business District; I-1 Light Industrial District; T Transition District; and MC Marine Commercial District to be separated by 300 feet from specified land uses, to define terms, establish standards for unlicensed nightclub land uses, and to provide for criminal and civil penalties for violations, Assemblymembers Meyer, Murdy, Wuerch, Taylor, Von Gemmingen, and Wohlforth.
1. Information Memorandum No. AIM 145-98, Community Planning and Development.
  2. Assembly Memorandum No. AM 1141-98. (addendum)
  3. Ordinance No. AO 98-160(S), an ordinance amending various sections of Anchorage Municipal Code Titles 8, 14, and 21 to require any unlicensed nightclub in Zoning Districts B-2A Central Business District Core; B-2B Central Business District, Intermediate; B-2C Central Business District, Periphery; B-3 General Business District; B-4 Rural Business District; I-1 Light Industrial District; T Transition District; and MC Marine Commercial District to be separated by 300 feet from specified land uses, to define terms, establish standards for unlicensed nightclub land uses, and to provide for criminal and civil penalties for violations. **(LAID ON THE TABLE)**

(CONTINUED FROM 11-24-98)

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

NANCY WINDLAND, Resident Manager of an apartment complex near the Point After nightclub, spoke in support of the ordinance. The nightclub was formerly called the Lost Abbey and she had been before the Assembly on this matter before. She spent about \$20,000 to hire security guards to keep club patrons off apartment property and to add security lighting. Tenants moved out because of the noise from the club. Ms. Windland also is having a hard time renting apartments because of the nightclub problems.

Mr. Meyer pointed out that the definition of nightclub is a club that operates primarily between 10:00 p.m. and 7:00 a.m. Mr. Meyer explained these types of establishments do not begin operation until after the regular bars close. He mentioned the Assembly would ask for a mandatory 300-foot buffer between the nearest residents.

In response to Mr. Meyer, Ms. Windland confirmed that a 300-foot buffer would probably not be enough. However, she did say 300 feet was a good start for those who live 60 feet away from the club.

Mr. Meyer pointed out that he has also received e-mail regarding other nightclubs throughout town, so this is not an isolated problem.

SANDY TRAINI, Campbell Park Community Council Chair, spoke in support of the ordinance. Campbell Park is also dealing with problems associated with a nightclub in its neighborhood. Ms. Traini referred to page 10, section E, regarding exemptions given to existing nonconforming nightclubs. Her concern was that a nonconforming club could apply for an exemption. Since it takes a long time to legally close a club, she was concerned about allowing them to go past 30 days.

REGINA MANTEUFEL spoke in support of the ordinance. She mentioned that she used to be a bouncer at an after-hours club. She said the kind of things she found when searching patrons were dangerous for neighborhoods.

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

Mr. Murdy moved, to adopt AO 98-160.  
seconded by Mr. Meyer,

Mr. Meyer pointed out that there are some amendments.

Ms. Clementson moved, to substitute AO 98-160(S).  
seconded by Ms. Taylor,

Ms. Clementson commented the changes in the substitute version are quite small. It adds five more uses that would require the 300-foot separation distance. She clarified the difference between rooming houses and hotels. She explained that this was in response to some concerns from people who are midtown residents, regarding some specific establishments, and explained the reasons for the additions. Ms. Clementson said that the Law Department drafted the substitute version.

Mr. Meyer was in support of the substitute version. The intent is to segregate these unlicensed nightclubs from areas that would be negatively impacted.

In response to Mr. Meyer, Assistant Municipal Attorney Cliff Groh referred to the original version, which lists a number of districts in which there are permitted uses, plus one conditional use. The substitute version changes it so that only the marine commercial district goes from a permitted use to a conditional use. Under the existing law, under either version, there would not be any other district besides those named in the title, in which one of these establishments could be located. Mr. Groh explained that there are six districts listed in the substitute version that would be a permitted use, if they were at least 300 feet from neighboring areas.

Mr. Wohlforth commented that he and Mr. Meyer worked on this ordinance from the beginning, and he did a fair amount of research on it. He explained the intent in the original version of the set-back distance was to keep these establishments from existing in the strip commercial zones that are located around town. Mr. Wohlforth commented that a map produced by the Planning Department showed where the 300 foot line would go around residential areas.

He spoke about his concern of requiring other places to have a 300-foot buffer. He was afraid that the substitute would not allow enough areas to do this activity. Without having a map that shows where all those buffer circles would be, Mr. Wohlforth was hesitant to support the substitute version. He suggested a postponement of the substitute so the Planning Department could produce a map showing where those buffer circles would be, or approve the original ordinance.

Mr. Meyer agreed with Mr. Wohlforth. Mr. Meyer preferred to go with the original ordinance.

Question was called on Ms. Clementson's motion to substitute AO 98-160(S) and it failed:

AYES: Taylor, Clementson.  
NAYS: Carlson, Wuerch, Wohlforth, Von Gemmingen, Meyer, Kendall, Murdy.

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

Mr. Wohlforth moved, to amend AO 98-160 by inserting on page 3, line 20,  
seconded by Mr. Murdy, after the word seating, "facilities used exclusively for  
non-profit charitable or non-profit education purposes."

Mr. Wohlforth explained the purpose of the amendment to the Alano Club on 15<sup>th</sup> Avenue, which is a facility for recovering alcoholics and has dances. The club was concerned that if it had a nonalcoholic dance, it would fall under this ordinance.

Mr. Wuerch was concerned with the original language on page 3, line 22, where it includes public and private schools. He questioned whether some operator could claim he is providing an educational benefit to the after-hour patron. If that is the case, Mr. Wuerch recommended dropping the word “educational.”

Mr. Wohlforth explained that the wording was taken from the text of a portion of the Municipal Code determining if structures are tax exempt. Further discussion continued.

Mr. Groh confirmed the wording from the Municipal Code. The only thing he would suggest is that the word “nonprofit” intended to modify both charitable and educational facilities. He sensed that problem clubs are not qualified as nonprofit. Mr. Groh said that Deputy Municipal Attorney Greene advised that there are some educational functions at this particular club.

After further discussion, Mr. Wohlforth suggested leaving the wording as it was in the ordinance.

Question was called on Mr. Wohlforth's motion to amend AO 98-160 and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Kendall, Murdy.  
NAYS: Meyer.

Mr. Meyer moved, to amend AO 98-160 on page 3, line 19 to read:  
seconded by Mr. Murdy, "...between 11:00 p.m. and 7:00 a.m."

In response to Mr. Carlson, Mr. Meyer explained his reason for changing from 10:00 p.m. to 11:00 p.m.

Question was called on Mr. Meyer's motion to amend AO 98-160 and it passed:

AYES: Bell, Wuerch, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall.  
NAYS: Carlson, Taylor, Murdy.

Mr. Meyer moved, to amend AO 98-160 on page 10, line 5 to read:  
seconded by Mr. Murdy, "...shall be obtained from the Department of Public Works  
and it passed without and be..."  
objection,

Mr. Wohlforth pointed out that the ordinance requires these facilities to be at least 300 feet from residential property or schools. If the club operates from 11:00 p.m. to 7:00 a.m., the distance would not matter.

In response to Mr. Wohlforth, Mr. Meyer commented he considered the question of the distance if hours were 11:00 p.m. to 7:00 a.m. However, he determined that since these places attract vandalism and there are some late-night events at schools the amendment was necessary.

Ms. Clementson pointed out that it seems a little backwards to say it is illegal to be 300 feet from a school that is not in session, but legal to be within 300 feet of a rooming house or emergency medical care facility where people would be late at night.

Ms. Clementson moved, to amend AO 98-160 on page 9, line 9, subsection B, to  
seconded by Mr. Wohlforth, change "principle uses" to "conditional uses."  
and it was withdrawn,

Mr. Groh spoke to Ms. Clementson's amendment. He suggested it might be better to adopt the language that was in her proposed substitute on page 9, lines 11-20, in lieu of the language currently in the original version on page 9, lines 9-18. There are different subsections and different language between the permitted and conditional use.

Ms. Clementson moved, to amend AO 98-160 by replacing the text in subsection B on  
seconded by Mr. Wohlforth, page 9, lines 9-18, to read: "Conditional uses. Subject to the  
and it passed without requirements of the conditional use standards and procedures of  
objection, Sections 21.15.030 and 21.50.020, the following uses may be  
permitted: 1. Conditional uses with standards in section  
21.50.290;" and changing paragraph "10" to paragraph "k."

Mr. Wohlforth moved, to amend AO 98-160 on page 9, line 39 by deleting  
seconded by Ms. Clementson, "1. Public, private or parochial school."

Mr. Carlson spoke against Mr. Wohlforth's amendment.

Mr. Wuerch commented that there are several schools in the northern half of midtown that are no longer in residential areas. He said that Mr. Wohlforth had mentioned that staff had done an assessment of impacts.

In response to Mr. Wohlforth, Mr. Alspach confirmed that the map with the circles that Mr. Wohlforth was looking at only covered residential zones.

In response to Chair Von Gemmingen, Mr. Wohlforth recommended against considering a different number of feet other than 300.

Question was called on Mr. Wohlforth's motion to amend AO 98-160 and it failed:

AYES: Wohlforth, Von Gemmingen, Clementson.  
 NAYS: Bell, Carlson, Wuerch, Taylor, Meyer, Kendall, Murdy.

Question was called on the motion to adopt AO 98-160 as amended and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
 NAYS: None.

Chair Von Gemmingen then called on Mr. Jim Barnett, Cub Scout Troop #209, Rabbit Creek Lions Club, from South Anchorage.

Mr. Barnett said that fourteen cub scouts were present to work toward their Communication Merit badge and Citizenship in the Community Merit badge. Members of the Troop introduced themselves to the Assembly.

Boy Scout Troop #84, also present, introduced themselves to the Assembly.

- C. Ordinance No. AO 98-120, an ordinance of the Anchorage Municipal Assembly amending AMC 21.35.020 B. to change the **definition of "Dwelling, Factory-Built"** (Formerly Ordinance No. AO 97-129) (Planning and Zoning Commission Case No. 97-189), Assemblymember Carlson.
1. Assembly Memorandum No. AM 713-98.
  2. Information Memorandum No. AIM 98-98, Community Planning and Development. (CONTINUED FROM 8-18-98, 9-22-98, 9-29-98, AND 10-20-98)
- Ordinance No. AO 98-186, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending Definitions, "Dwelling, One-Family or Single-Family" and "Dwelling, Multiple-Family", "Mobile Home", adding definitions for "Dwelling, Manufactured", "Dwelling, Mobile Home", and "Dwelling, Site-Built", amending Chapter 21.45 by enacting a new subsection "Dwellings, Manufactured Standards"**, Assemblymember Carlson.

Chair Von Gemmingen opened the public hearing for AO 98-120 and item 12.J, AO 98-186 and asked if anyone wished to speak.

DEANNA ESSERT, a Sand Lake resident, spoke in support of AO 98-120. She had concerns and questions regarding installation standards, adequate for Alaska weather, size of the lots, site development, manufactured homes, and heating systems.

Ms. Clementson referred to AO 98-186 and explained that it is an updated version with some standards in it.

CHARLES SCHERBAUM, of Alaska Manufacturer Home Sales, in the Matanuska-Susitna Valley, was concerned about a number of his customers who want build manufactured homes. He commented that it is the only type of home in America today that the government inspects while it is still in the factory. He cited 90% of the new homes in Washington, Oregon, and Idaho are manufactured.

In response to Mr. Kendall, Mr. Scherbaum commented on Matanuska-Susitna Borough regulations concerning these dwellings. Mr. Scherbaum confirmed that borough or cities do not have to change their codes for these homes; however, the City of Palmer does not allow manufactured homes.

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

<p>Mr. Murdy moved,          seconded by Mr. Carlson,          and it passed without          objection,</p>	<p>to postpone AO 98-120 indefinitely and refer it to the Municipal Attorney to rewrite the ordinance.</p>
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Mr. Wohlforth pointed out that from the work session, it sounded like the concern was to make sure that Title 21 and Title 23 were working together.

<p>Mr. Murdy moved,          seconded by Mr. Carlson,          and it passed without          objection,</p>	<p>to postpone AO 98-186 indefinitely and refer it to the Municipal Attorney to rewrite the ordinance in conjunction with AO 98-120, and bring the rewritten ordinance back to the Assembly by March 1, 1999.</p>
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Municipal Attorney Mary Hughes said that Department of Law will make every effort to meet the March 1 deadline. She said Law will work with Community Planning and Development and Building Safety people to develop guidelines.

- D. Ordinance No. AO 98-48, an ordinance amending the zoning map and providing for the rezoning of approximately nine (9) acres from R-3 (Multi-Family Residential District) to B-3/SL (General Business District) with Special Limitations for **Tract B, Cook Subdivision**, generally located on the west side of Denali Street and south of 40th Avenue (Spenard Community Council) (Planning and Zoning Commission Case 97-164), Community Planning and Development.
1. Assembly Memorandum No. AM 166-98. (CONTINUED FROM 3-31-98, 7-21-98 and 8-25-98)

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

Mr. Kendall announced that the Assembly received a letter from the petitioner in this case requesting the Assembly postpone action for another 30 days. He intended to continue public hearing for another 30 days.

JED WHITTAKER, a former Assembly candidate, spoke about his ideas for building in the city. He commented that when talking about the future, it is critical to look at where Anchorage is going.

PEG TILSON, midtown resident since 1972, urged the Assembly to not only reject the petition to postpone but also to reject the petition to rezone. She quoted Tim Potter as saying at one of the hearings that Anchorage is a community of commercial areas surrounded by residential areas. On the contrary, she felt that the midtown area is becoming residential surrounded by businesses, which is not a good situation. She was in support of the archival library being on this land.

JOETTE STORM, President of South Addition Community Council, commented that the council has not taken action on this specific issue; however, she felt that her members wished to postpone until after the comprehensive plan is in place and they have a new set of standards and census for their community.

SUSAN KLINE spoke in opposition of the rezone.

ERICA MCCONNELL, an Anchorage resident for several years, described how the midtown area has changed dramatically in that short period of time. She urged the Assembly to deny the rezoning request.

CATHY GERARD pointed out she had addressed this issue four times since November, 1998. She hoped the Assembly would not postpone action again. She was very concerned with future development and appearance of Anchorage. Strip malls and endless pavement is undesirable, yet it seems to be the norm for new development. She felt if the proposed rezoning was approved, another large warehouse building would be built. She felt Anchorage did not need any more of these types of businesses. Ms. Gerard stressed, that in light of declining oil industry jobs, other industries should be encouraged to provide more than minimum-wage jobs. She felt the property should be used for multi-family residential housing.

MARGARET AUTH, of the Spenard Community Council, reaffirmed previous testimony that the issue should be settled soon. She pointed out people with no financial interest in the issue have committed themselves to continuing involvement in the process. She urged the Assembly to forego further postponement. Ms. Auth reminded the Assembly the Spenard Community Council has established a position against the rezoning. Council members are concerned about the amount of residential land which has been rezoned to B-3 over the past few years. She was a strong proponent of park development, but she was also open to development as multi-family.

TIM POTTER spoke in support of a 30-day postponement, in order to hold a worksession with the administration

REGINA MANTEUFEL spoke about the success of parks in other cities. Parks are good for community gatherings and youth activities. She felt a park on the subject property would be perfect to foster communication and progress.

BILL COOK spoke in support of the rezoning. He felt the petitioners were honorable, taxpaying citizens and they deserved adoption of the ordinance. He felt Dowl Engineering has demonstrated the need for a rezoning.

MICHELE CZAJKOWSKI declined to testify because she had already testified on this issue in February. She pointed out Mr. Cook also testified at the February meeting, and she felt it was unfair that he was allowed to testify again tonight.

(Clerk's Note: A person may testify only once on a particular item for public hearing. The Assembly meeting Ms. Czajkowski referring to was March 31, 1998.)

JOAN NOCKLES, president of the Anchorage Running Club, spoke on her own behalf. She explained she preferred to run in areas with clean air, rather than in industrial areas. She would love to see a park or residential area developed on the subject property.

In response to Mr. Meyer, Tim Potter spoke in support of a 30-day postponement. He pointed out the investors and other interested parties were directed by the Assembly to meet and attempt a compromise. The groups had a series of meetings, and many options and counter-offers were developed. However, none of these options have been reported to the Assembly. He felt it was appropriate that the Assembly and other interested parties review these options. Mr. Potter thought that today's worksession was to be a forum for these options; however, the agenda was modified to present a narrative of the 40<sup>th</sup> Avenue draft study results.

Mr. Kendall moved,  
seconded by Mr. Bell,

to continue the public hearing for  
AO 98-48 until January 26, 1999.

In response to Mr. Bell, Art Geuss of the Midtown Park group said earlier meetings between the group and the land owners were not fruitful as far as development of a compromise. He heard negotiations between the administration and the land owners were also at a standstill. Dr. Geuss did not feel a delay would help the situation. He stressed the Assembly has a responsibility to the community to resolve this issue in a timely fashion. He pointed out there has been overwhelming testimony from the public and community groups in favor of maintaining open green spaces in Anchorage.

In response to Mr. Kendall, Dr. Geuss said there were many options available to obtain funding to purchase the land for a park. He said he would be available to present these options at a worksession.

Mr. Murdy moved,  
seconded by Mr. Wohlforth,

to call the previous question.

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Kendall, Murdy.  
 NAYS: Meyer.

Question was called on the motion to continue the public hearing for AO 98-48 until January 26, 1998 and it passed:

AYES: Bell, Carlson, Wuerch, Von Gemmingen, Clementson, Kendall.  
 NAYS: Taylor, Wohlforth, Meyer, Murdy.

Mr. Wohlforth moved, to allow any person to speak again at the  
 seconded by Ms. Taylor, public hearing, including those who have previously testified.

Mr. Wuerch rebutted Dr. Guess' comments about general support for a midtown park. Mr. Wuerch did a survey last spring, in preparation for the April elections, and almost 50 percent of voters in midtown oppose spending any amount of taxpayer money on a midtown park.

Ms. Clementson spoke against the motion. She said it was easier for Assembly members to see people in the audience wearing buttons or armbands in support of an issue, than to listen to them all recite the same information. She pointed out it is tiring for members to endure long, repetitive testimony after a full day of meetings and worksessions. She also opposed allowing the petitioner to speak for unlimited periods of time. She felt people who have not had a chance to testify should have that opportunity. She encouraged her colleagues to view tapes of previous public hearings on this ordinance, which she can provide.

Mr. Wohlforth felt an open public hearing would be appropriate if new options are developed.

Ms. Clementson agreed, if a new proposal is developed. She encouraged the petitioner to present any new proposals prior to the worksession to allow review by the Legal Department and Community Planning and Development.

Question was called on the motion to open the public hearing to all persons and it passed:

AYES: Bell, Taylor, Wohlforth, Meyer, Kendall, Murdy.  
 NAYS: Carlson, Wuerch, Von Gemmingen, Clementson.

Mr. Bell moved, to continue the public hearing for AO 98-48 until March 9,  
 seconded by Mr. Wohlforth, 1999, to allow time for review of various new proposals.

AYES: Bell, Carlson, Wohlforth, Von Gemmingen.  
 NAYS: Wuerch, Taylor, Clementson, Meyer, Abney, Kendall, Murdy.

- E. Ordinance No. AO 98-127, an ordinance amending the zoning map and providing for the rezoning from B-3 SL (General Business District with Special Limitations) to I-1 SL (Light Industrial District with Special Limitations) for **Section 30, T15N, R1W, S.M., Alaska, Lots 35, 38, 121 and 124**; generally located at the northwest corner of South Birchwood Loop Road and the Old Glenn Highway (Chugiak Community Council) (Planning and Zoning Commission Case 97-165), Community Planning and Development.
  - 1. Assembly Memorandum No. AM 724-98.  
 (CONTINUED FROM 10-6-98)

Mr. Kendall moved, to postpone action on AO 98-127 indefinitely.  
 seconded by Mr. Murdy,

Mr. Kendall announced that the Assembly had received a request to withdraw this rezoning application.

Question was called on the motion to postpone action on AO 98-127 indefinitely and it passed without objection.

12. **NEW PUBLIC HEARINGS :**

- A. Ordinance No. AO 98-179, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$40,000,000 in aggregate principal amount of tax anticipation notes** of the Municipality; fixing certain details of said notes; pledging the receipts from ad valorem property taxes to be levied during 1999 and the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer or the Acting Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said notes; and related matters, Finance.
  - 1. Assembly Memorandum No. AM 1049-98.

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

Mr. Murdy moved, to adopt AO 98-179.  
 seconded by Ms. Taylor,

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
 NAYS: None.

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

- B. Resolution No. AR 98-370, a resolution of the Municipality of Anchorage appropriating \$30,730 of unappropriated revenue from within the Chugiak Fire Capital Improvement Fund (0404) and \$211,010 from

the Chugiak Fire Service Area Fund (0104) Balance as a contribution to the Chugiak Fire Capital Improvement Fund (0404) for the **purchase of new fire apparatus**, Anchorage Fire Department.

1. Assembly Memorandum No. AM 1088-98.

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

Mr. Murdy moved, to approve AR 98-370.  
seconded by Mr. Kendall,

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

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

- C. Resolution No. AR 98-376, a resolution of the Municipality of Anchorage appropriating \$893,953 as a grant from the State of Alaska Department of Health and Social Services to the Areawide General Capital Improvement Program Fund (0401) for **costs related to design and construction of an addition to the Chugiak Senior Center** for use as an Adult Day Care Center, Health and Human Services.

1. Assembly Memorandum No. AM 1094-98.

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

Mr. Murdy moved, to approve AR 98-376.  
seconded by Ms. Clementson,

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

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

- D. Resolution No. AR 98-378, a resolution of the Municipality of Anchorage appropriating \$200,000 from the National Oceanographic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce to the Heritage Land Bank Fund (0421) for **conducting a feasibility study for the Alaska Salmon Research Center** in Anchorage, Heritage Land Bank.

1. Assembly Memorandum No. AM 1099-98.

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

Mr. Murdy moved, to approve AR 98-378.  
seconded by Ms. Taylor,

In response to Mr. Bell, Municipal Manager George Vakalis explained why the Heritage Land Bank (HLB) was in charge of this project. The HLB generally handles undeveloped land. Also, HLB Director Larry Houle is the project manager for this project.

Question was called on the motion to approve AR 98-378 and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

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

- E. Ordinance No. AO 98-183, 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 \$4,750,000 for the purpose of **financing a portion of the costs of the Anchorage Loop Water Transmission Main Phase VI Project** in the Municipality, and providing for related matters, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 1050-98.

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

Mr. Murdy moved, to adopt AO 98-183.  
seconded by Ms. Taylor,

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

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

- F. Ordinance No. AO 98-156, an ordinance adopting and appropriating funds for the **1999 Anchorage Police and Fire Retirement System Operating Budget**, Office of Management and Budget.

1. Assembly Memorandum No. AM 1032-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing. She noted a second public hearing would be held on December 15, 1998.

- G. Resolution No. AR 98-361, a resolution of the Municipality of Anchorage appropriating \$498,144 from the Federal Highway Administration (FHWA) and \$32,000 as match from the CY1999 Community Planning and Development Operating Budget to the Federal Categorical Grants Fund (0241) for **transportation planning (AMATS) in the Anchorage area**, Community Planning and Development.
1. Assembly Memorandum No. AM 1052-98.
  2. Information Memorandum No. AIM 138-98.

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

Mr. Murdy moved, to approve AR 98-361.  
seconded by Ms. Clementson,

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

- H. Resolution No. AR 98-353, a resolution of the Assembly **adopting an amendment to the AMATS 1997 Long-Range Transportation Plan clarifying major investment study procedures**, Community Planning and Development.
1. Assembly Memorandum No. AM 1035-98.

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

Mr. Murdy moved, to approve AR 98-353.  
seconded by Mr. Meyer,

Mr. Wuerch moved, to amend AR 98-353 in Section 1 to add a sentence to read:  
seconded by Mr. Murdy, "However, this consolidation will only be used to include study principles and procedures already required by NEPA."

Mr. Wuerch said he wanted to alleviate concerns that the resolution will incorporate things that are not required by the National Environmental Policy Act (NEPA.)

In response to Mr. Wohlforth, Lance Wilber of the Community Planning and Development Department explained the intent of the new Transportation Equity Act (TEA) was to eliminate duplication by incorporating the principles of a Major Investment Study into the environmental process.

Mr. Wuerch moved, to amend the amendment to extend the sentence to read:  
and it was accepted as "...required by NEPA or subsequently directed by  
a friendly amendment, the Secretary."

Mr. Wuerch clarified he wanted to fulfill requirements of the Federal statutes, and the requirements of the Secretary (of Transportation) but disallow addition of any items on a whim.

In response to Mr. Wohlforth, Mr. Wilber said the two projects affected by the TEA, Glenn Highway and Seward Highway, would not be delayed as a result of the resolution.

Question was called on Mr. Wuerch's motion to amend AR 98-353 and it passed with Mr. Wohlforth objecting.

Question was called on the motion to approve AR 98-353 as amended and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
NAYS: None.

- I. Resolution No. AR 98-360, a resolution **approving the Eagle River Water Transmission Main extension** and providing for assessment of benefited properties at time of service connection, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 1051-98.

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

LAURI CARTER felt the Water and Wastewater (AWWU) staff had employed deceptive tactics when the issue of the water main booster station was presented to residents. Initial documentation received from AWWU were ballots requesting a zoning restriction waiver, to allow AWWU to build a booster station in the neighborhood. Staff was very aggressive in attempts to retrieve the ballots. At no time was the amount of the assessment or the route of the waterline discussed. After the ballot question was approved, information about the assessment was mailed to residents. At this time, Ms. Carter became aware of how AWWU staff intentionally withheld information in order to receive needed votes for the zoning change. Her property of less than a half acre would generate an assessment of about \$17,000. Even though this is a levy-upon-connection district, the assessment would have to be paid in full before transfer of the property. She believed if residents were aware of the high assessments and proposed route, there would not have been enough votes to approve the question. The water in the



proposed line will not serve the residents; the service was not requested and not needed. Ms. Carter asked that AWWU be forced to re-ballot the question.

Mr. Kendall noted that today, Alaska Housing Finance Corporation issued a new policy. It will no longer require that a borrower hook up to public utilities if the property is adequately served by private utilities.

DEANNE COUSINEAU, a resident on the south side of Eagle River Lane, said her well was very good; no other water source for her home was necessary. She understood the proposed water main will extend only two blocks on Eagle River Lane South, then the main will end at Ptarmigan. All four lots on the left side of Eagle River Lane South have wells. Eaglewood Subdivision is adjacent, and has its own community water system. She said her two properties on Eagle River Lane South were the only ones being assessed. The assessment on the lot with the well is over \$23,000. The other, undeveloped lot will not be connected to the main line. If she wants water service for that lot, she will have to pay for a line connection to the farthest corner of the lot at a cost of about \$75,000. These assessments are greater than the equity on the home. She requested the water main be redirected, as the current route will provide no benefit to residents of Eagle River Lane South.

DAVE MARVEL, an affected property owner on First Street, said seventy-one property owners are being asked to participate in a program that none of the owners desire. During meetings with AWWU staff, owners were told the water was needed in the valley, to provide sustained water pressure in event of a fire. There was never discussion of the need for water service. None of the property owners have a problem with water supply. However, language in the proposed resolution indicates "...the extension of the water line will specially benefit and provide water service to seventy-one properties..." Mr. Marvel said the only "benefit" he would receive was a \$20,000 assessment and water service that he does not need. He said it was apparent that the water line was needed for future development in the valley. He felt developers should pay for utility extensions.

VIRGINIA COFIELD, a real estate agent, said she had been involved in Eagle River real estate for about 25 years. She explained disclosure laws mandate that all items about a property be disclosed upon sale, including the fact that connection to the water line would result in a huge assessment. She felt this information would be a detriment to selling the property.

Mr. Murdy moved,  
seconded by Mr. Wuerch,  
and it passed without  
objection,

to extend the public hearing portion of  
the meeting until 11:00 p.m.

DON AIKEN, owner of an affected property, noted there was no disclosure of the amount of the assessments when he purchased his property, because the route had not been established. He and his neighbors do not have the opportunity to vote on the issue, because it is a transmission main. He asked the Assembly to consider the proposed assessments are very high compared to the value of the properties, and will cause a negative equity situation.

PAUL CHALIFOUR, an affected resident on First Street, asked the Assembly to deny the proposed resolution. He said the project was wrong and unfair to the affected property owners. AWWU staff has admitted, at Eagle River Valley Community Council meetings, that the proposed water line is intended for anticipated water shortages further up in the Eagle River Valley. Mr. Chalifour said if the line is constructed, it should be routed more directly, down Eagle River Loop Road to Eagle River Road, and then up to the booster station. It should not be routed, as proposed, in a zigzag route chosen to collect more assessments to pay for the project. He felt it was very unfair to take \$20,000 to \$40,000 from a property owner without a need for the service. Although there is no requirement by the Municipality or State for connection, lending institutions will require the assessment to be paid upon sale or refinancing.

ROBERT GLEASON, owner of two lots on the proposed water line, reiterated much of the precious testimony. He felt it was unfair that he had to pay for water service he does not need, or reduce his property's value by the amount of the assessment if he ever wishes to sell.

ROBERT TISSERAND, a resident on Eagle River Lane, said the Municipality has not successfully demonstrated a need for the proposed water project. He felt if the water was intended to serve future development in the valley, the project should be funded by another mechanism such as a bond proposal. He asked the Assembly to defeat the proposed resolution.

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

Water and Wastewater Utility General Manager Mark Premo explained the proposed project. Since the early 1980's, AWWU has been trying to "catch up" with respect to bringing small, inadequately sized utilities up to the design standard expected for the current population density. He said this need was identified in the 1984 and 1995 water master planning documents. In the early 1990's, the Alaska Legislature approved a grant to AWWU of \$4 million, in light of inadequate water supply, and the high cost of the facilities in relation to the number of residents which would be served. The grant was specifically for the reservoir and connectivity for the reservoir. About \$2.6 million of the grant will be used to construct the reservoir; the remainder will be used for the transmission main. If the reservoir can be constructed for less than \$2.6 million, the remainder would be added to the transmission main project. Mr. Premo added that on a peak demand day, east of the Loop Road, the system is stressed to the point of inability to provide adequate domestic and fire protection supplies to certain areas of the system. In the event of a power failure, AWWU does not have the ability to pump water up the hill in this area.

Linda Barber-Wiltse, of AWWU, addressed the issue of the subdivision covenant restrictions and the need for a resident vote on the booster station. She said two booster stations were necessary for the project. They were located to maximize the benefit to the properties and minimize the number of stations, as booster stations are high-maintenance facilities. AWWU selected and began purchase proceedings for two parcels in separate subdivisions to locate the stations. It was discovered there were restrictive covenants in these subdivisions, that required all parcels in the subdivisions be used for residential purposes only. AWWU then balloted all property owners in the two subdivisions, to obtain permission to waive the covenant restriction on these two parcels. A small fraction of properties in the ballot group would be impacted by the water line. The

land use issues were explained in correspondence, some meetings were held to provide information to interested parties, and notary service was made available in the evenings to the residents. Once the waiver was approved by property owners, the purchase agreement for the two parcels was finalized. Then, a conditional use permit was granted by the Planning and Zoning Commission to build the booster stations on the properties.

Kurt Vause, of AWWU, discussed the various route alignments that were evaluated on this project. A route mentioned by a previous speaker, down Eagle River Loop Road to Eagle River Road, and then up to Eagle River Lane, was the initial concept route identified in a mid-1990's water master plan. However, upon preliminary engineering evaluation, it was determined that the amount of existing utilities in the rights-of-way on Eagle River Loop Road precluded the installation of an additional transmission main. Also, it was determined there was inadequate area on the north side of Eagle River Road to place the main, because of existing utilities. Alternative routes were considered, and due to numerous constraints, the proposed route was selected.

Mr. Murdy moved, to extend the public hearing portion of the meeting to  
 seconded by Mr. Kendall, consider this item and items 12.K and L, AO 98-174 and AO 98-175.

Mr. Wohlforth moved, to postpone action on AR 98-360 until December 15, 1998.  
 seconded by Mr. Murdy,  
 and no action was taken,

Question was called on Mr. Murdy's motion to extend and it failed with Mr. Wohlforth and Mr. Bell objecting.

Mr. Bell moved, to extend the public hearing portion of the meeting to  
 seconded by Mr. Murdy, consider items 12.K. and 12.L, AO 98-174 and AO 98-175.

AYES: Bell, Carlson, Wuerch, Von Gemmingen, Meyer, Kendall, Murdy.  
 NAYS: Taylor, Wohlforth, Clementson.

(Clerk's Note: This motion failed for lack of nine affirmative votes to continue the meeting past 11:00 p.m.)

Mr. Wuerch moved, to extend the meeting to complete discussion of item  
 seconded by Ms. Clementson, 12.I, AR 98-360.

AYES: Carlson, Wuerch, Taylor, Clementson, Kendall.  
 NAYS: Bell, Wohlforth, Von Gemmingen, Meyer, Murdy.

(Clerk's Note: See minutes of December 15, 1998 for continuation of item 12.I, AR98-360.

Mr. Meyer moved, to extend the meeting to consider item 12.L, AO 98-175.  
 seconded by Mr. Carlson,

AYES: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Meyer, Kendall, Murdy.  
 NAYS: Wohlforth, Clementson.

(Clerk's Note: This motion failed for lack of nine affirmative votes to continue the meeting past 11:00 p.m.)

Mr. Carlson moved, to continue the public hearing for item  
 seconded by Ms. Taylor, 12.L, AO 98-175, until January 5, 1999.

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall, Murdy.  
 NAYS: None.

- J. Ordinance No. AO 98-186, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending Definitions, "Dwelling, One-Family or Single-Family" and "Dwelling, Multiple-Family", "Mobile Home", adding definitions for "Dwelling, Manufactured", "Dwelling, Mobile Home", and "Dwelling, Site-Built", amending Chapter 21.45 by enacting a new subsection "Dwellings, Manufactured Standards"**, Assemblymember Carlson.

This item was considered earlier in the meeting. See item 11.C, AO 98-120.

- K. Ordinance No. AO 98-174, an ordinance amending the zoning map and providing for the rezoning from R-4 (Multiple Family Residential District) and B-3 SL (General Business District with Special Limitations) to PLI-SL (Public Lands and Institutions with Special Limitations) for **Australaska Subdivision, portion of Tract B-10, and Block 1, Lots 17, 18, 19 and 20**, generally located between Bragaw Street and San Fernando Street and on the south side of San Ernesto Avenue (Russian Jack Community Council) (Planning and Zoning Commission Case 98-129), Community Planning and Development.
  - 1. Assembly Memorandum No. AM 1012-98.

This item was continued until December 15, 1998.

- L. Ordinance No. AO 98-175, an ordinance amending the zoning map and providing for the rezoning from R-9 (Rural Residential District) to R-1A (One Family Residential District) **Brendlwood Subdivision, Tract D**, generally located at the north end of Kaskanak Drive and to the east of Skyline Drive (Eagle River Valley Community Council) (Planning and Zoning Commission Case 98-114), Community Planning and Development.
  - 1. Assembly Memorandum No. AM 1013-98.

This item was continued until January 5, 1999 by a motion passed earlier in the meeting.

- M. Resolution No. AR 98-248, a resolution of the Anchorage Municipal Assembly providing for a **revision to the Anchorage School District Budget for FY 1998-99**, Assemblymember Bell.
  - 1. Resolution No. AR 98-248(S), a resolution of the Anchorage Municipal Assembly providing for a revision to the Anchorage School District Budget for FY 1998-99, Assemblymember Bell.

This item was continued until February 2, 1999.

- 13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.
- 14. **SPECIAL ORDERS:** None.
- 15. **ASSEMBLY COMMENTS:** None.
- 16. **UNFINISHED AGENDA:** None.
- 17. **AUDIENCE PARTICIPATION:** None.
- 18. **EXECUTIVE SESSIONS:** None.
- 19. **ADJOURNMENT:**

The meeting adjourned at 11:10 p.m.

\_\_\_\_\_  
Chair

ATTEST:

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

Date Minutes Approved: March 16, 1999

LF/ry

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