

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of February 27 , 2001

1. CALL TO ORDER:

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

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Mr. Kendall.

4. MINUTES OF PREVIOUS MEETING:

1. Regular Meeting - October 24, 2000

Mr. Kendall moved, to approve the October 24, 2000 regular meeting minutes.
seconded by Ms. Abney,
and it passed without
objection,

5. MAYOR'S REPORT:

Mayor Wuerch discussed a recent rash of assaults on Alaska Natives. The assaults were video taped by the perpetrators, and police detectives released the video tape to the media in an attempt to enhance chances of prosecution. He felt these incidents were an anomaly and did not reflect community norms. Mayor Wuerch discussed the potential for a fire on the hillside and prevention efforts. Lastly, he outlined the many activities underway in preparation for the start of the Iditarod Sled Dog Race on March 3 and the 2001 Special Olympics World Winter Games on March 4.

6. ADDENDUM TO AGENDA:

Ms. Clementson moved, to amend the agenda to include the addendum items.
seconded by Ms. Fairclough,

Chair Von Gemmingen read the addendum items.

Ms. Abney moved, to add item B.11, AO 2001-59, to the addendum.
seconded by Mr. Traini,
and it passed without
objection,

Ms. Taylor moved, to add item C.12, AR 2001-68, to the addendum.
seconded by Mr. Tesche,
and it passed without
objection,

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

7. CONSENT AGENDA:

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

A. BID AWARDS: None.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2001-53, an ordinance determining and approving the total amount of the **annual operating budget of the Anchorage School District for its fiscal year 2001-2002** and determining and appropriating the portion of the Assembly approved budget amount to be made available from local sources, Anchorage School District. public hearing 3-13-01.
 - a. Assembly Memorandum No. AM 121-2001.

2. Ordinance No. AO 2001-54, an ordinance amending Title 23, Section 23.25.1210.0 of the Anchorage Municipal Code and providing for the **use of approved corrugated stainless steel tubing within buildings**, Development Services Department. public hearing ~~3-13-01~~ 3-20-01.
 - a. Assembly Memorandum No. AM 189-2001.

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

3. Ordinance No. AO 2001-55, an ordinance of the Anchorage Assembly amending Anchorage Municipal Code Section 14.60.030 to provide a civil fine schedule for Sections 8.35.020 (Sale of Drug Paraphernalia), 8.35.025 (Possession of Drug Paraphernalia) and 8.35.030 (Penalty; Additional Remedies) and providing for the **forfeiture of drug paraphernalia**, Legal Department. public hearing 3-20-01.
 - a. Assembly Memorandum No. AM 190-2001.
4. Ordinance No. AO 2001-56, an ordinance amending Anchorage Municipal Code Section 3.30.172 to **classify executive positions**, Employee Relations. public hearing 3-20-01.
 - a. Assembly Memorandum No. AM 191-2001.

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

5. Ordinance No. AO 2001-57, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 15.70.095 regarding **electronically amplified sound systems in motor vehicles**, Assemblymember Abney. public hearing ~~3-13-01~~ 3-20-01.
 - a. Assembly Memorandum No. AM 216-2001.

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

6. Resolution No. AR 2001-56, a resolution of the Municipality of Anchorage appropriating \$199,000 from the Southcentral Foundation to the Federal Categorical Grants Fund (241) for **emergency alcohol services** in the Department of Health and Human Services. public hearing 3-13-01.
 - a. Assembly Memorandum No. AM 192-2001.
7. Resolution No. AR 2001-57, a resolution of the Municipality of Anchorage appropriating \$365,000 of revenues as a contribution from the Areawide General Capital Improvement Fund (401) to the Areawide General Fund (101) for the **operation of the William A. Egan Civic and Convention Center** by the Anchorage Convention and Visitors Bureau for Budget Year 2001, Cultural and Recreational Services. public hearing 3-20-01.
 - a. Assembly Memorandum No. AM 193-2001.
8. Resolution No. AR 2001-58, a resolution of the Anchorage Municipal Assembly **naming the outdoor ice rink in Tikishla Park in honor of Scott Gomez**, First Alaskan in the National Hockey League to win the Stanley Cup, Cultural and Recreational Services. public hearing 3-27-01.
 - a. Assembly Memorandum No. AM 194-2001.

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

9. Resolution No. AR 2001-62, a resolution of the Anchorage Municipal Assembly revising the 2001 General Government Operating Budget by appropriating the sum of \$270,310 from the Anchorage Metropolitan Police Service Area Fund (151) Balance to the Municipal Attorney to provide funding for **prosecution and prevention of domestic violence**, Assemblymembers Tesche, Taylor, Traini, and Van Etten. public hearing ~~3-13-01~~ 3-27-01.
 - a. Assembly Memorandum No. AM 215-2001.

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

10. Ordinance No. AO 2001-58, an ordinance of the Anchorage Municipal Assembly revising Anchorage Municipal Code Section 2.30.070 by adding a new Subsection H. regarding **teleconference participation and voting by Assembly Members**, Assemblymember Abney. public hearing ~~3-13-01~~ 3-20-01. (**addendum**)

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

11. Ordinance No. AO 2001-59, an ordinance of the Anchorage Municipal Assembly enacting a new Subsection D to AMC 12.15.030 relating to **municipal assessment of properties subjected to recorded deed restrictions on rents, the valuation of low income housing credits** awarded under 26 USC 42, and providing for the effective dates of its application, Assemblymember Abney. public hearing 3-20-01. (**LAI D ON THE TABLE**)

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

to postpone scheduling the public hearing on
AO 2001-59 until later in the meeting.

(Clerk's Note: See item 15, Unfinished Agenda, for further action on this item.)

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-41, a resolution of the Anchorage Municipal Assembly authorizing a **wage adjustment for the Assembly Policy and Budget Analyst**, Assemblymembers Traini, Abney, Taylor, Tesche, and Van Etten.

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

2. Resolution No. AR 2001-42, a resolution of the Anchorage Municipal Assembly recognizing the **2001 Special Olympics World Winter Games**, March 4-11, 2001, and welcoming the athletes, coaches, family members, and officials to Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

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

3. Resolution No. AR 2001-44, a resolution of the Anchorage Municipal Assembly opposing Senate Bill 88, "An Act relating to metropolitan planning organizations and to establishment of a **metropolitan planning organization for the Anchorage metropolitan area**; and providing for an effective date," Assemblymembers Fairclough, Tremaine, and Clementson.

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

4. Resolution No. AR 2001-59, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling \$5,000 from the Rasmuson Foundation to the Miscellaneous Operational Grants Fund (261), Cultural and Recreational Services Department, for the purchase of **library books for the Loussac Children's Literature Collection**, Cultural and Recreational Services/ Library.
 - a. Assembly Memorandum No. AM 195-2001.
5. Resolution No. AR 2001-60, a resolution authorizing the Municipality to grant an **electrical easement across a portion of Lot 1A, Block 2, Kruse Industrial Subdivision**, Tax #016-022-37, located near King Street and East 94th Court, Office of Planning, Development, & Public Works.
 - a. Assembly Memorandum No. AM 196-2001.
6. Resolution No. AR 2001-61, a resolution of the Municipality of Anchorage providing for the appropriation of \$50,000 of Anticipated Collections Revenue and \$50,000 as **Anticipated Collections Expenditure** to the Areawide General Fund (101), Finance Department.
 - a. Assembly Memorandum No. AM 214-2001.
7. Resolution No. AR 2001-63, a resolution of the Anchorage Municipal Assembly requesting that the Anchorage School District Superintendent appoint a Districtwide Committee to consider **renaming the Chugiak High School Auditorium** after the late Steve Primis, Assemblymember Kendall.
8. Resolution No. AR 2001-64, a resolution of the Anchorage Municipal Assembly **supporting the recommendations of Governor Knowles' Education Funding Task Force**, Assemblymember Taylor Abney.

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

9. Resolution No. AR 2001-65, a resolution of the Anchorage Municipal Assembly supporting House Bill 135, "An Act relating to **municipal fees for certain police protection services**," Assemblymembers Tesche, Taylor, Tremaine, Abney, Van Etten and Clementson. **(addendum)**

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

10. Resolution No. AR 2001-66, a resolution of the Anchorage Municipal Assembly supporting House Bill 136, "An Act relating to **municipal regulation of smoking in certain places**," Assemblymember Fairclough. **(addendum)**

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

11. Resolution No. AR 2001-67, a resolution of the Anchorage Municipal Assembly recognizing the national celebration, "**Read Across America**", and thanking the student readers at the February 27, 2001 Assembly Meeting, Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. **(addendum)**

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

12. Resolution No. AR 2001-68, a resolution of the Anchorage Municipal Assembly supporting legislation proposed to the Alaska State Legislature to institute **changes in the required eviction notification to mobile and manufactured home community dwellers and tenants before redevelopment** of that community, Assemblymember Taylor. **(LAID ON THE TABLE)**

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 197-2001, change order No. 1 to purchase order 202327 with Alaska Winter, Inc. for providing a **PVI water heater** for the Municipality of Anchorage, Department of Cultural and Recreational Services (\$2,500), Purchasing.

2. Assembly Memorandum No. AM 198-2001, proprietary purchase of **library network services** from OCLC/WLN for the Municipality of Anchorage, Department of Cultural and Recreational Services (\$41,100), Purchasing.
3. Assembly Memorandum No. AM 199-2001, proprietary purchase of **Oxylator resuscitation devices** from Lifesaving Systems, Inc. for the Municipality of Anchorage, Fire Department (\$31,660), Purchasing.
4. Assembly Memorandum No. AM 200-2001, change order No. 1 to vendor contract 99MIS513 with CompuCom Systems, Inc. for providing **time and material maintenance on municipal owned computer equipment** to the Municipality of Anchorage, Management Information Systems Department (\$46,649.10), Purchasing.
5. Assembly Memorandum No. AM 201-2001, change order No. 3 to purchase order No. 82249 with Grinnell Fire Protection Systems for providing **fire protection inspection and repair services** for the Municipality of Anchorage, Municipal Light and Power (\$20,000), Purchasing.
6. Assembly Memorandum No. AM 202-2001, sole source procurement authorization from various suppliers to support **power generation plant operations** for the Municipality of Anchorage, Municipal Light and Power (\$1,625,000), Purchasing.
7. Assembly Memorandum No. AM 203-2001, proprietary purchase of **computer software maintenance and telephone technical support** from Tiburon, Inc. for the Municipality of Anchorage, Anchorage Police Department (APD) (\$115,866), Purchasing.
8. Assembly Memorandum No. AM 204-2001, proprietary contract with the Anchorage Parking Authority for providing services for the **administrative processing of parking citations** for the Municipality of Anchorage, Anchorage Police Department (\$280,000), Purchasing.

Municipal Manager Harry Kieling requested this item be considered on the Regular Agenda. See item 8.D.

9. Assembly Memorandum No. AM 205-2001, change order No. 2 to purchase order 200407 with Worksafe, Inc. for providing **drug and alcohol testing** for the Municipality of Anchorage, Transportation Inspection (\$17,000), Purchasing.
10. Assembly Memorandum No. AM 206-2001, **Eagle River Reservoir and Eagle River Water Transmission Main Improvements** - contract for professional services with R&M Consultants, Inc., Amendment No. 4 for \$97,000, Water and Wastewater Utility.
11. Assembly Memorandum No. AM 207-2001, amendment No. 3 to the contract for professional services with CH2M Hill, Inc. for performing a **Disinfection Alternatives Evaluation Study** for the Municipality of Anchorage, Water and Wastewater Utility, in the amount of \$120,000.
12. Assembly Memorandum No. AM 208-2001, Port of Anchorage Tariff Revisions-**New Port of Anchorage Terminal Tariff No. 5**, Port of Anchorage.
 - a. Information Memorandum No. AIM 25-2001, Recommended Port of Anchorage Tariff Revisions-New Port of Anchorage Terminal Tariff No. 5, Port of Anchorage.

Municipal Manager Harry Kieling requested this item be considered on the Regular Agenda. See item 8.D.

13. Assembly Memorandum No. AM 210-2001, recommendation of award to Montgomery Watson Americas, Inc. for providing **engineering services to complete the utility-wide SCADA and community-based design** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (RFP 20-P055) (\$1,448,000), Purchasing.
14. Assembly Memorandum No. AM 211-2001, recommendation to award 4831 LLC/Normray LLC for providing **leased space for the Weatherization Program** for the Municipality of Anchorage, Real Estate Services (RFP 21-P004) (\$198,000), Purchasing.
15. Assembly Memorandum No. AM 212-2001, proprietary purchase of **carpet** from Bloomsburg Carpet Industries, Inc. for the Alaska Center for the Performing Arts for the Municipality of Anchorage, Department of Cultural and Recreational Services (\$136,500), Purchasing.
16. Assembly Memorandum No. AM 213-2001, approval of **2001 grants to non-profit parks and recreation services**, Cultural and Recreational Services (\$149,150).
17. Assembly Memorandum No. AM 217-2001, **Anchorage Parking Authority Board of Directors reappointments** (Joanne Brause, Louise Lazur, Michael Zoske), Mayor's Office. (**addendum**)
18. Assembly Memorandum No. AM 218-2001, **Municipal Prefunding Investment Board appointments** (Anthony Price, Dan Moore, Greg Stokes, Gary Powell, Everett Robbins), Mayor's Office. (**addendum**)
19. Assembly Memorandum No. AM 223-2001, proprietary purchase of **ballot card stock, printing services, software license renewal and software consultation services** for the April 3, 2001 Regular Municipal Election, Clerk's Office. (**addendum**)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 23-2001, **contracts awarded between \$30,000 and \$100,000 through formal competitive processes** for the month of January 2001, Purchasing.
2. Information Memorandum No. AIM 24-2001, **Sole Source Procurement Report** for the month of January 2001, Purchasing.
3. Information Memorandum No. AIM 26-2001, Assembly Information Request #01-121: **Current status of Assembly requested ordinances to be heard by the Planning and Zoning Commission**, Planning Department.

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

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

NAYS: None.

There was a suggestion to change the orders of the day to consider agenda item C, Resolutions for Action, and there were no objections.

8. REGULAR AGENDA:

A. BID AWARDS: None.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

Items B.1 through B.6 were considered later in the meeting. See after item C.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 2001-41, a resolution of the Anchorage Municipal Assembly authorizing a **wage adjustment for the Assembly Policy and Budget Analyst**, Assemblymembers Traini, Abney, Taylor, Tesche, and Van Etten.

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

to postpone action on AR 2001-41 until March 20, 2001,
and to hold an executive session during a special meeting at
1:30 p.m. on March 20, 2001.

2. Resolution No. AR 2001-42, a resolution of the Anchorage Municipal Assembly recognizing the **2001 Special Olympics World Winter Games**, March 4-11, 2001, and welcoming the athletes, coaches, family members, and officials to Anchorage, Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

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

to approve AR 2001-42.

Mr. Tesche read the resolution, while Ms. Fairclough and Mr. Sullivan presented it to Patty McGuire and Katie Dalstrom.

Ms. Dalstrom accepted the recognition and said she was honored. She urged everyone to support special needs people, who should not be overlooked because of their differences.

Ms. McGuire commended Mr. Sullivan for his work on the Board and dedication to the program. She thanked the Assembly and the community for their support.

3. Resolution No. AR 2001-44, a resolution of the Anchorage Municipal Assembly opposing Senate Bill 88, "An Act relating to metropolitan planning organizations and to establishment of a **metropolitan planning organization for the Anchorage metropolitan area**; and providing for an effective date," Assemblymembers Fairclough, Tremaine, Traini, Tesche, Taylor, Van Etten, Clementson, Abney and Von Gemmingen.

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

to approve AR 2001-44.

4. Resolution No. AR 2001-64, a resolution of the Anchorage Municipal Assembly **supporting the recommendations of Governor Knowles' Education Funding Task Force**, Assemblymember Abney.

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

to approve AR 2001-64.

Ms. Abney requested that Resolution AR 2001-64 be conveyed to the Governor and the Legislature.

5. Resolution No. AR 2001-65, a resolution of the Anchorage Municipal Assembly supporting House Bill 135, "An Act relating to **municipal fees for certain police protection services**," Assemblymembers Tesche, Taylor, Tremaine, Abney, Clementson and Van Etten. (**addendum**)

Mr. Tesche moved,
seconded by Ms. Fairclough,

to approve AR 2001-65.

Chair Von Gemmingen advocated the landlord/owner's position on this issue.

Mr. Sullivan concurred with Chair Von Gemmingen. He noted this bill would be revised before it reached its final form because there were concerns about legal considerations.

Mr. Tesche advised this legislation was not self-implementing. It would require or permit legislation at the Municipal level that would mandate how the bill would be implemented at the local level. He said the local ordinance should include a provision for reasonable, actual notice to landlords by law enforcement officials and/or interested citizens that bad elements were residing on the premises of their residential real property. He said this would preclude landlords and owners from being penalized for activities on their property that they were unaware of or had no reasonable means to address or correct. Mr. Tesche said a second provision of local implementing legislation should be a standard devised to ensure that the law was applied only to irresponsible landlords or real property owners who were either actively engaged in illegal activities themselves or knowingly permitted illegal activities to take place on their rental properties. Mr. Tesche urged a yes vote.

Mr. Traini concurred with Mr. Tesche, adding that this type of legislation would give the Assembly local control, and that the Assembly could work with the Administration to develop an ordinance that would satisfactorily address this issue.

Mr. Sullivan and Chair Von Gemmingen said they would prefer to delay action until the bill had been finalized so they would be able to make a more informed decision.

Ms. Clementson added her support for the resolution.

Question was called on the motion to approve AR 2001-65 and it passed:

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

NAYS: Sullivan, Kendall, Von Gemmingen.

6. Resolution No. AR 2001-66, a resolution of the Anchorage Municipal Assembly supporting House Bill 136, "An Act relating to **municipal regulation of smoking in certain places**," Assemblymember Fairclough. (**addendum**)

Ms. Fairclough moved, to postpone action on AR 2001-66 indefinitely.
seconded by Ms. Clementson,
and it passed without
objection,

7. Resolution No. AR 2001-67, a resolution of the Anchorage Municipal Assembly recognizing the national celebration, "**Read Across America**", and thanking the student readers at the February 27, 2001 Assembly Meeting, Assemblymembers Abney, Clementson, Fairclough, Kendall, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**addendum**)

Ms. Fairclough moved, to approve AR 2001-67.
seconded by Ms. Taylor,
and it passed without
objection,

There was a suggestion to change the orders of the day to consider agenda item 10.B, Appearance Requests, and there were no objections.

READ ACROSS AMERICA: Daniel Lehmukuhl, Victoria Buckley & Timothy Sexton (Eagle River Elementary); Amber Krieger, Kourtnei Lammers & Roy Sim (Abbott Loop Elementary). (**addendum**)

Ms. Fairclough read AR 2001-67, while it was presented to teacher Vickie McCovitt.

Ms. McCovitt explained the NEA-sponsored program, Read Across America, which commemorates the birthday of Dr. Seuss on March 2nd. She introduced the student readers and teachers, and the students presented special Dr. Seuss hats to Assembly members. The students then read "And to Think that I Saw It on Mulberry Street," by Dr. Seuss.

Chair Von Gemmingen said the Assembly had a plaque for each child, and she thanked each student individually for reading to the Assembly.

The Assembly then returned to item C.8., AR 2001-68.

8. Resolution No. AR 2001-68, a resolution of the Anchorage Municipal Assembly supporting legislation proposed to the Alaska State Legislature to institute **changes in the required eviction notification to mobile and manufactured home community dwellers and tenants before redevelopment** of that community, Assemblymember Taylor. (**LAI D ON THE TABLE**)

Ms. Taylor moved, to approve AR 2001-68.
seconded by Ms. Clementson,

Ms. Taylor moved, to postpone action on AR 2001-68 until later in the meeting.
seconded by Mr. Van Etten,
and it was withdrawn,

Mayor Wuerch noted that the Administration had just received this resolution and had had no opportunity to review or respond to it.

Ms. Taylor withdrew her motion with the consent of Mr. Van Etten.

Ms. Clementson moved, to postpone action on AR 2001-68 until March 13, 2001.
seconded by Ms. Fairclough,
and it passed without
objection,

Ms. Fairclough moved, to change the orders of the day to consider item 9.A,
seconded by Ms. Clementson, AM 131-2001.
and it passed without
objection,

Assembly Memorandum No. AM 131-2001, Planning and Zoning Commission appointments (Toni Jones, Chuck Achberger, Henry Penney, Kenneth Klein), Mayor's Office.

1. Assembly Memorandum No. AM 131-2001(A), Planning and Zoning Commission appointments (Toni Jones, Henry Penney), Mayor's Office.
(POSTPONED FROM 2-6-01)

Ms. Fairclough moved, to approve AM 131-2001(A).
seconded by Ms. Clementson,
and it passed without
objection,

Mayor Wuerch recognized Toni Jones and Henry Penney as new Planning and Zoning (P&Z) Commission members.

Ms. Jones expressed her appreciation to the Assembly and the Mayor for confirming her reappointment to the P&Z Commission.

Mr. Penney said he was pleased to be confirmed as a new member of the P&Z Commission, and he looked forward to serving the Municipality.

The Assembly then returned to item 8.B, Ordinances and Resolutions for Introduction.

1. Ordinance No. AO 2001-54, an ordinance amending Title 23, Section 23.25.1210.0 of the Anchorage Municipal Code and providing for the **use of approved corrugated stainless steel tubing within buildings**, Development Services Department. public hearing ~~3-13-01~~ 3-20-01.
 - a. Assembly Memorandum No. AM 189-2001.

Ms. Clementson, Ms. Fairclough, and Mr. Kendall joined in introducing this ordinance . The public hearing was scheduled for March 20, 2001.

2. Ordinance No. AO 2001-57, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 15.70.095 regarding **electronically amplified sound systems in motor vehicles**, Assemblymember Abney. public hearing ~~3-13-01~~ 3-20-01.
 - a. Assembly Memorandum No. AM 216-2001.

Ms. Clementson, Ms. Fairclough, and Mr. Tesche joined in introducing this ordinance. The public hearing was scheduled for March 20, 2001.

3. Ordinance No. AO 2001-58, an ordinance of the Anchorage Municipal Assembly revising Anchorage Municipal Code Section 2.30.070 by adding a new Subsection H. regarding **teleconference participation and voting by Assembly Members**, Assemblymember Abney. public hearing ~~3-13-01~~ 3-20-01. (**addendum**)

Ms. Clementson, Mr. Kendall, and Mr. Sullivan joined in introducing this ordinance. The public hearing was scheduled for March 20, 2001.

4. Ordinance No. AO 2001-56, an ordinance amending Anchorage Municipal Code Section 3.30.172 to **classify executive positions**, Employee Relations. public hearing 3-20-01.
 - a. Assembly Memorandum No. AM 191-2001.

Ms. Fairclough, Ms. Clementson, and Mr. Van Etten joined in introducing this ordinance. The public hearing was scheduled for March 20, 2001.

Ms. Fairclough requested information on whether an executive session was appropriate, as this was a personnel matter.

5. Resolution No. AR 2001-58, a resolution of the Anchorage Municipal Assembly **naming the outdoor ice rink in Tikishla Park in honor of Scott Gomez**, First Alaskan in the National Hockey League to win the Stanley Cup, Cultural and Recreational Services . public hearing 3-27-01.
 - a. Assembly Memorandum No. AM 194-2001.

Mr. Tesche, Ms. Fairclough, and Ms. Taylor joined in introducing this resolution. The public hearing was scheduled for March 27, 2001.

6. Resolution No. AR 2001-62, a resolution of the Anchorage Municipal Assembly revising the 2001 General Government Operating Budget by appropriating the sum of \$270,310 from the Anchorage

Metropolitan Police Service Area Fund (151) Balance to the Municipal Attorney to provide funding for **prosecution and prevention of domestic violence**, Assemblymembers Tesche, Taylor, Traini, and Van Etten. public hearing ~~3-13-01~~ 3-27-01.

a. Assembly Memorandum No. AM 215-2001.

Mr. Tesche, Ms. Abney, and Ms. Taylor joined in introducing this resolution. The public hearing was scheduled for March 27, 2001.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 204-2001, proprietary contract with the Anchorage Parking Authority for providing services for the **administrative processing of parking citations** for the Municipality of Anchorage, Anchorage Police Department (\$280,000), Purchasing.

Ms. Clementson moved, to approve AM 204-2001.
seconded by Ms. Fairclough,

Ms. Fairclough moved, to amend AM 204-2001 at lines 16 and 18 on page 2 to
seconded by Mr. Kendall, replace "151-3101-4670-467000" with "101-3101-4670-
and it passed without 467000."
objection,

Question was called on the motion to approve AM 204-2001 as amended and it passed without objection.

2. Assembly Memorandum No. AM 208-2001, Port of Anchorage Tariff Revisions-**New Port of Anchorage Terminal Tariff No. 5**, Port of Anchorage.
 - a. Information Memorandum No. AIM 25-2001, Recommended Port of Anchorage Tariff Revisions-New Port of Anchorage Terminal Tariff No. 5, Port of Anchorage.

Ms. Fairclough moved, to postpone action on AM 208-2001 until March 27, 2001.
seconded by Ms. Clementson,
and it passed without
objection,

Ms. Fairclough moved, to schedule a work session on March 13, 2001, from 4:00
seconded by Mr. Sullivan, to 5:00 p.m. in the Loussac Library Public Conference Room.
and it passed without
objection,

E. INFORMATION AND REPORTS: None.

The meeting recessed at 6:50 p.m. and reconvened at 7:25 p.m.

Chair Von Gemmingen presented Mr. Tesche with a 10-year pin representing his years of service to the Municipality of Anchorage.

Mr. Tesche moved, to change the orders of the day to consider item 12.I,
seconded by Ms. Clementson, AO 2001-24.
and it passed without
objection,

Ordinance No. AO 2001-24, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential District) to B-3 SL (General Business District with Special Limitations) for approximately 37 acres of a 69 acre parcel, the eastern half of **The Alaskan Village Subdivision** platted as Tract A, The Alaskan Village #1 Subdivision and Lots 32 thru 45, Block 1, Lots 20 thru 47, Block 2 and a portion of the NE 1/4, NW 1/4, The Alaskan Village Subdivision, all located within Section 24, T13N, R3W, S.M., AK; generally located on the southwest corner of DeBarr Road and the west side of Muldoon Road (Northeast Community Council) (Planning and Zoning Commission Case 2000-051), Planning Department.

1. Assembly Memorandum No. AM 66-2001.

Ms. Clementson moved, to continue the public hearing on AO 2001-24 until
seconded by Ms. Taylor, March 20, 2001.
and it passed without
objection,

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

- A. Assembly Memorandum No. AM 131-2001, **Planning and Zoning Commission appointments** (Toni Jones, Chuck Achberger, Henry Penney, Kenneth Klein), Mayor's Office.

1. Assembly Memorandum No. AM 131-2001(A), Planning and Zoning Commission appointments (Toni Jones, Henry Penney), Mayor's Office.
(POSTPONED FROM 2-6-01)

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

- B. Assembly Memorandum No. AM 39-2001, grant subrecipient agreement with Anchorage Neighborhood Housing Services to **administer the World Changers Housing Rehabilitation Project** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (\$41,200), Purchasing. (POSTPONED TO 2-27-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. ABNEY 1-24-01; NOTICE OF RECONSIDERATION WAS WITHDRAWN BY MS. ABNEY 1-30-01)

This item was considered later in the meeting. See after item 12.D.

10. APPEARANCE REQUESTS:

- A. **John Kersbergen**, concerning solid waste and the old ordinance.

Mr. Kersbergen did not appear.

- B. **READ ACROSS AMERICA**: Daniel Lehmukuhl, Victoria Buckley & Timothy Sexton (Eagle River Elementary); Amber Krieger, Kourtnei Lammers & Roy Sim (Abbott Loop Elementary). (**addendum**)

This item was considered earlier in the meeting. See after item C.7.

11. CONTINUED PUBLIC HEARINGS:

- A. Ordinance No. AO 2001-38, an ordinance submitting at the Regular Municipal Election April 3, 2001 to the qualified voters of the Anchorage Roads and Drainage Service Area ("ARDSA") and the area to be annexed a ballot proposition to **extend the eastern boundary of ARDSA between Huffman and DeArmoun Roads** to a line fifty feet (50') east of the West Section Line of Section 27, Township 12 North, Range 3 West, Seward Meridian. (A line approximately parallel to and 50 feet east of the current centerline of Elmore Road.), Legal Department.
1. Assembly Memorandum No. AM 126-2001.
(CARRIED OVER FROM 2-13-01)

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

Ms. Abney moved, to postpone action on AO 2001-38 indefinitely.
seconded by Ms. Fairclough,
and it passed without
objection,

- B. Resolution No. AR 2001-33, a resolution of the Municipality of Anchorage appropriating \$2,368,420 from the Fund Balances of the four major operating funds to **cover the costs associated with debt service on the January 2000 Tax Anticipation Notes**, Finance.
1. Assembly Memorandum No. AM 140-2001.
(CARRIED OVER FROM 2-13-01)

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

Ms. Clementson moved, to approve AR 2001-33.
seconded by Ms. Fairclough,

At Ms. Fairclough's request, Chief Fiscal Officer Kate Giard explained that the requested appropriations would be used to pay last year's interest charges.

Question was called on the motion to approve AR 2001-33 and it passed:

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

- C. Resolution No. AR 2001-34, a resolution of the Municipality of Anchorage appropriating \$9,569,410 from the MOA Trust Fund Balance (730) as a **contribution to Areawide General Fund (101) 2000 General Government Operating Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 141-2001.
(CARRIED OVER FROM 2-13-01)

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. Kendall moved, to approve AR 2001-34.
seconded by Mr. Traini,

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

- D. Assembly Memorandum No. AM 106-2001, **Employee Relations Board appointment** (Michael Reeves), Mayor's Office.
(CARRIED OVER FROM 2-13-01)

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. Kendall moved, to approve AM 106-2001.
seconded by Mr. Sullivan,

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

- E. Resolution No. AR 2001-27, a resolution of the Anchorage Municipal Assembly appropriating \$150,000 from **seized and forfeited monies awarded from criminal narcotics cases** by the U.S. Drug Enforcement Agency to the Police Investigation Fund (257) for use by the Anchorage Police Department.
1. Assembly Memorandum No. AM 98-2001.
(CARRIED OVER FROM 2-13-01)

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. Sullivan moved, to approve AR 2001-27.
seconded by Mr. Kendall,

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

- F. Resolution No. AR 2001-28, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$506,104 from the U.S. Department of Justice, Office of Justice Programs, Local Law Enforcement Block Grant and \$56,234 as a contribution from the 2001 Anchorage Metropolitan Police Service Area Operating Budget Fund (151), Anchorage Police Department, to the Federal Categorical Grants Fund (241) for the purpose of **underwriting projects to reduce crime and improve public safety**, Anchorage Police Department.
1. Assembly Memorandum No. AM 122-2001.
(CARRIED OVER FROM 2-13-01)

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. Kendall moved, to approve AR 2001-28.
seconded by Ms. Clementson,

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

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

- G. Ordinance No. AO 2000-165, an ordinance amending the Hillside Wastewater Management Plan, Anchorage Municipal Code Subsection 21.05.030M., to **remove from the sewerage service area approximately 29 acres of an 80.9 acre parcel platted as Tract A-4, Viewpoint South Subdivision**, generally located north and east of Potter Valley Drive on the south side of Potter Creek in the southern Hillside Area (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-025), Planning Department.
1. Assembly Memorandum No. AM 1056-2000.
(CONTINUED FROM 12-12-00)

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

Mr. Tesche moved, to continue the public hearing on AO 2000-165 until
seconded by Mr. Kendall, June 5, 2001.

Ms. Fairclough moved, to substitute to continue the public hearing on
seconded by Ms. Taylor, AO 2000-165 until May 22, 2001.
and it passed without
objection,

- H. Ordinance No. AO 2000-152, an ordinance amending the zoning map and providing for the rezoning from R-3 SL (Multiple Family Residential District) with Special Limitations to R-6 (Suburban Residential District) for approximately 29 acres of an 80.9 acre parcel platted as **Tract A-4, Viewpoint South Subdivision**; generally located east of Goldenview Drive (extended), on the north and east side of Potter Valley Road and on the south side of England Avenue (Rabbit Creek Community Council) (Planning and Zoning Commission Case 2000-024), Planning Department.
1. Assembly Memorandum No. AM 937-2000.
(CONTINUED 12-12-00)

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

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

to continue the public hearing for AO 2000-152 until
May 22, 2001.

- I. Ordinance No. AO 2001-2, an ordinance amending the zoning map and providing for the rezoning from R-1A (Single-Family Residential - Large Lot District) to R-1 (Single Family Residential District) for **BLM Lot 81** located within the SE 1/4 of Section 9, T12N, R3W, S.M., AK; generally located on the east side of Spruce Street and north of East 88th Avenue (Abbott Loop Community Council) (Planning and Zoning Commission Case 2000-091), Planning Department.
1. Assembly Memorandum No. AM 4-2001.
(CARRIED OVER FROM 2-13-01)

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. Kendall moved,
seconded by Mr. Traini,

to adopt AO 2001-2.

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

NAYS: None.

12. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 2001-22, a resolution confirming the assessment roll and levying special assessments for services on property specially benefitted in the **Downtown Business Improvement District, Special Assessment District 1SD97**, setting the dates of assessment, and providing for assessment billing, payment due dates, application of payments, delinquency, penalties, interest and costs for delinquency and enforcement and appropriating the sum of \$464,464 in assessment revenues when tendered to Special Assessment Fund 271 for services benefiting the property owners in Special Assessment District 1SD97, Office of Management and Budget.
1. Assembly Memorandum No. AM 73-2001.

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

ROBERT HAMILTON, a business property owner in the District, said he received virtually no benefit from the Downtown Business Improvement District, and he objected to paying the special assessment. He has been doing his own snow shoveling and garbage removal since 1958, and the security officers do not visit the area of 2nd Court. Mr. Hamilton said Mr. Beard, an apartment manager in the area, and Robert Kinjo, a business owner in the area, concurred with him.

DOUG MEYERS, a property and business owner on the east side of downtown, said that side does not get the coverage that the core downtown area does, and he felt it was unjust to assess east side businesses on the same basis as the core downtown businesses. He said by the time the snowplows finish plowing the core of downtown, it was after opening hours, and he had already snowplowed his own property so his customers could have access. He said what he pays is not worth the service he receives.

AN UNIDENTIFIED MAN said the problem was not with snow removal in the wintertime, but the sidewalks become hazardous with the packed snow and ice conditions over the course of the winter. He said he sands and salts his own sidewalks and has not observed anyone from the Downtown Partnership providing this service.

RON THORELSEN, Clean and Safe Manager for the Downtown Partnership, said they work hard to provide equitable service to all areas of the District. He said their responsibility with respect to snow removal covers only the corners of the intersection. Mr. Thorelsen invited the Assembly to arrange for the walk-about tour provided by the Partnership.

ROBERT KINJO, downtown bed and breakfast operator, said he was a neighbor of Mr. Hamilton on East 2nd Court, and he echoed Mr. Hamilton's comments. He also felt the level of service on the east side of the District was not worth what he is required to pay.

THERESA OBERMEYER said she would like the date and time of Downtown Partnership Board meetings to be advertised.

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

Mr. Tesche moved,
seconded by Ms. Taylor,

to approve AR 2001-22.

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

to amend AR 2001-22 to exempt certain qualified properties as provided in a Municipality of Anchorage Memorandum from Tim Rogers, Capital Budget Officer, dated February 27, 2001, and to revise the total at lines 14 and 15 of page 2 to \$462,864.

(Clerk's Note: The list of exempted properties is attached as Exhibit A.)

Capital Budget Officer Tim Rogers responded to Assembly questions regarding how the levy was structured and the factors that had been taken into consideration when the levy was developed in 1996.

Ms. Clementson moved,
seconded by Mr. Sullivan,
and it was withdrawn,

to amend AR 2001-22 to exempt from the levy the area on the east side that was referenced in the handout provided by Mr. Hamilton earlier, which would include north of 3rd Avenue and between Cordova and Eagle Streets.

Ms. Clementson noted that the area she recommended for exemption from the levy was largely residential in character, and she concurred with the arguments of the business and property owners in this area that they did not benefit from the services provided by the Downtown Partnership.

Ms. Fairclough said she concurred with Ms. Clementson, but she cautioned against setting a precedent by exempting certain areas or factions from the levy as others were interested in obtaining the same types of exemption from levies and assessments in their areas, and the Assembly would be deluged with such requests. She recommended referring this issue back to the Downtown Partnership to evaluate criteria to respond to the objections presented by the east side business and property owners.

Chair Von Gemmingen advised, and Mr. Tesche concurred, that the boundaries of the Downtown Business Improvement District could not be changed for the purpose of this resolution. Mr. Tesche added that the Business Improvement District had recently been reinstated for a period of 10 years. He said it would be necessary to submit a separate ordinance for Assembly approval to change the boundaries of the district. Municipal Attorney Bill Greene concurred.

Ms. Clementson withdrew her motion with Mr. Sullivan's consent.

Question was called on the motion to approve AR 2001-22 as amended and it passed:

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

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

- B. Resolution No. AR 2001-45, a resolution appropriating \$838 Year 2001 Special Assessment and Interest Collections, \$18,188 Year 2000 Special Assessment and Interest Collections, and \$543,798 Prior Year Special Assessment and Interest Collections within the Special Assessment Bond Redemption Fund (0899) for **2000 Special Assessment Bond Debt Service** for the Public Works Department, Finance.
1. Assembly Memorandum No. AM 154-2001.

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

Mr. Sullivan moved,
seconded by Ms. Abney,

to approve AR 2001-45.

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

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

- C. Ordinance No. AO 2001-45, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$70,000,000 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 2001 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.
1. Assembly Memorandum No. AM 143-2001.

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

Ms. Abney moved,
seconded by Ms. Taylor,

to adopt AO 2001-45.

In response to Ms. Fairclough, Chief Fiscal Officer Kate Giard said tax anticipation notes were notes the Municipality was allowed to bond for in anticipation of the tax revenues that are collected on property tax levies. She said over the past several years, state and federal funding has shifted so property tax payers bear more of the burden of supporting the local government. Over the past five years, the Municipality has used more property tax revenues to support the Municipal government, and it is therefore able to bond for the notes in the amount of the increase. She said the Municipality is very conservative in the amount for which it bonds, and the proceeds are utilized within the first five or six months of the year as it is waiting for tax revenues to come in. Ms. Giard said the Municipality generally requests small bond issuances for tax anticipation notes because the notes could become taxable to the holders if the Municipality's projections are too high. She said the reason the appropriation requests have increased in the last several years was because the general government has been funded more by the property tax payers in the recent past. She said the benefit to the Municipality from this type of a transaction was that the bond issuance proceeds were invested at a taxable rate so that the Municipality receives a higher rate of interest earnings than it is paying in interest expense on the bonds. She said they have typically earned a one- to two-point spread on the bond proceeds in the past, which in the last year equated to approximately \$1,000,000 in earnings.

Question was called on the motion to adopt AO 2001-45 and it passed:

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

NAYS: None.

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

- D. Resolution No. AR 2001-55, a resolution of the Municipality of Anchorage adopting amendment number one to the 2000 Action Plan, a component of the **2000-2001 Housing and Community Development Consolidated Plan**, Planning Department.
1. Assembly Memorandum No. AM 120-2001.

Municipal Manager Harry Kieling advised that this item was related to item 9.B, AM 39-2001, which the Assembly had not considered yet. He asked that the Assembly continue both AM 39-2001 and AR 2001-55 until March 13, 2001.

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

Ms. Abney moved, to continue the public hearing on AR 2001-55 until
seconded by Mr. Tesche, March 13, 2001.
and it passed without
objection,

There was a suggestion to change the orders of the day to consider item 9.B, AM 39-2001, and there were no objections.

Assembly Memorandum No. AM 39-2001, grant subrecipient agreement with Anchorage Neighborhood Housing Services to **administer the World Changers Housing Rehabilitation Project** for the Municipality of Anchorage, Office of Planning, Development, and Public Works (\$41,200), Purchasing. (POSTPONED TO 2-27-01; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. ABNEY 1-24-01; NOTICE OF RECONSIDERATION WAS WITHDRAWN BY MS. ABNEY 1-30-01)

Mr. Tesche moved, to postpone action on AM 39-2001 until
seconded by Ms. Abney, March 13, 2001.
and it passed without
objection,

- E. Ordinance No. AO 2001-44, an ordinance amending AMC 4.60.110 of the Anchorage Municipal Code and providing for a **change in the number of members from 15 to 11 of the Senior Citizens Advisory Commission**, Health and Human Services.
1. Assembly Memorandum No. AM 136-2001.

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

Ms. Abney moved, to adopt AO 2001-44.
seconded by Ms. Fairclough,

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

NAYS: None.

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

- F. Ordinance No. AO 2001-51, an ordinance amending Anchorage Municipal Code (AMC 9.28.020, 9.28.021, 9.28.022, 9.28.023, 9.28.024, 9.28.025, 9.28.026, 9.48.130, and 10.50.035) to **replace the phrases *Driving While Intoxicated and (DWI) with Driving Under the Influence and (DUI)***, Legal Department.
1. Assembly Memorandum No. AM 153-2001.

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

Mr. Traini moved, to adopt AO 2001-51.
seconded by Mr. Kendall,

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

NAYS: None.

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

- G. Ordinance No. AO 2001-43, an ordinance amending Anchorage Municipal Code Title 28, **Elections**, to modify certain procedures therein and to implement the Accu-Vote Ballot Tabulation System, Municipal Clerk.
1. Assembly Memorandum No. AM 129-2001.

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

Ms. Fairclough moved, to adopt AO 2001-43.
seconded by Mr. Traini,

Ms. Fairclough moved, to amend AO 2001-43 to change the implementation date to
seconded by Mr. Kendall, January 1, 2002.
and it passed without
objection,

Question was called on the motion to adopt AO 2001-43 as amended and it passed:

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

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

- H. Ordinance No. AO 2001-25, an ordinance approving the rezoning of 30.3 acres from R-3 (Multi-Family Residential) Zoning District to B-3 SL (General Business with Special Limitations) for the eastern 15.15 acres of the 30.3 acre site and to R-4SL (Multi-Family Residential) for the western 15.15 acres of the 30.3 acre site for the **Modern Age Estates Subdivision, Tract C1**, generally located on the west side of C Street, north of West 40th Avenue and south of West 36th Street (Spenard Community Council) (Planning and Zoning Commission Case 2000-191), Planning Department.
1. Assembly Memorandum No. AM 67-2001.

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

TIM POTTER, Dowl Engineers, introduced LARRY CASH, Rim Architects, and the applicant, RANDY SIMMONS of J.L. Properties. Mr. Potter said the rezone would accommodate a mixed use and higher density multi-family residential development in conformance with the Anchorage 2020 Plan. He noted that the infrastructure of the old mobile home park was deteriorated and in need of restoration and/or repair, and it would not be cost-effective to do so. He said the commercial development would be able to afford to bring new infrastructure to the property. Mr. Potter said the applicant was working with Catholic Social Services to develop a fair and equitable relocation and compensation package that would minimize as much as possible the impact on mobile home park residents.

NANCY CONNIS, resident of Plaza 36, said she was concerned about being forced from her home. She asked what choices were available for residents and who was responsible for displaced residents.

CINDY CRONE said she was speaking on behalf of her niece, Amy Eminger, and her husband Ty and three children, who live at Plaza 36. She felt the compensation of \$5,000 being offered to mobile home owners to move their homes was inadequate. She said in addition to the emotional stress, hardship, and worry that moving causes, it was difficult to find a suitable residence that will accept pets. She noted that the Emingers had recently completed an expensive floor remodeling job as well. She felt the mobile home owners should be compensated between \$8,000 and \$10,000 to move their homes.

DIANNE STEVENS, resident of Plaza 36, agreed with Ms. Crone that \$5,000 was not adequate compensation. She said that 100 percent of all moving costs should be borne by the developer for every mobile home owner who is displaced, and that everyone should be treated equally whether they are in Phase 1, 2, or 3.

MYRON STANLEY, resident of Plaza 36, felt residents would lose their homes and their investments, and they were not being offered enough money to cover this hardship and the inconvenience of moving. He said if it were not for this project, these people would not have to move, and \$5,000 was not enough.

PAUL WOLSON, Plaza 36 resident, said his biggest concern was the rezoning. He said once they started work on Phase I, the residents did not have a clear picture of what would happen in Phases 2, 3, and 4. He said it was also his understanding that the money that has been offered to Phase 1 and 2 residents would not be offered to Phase 3 and 4 residents. Mr. Wolson said his mobile home provided a place for him to live, but he would be unable to sell it because no one would buy it.

BOB MAYER said he was the manager of five manufactured housing communities on the east side of Anchorage, and he said the Plaza 36 residents were fortunate to be working with this developer because it was the first community ever vacated within the Municipality of Anchorage that would receive compensation. He said 15 communities in Anchorage had been vacated within the last few years, and none of those residents were offered compensation to move.

MACKENNA JOHNS, referring to a letter from Angela Liston of the Archdiocese of Anchorage, said Ms. Liston emphasized the need for a human impact study to be done before displacing the residents of Plaza 36. She said this may result in a loss of homes and/or equity for mobile home owners, and tenants would find it difficult to find affordable housing elsewhere. Ms. Johns said the \$5,000 figure developed by the task force had no basis, and the residents had shown that the average cost to move an average unit was about \$8,000. Ms. Johns said these people were depending on the Assembly to help them not to lose their homes or end up in a worse financial position than if they had not been forced to move.

JANETTE BRADLEY, Plaza 36 resident, said she had gotten an estimate from Totem of between \$6,000 and \$7,000 to move her 24-by-60-foot mobile home and shed.

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

Ms. Abney moved, to adopt AO 2001-25.
seconded by Mr. Sullivan,

At Ms. Clementson's request, Sam Menises of Catholic Social Services said \$5,000 per affected unit would be put into a pool, and there were currently 13 or 14 spaces on the west side of the park that would be affected. He said no funds were being offered for Phase 3 units.

Municipal Attorney Bill Greene advised the Assembly was severely restricted in its ability to impose a requirement on the developer to increase the relocation amount offered to the residents.

In response to Ms. Fairclough, Beverly Jones of the Planning Department referred the Assembly members to their meeting packets for a copy of the general standards for a rezoning. She said the primary issue considered by the Planning and Zoning Commission was whether or not the proposed rezoning meets the standards of the Comprehensive Plan. She said using the 1982 Plan and the Draft 2020 Plan, the Planning and Zoning Commission had determined that the request before them met the general standards. Ms. Fairclough felt the Assembly should focus on the land use issue before them, and the social issues should be taken up in the proper forum at a later date.

Ms. Abney moved, the previous question.
seconded by Mr. Sullivan,

AYES: Sullivan, Traini, Abney, Kendall, Von Gemmingen, Fairclough.

NAYS: Tesche, Taylor, Van Etten, Clementson.

Question was called on the motion to adopt AO 2001-25 and it passed:

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

NAYS: None.

Ms. Fairclough moved, immediate reconsideration of action on AO 2001-25.
seconded by Mr. Traini,

AYES: Clementson.

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

Ms. Clementson moved, that the Summary of Economic Effects provided by the
seconded by Mr. Tesche, developer be attached to the ordinance as part of the
and it passed without record.
objection,

- I. Ordinance No. AO 2001-24, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential District) to B-3 SL (General Business District with Special Limitations) for approximately 37 acres of a 69 acre parcel, the eastern half of **The Alaskan Village Subdivision** platted as Tract A, The Alaskan Village #1 Subdivision and Lots 32 thru 45, Block 1, Lots 20 thru 47, Block 2 and a portion of the NE 1/4, NW 1/4, The Alaskan Village Subdivision, all located within Section 24, T13N, R3W, S.M., AK; generally located on the southwest corner of DeBarr Road and the west side of Muldoon Road (Northeast Community Council) (Planning and Zoning Commission Case 2000-051), Planning Department.

1. Assembly Memorandum No. AM 66-2001.

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

(Clerk's Note: The public hearing for AO 2001-24 was continued until March 20, 2001, earlier in the meeting. See after item 8.E.)

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

- A. A special meeting and Executive Session was called earlier in the meeting. See item 8.C.1.
- B. Ordinance No. AO 2001-46, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by adding a definition of **Large Retail Establishment**; adding *Large Retail Establishment* as a conditional use in Zoning Districts B-1A, B-1B, B-2A, B-2B, B-2C, B-3, B-4, I-1, I-2, and I-3; revising the maximum gross floor area for retail uses in Zoning District B-1B; and adding conditional use standards for *Large Retail Establishments*, Assemblymember Tesche.

Mr. Tesche moved, to reschedule the public hearing for AO 2001-46 from
seconded by Ms. Taylor, March 13, 2001 to March 27, 2001.
and it passed without
objection,

15. UNFINISHED AGENDA:

- A. Ordinance No. AO 2001-59, an ordinance of the Anchorage Municipal Assembly enacting a new Subsection D to AMC 12.15.030 relating to **municipal assessment of properties subjected to recorded deed restrictions on rents, the valuation of low income housing credits** awarded under 26 USC 42, and providing for the effective dates of its application, Assemblymember Abney. public hearing 3-20-01. **(LAID ON THE TABLE)**

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

to schedule the public hearing for AO 2001-59 on
March 20, 2001.

16. AUDIENCE PARTICIPATION:

BILL BOBERICK said he enjoyed seeing Assembly members in Dr. Seuss’ Cat in the Hat hats.

17. ASSEMBLY COMMENTS:

Ms. Fairclough advised that the Urban Land Institute would present its findings from their tour and offer suggestions to the community of Anchorage the next day. She said the presentation would be held at the Sidney Laurence Theater at the Alaska Center for the Performing Arts.

Chair Von Gemmingen requested that staff include the schedule of Assembly agenda items in all the packets in the future.

Ms. Abney said she would be attending the National League of Cities in Washington, D.C., and meeting with the Alaska Congressional Delegation prior to the next Assembly meeting.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 10:43 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: August 14, 2001

LF/db/csc

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SPECIAL ASSESSMENT DISTRICT 1SD97
DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

QUALIFIED OWNER-OCCUPIED SINGLE FAMILY RESIDENTIAL EXEMPTION REQUESTS

Received between 1/30/2001 and 2/27/2001

Roll ID	Tax ID	App	Name	Amount
85	00208305	000	Wallin, Yvonne C.	\$ 21.75
101	00208329	000	Stokes, Emma	\$ 55.65
145	00208467	008	Aiken, Cynthia E.	\$ 115.65
167	00208467	030	Ellison, Ileen F.	\$ 108.60
351	00210215	000	Krieger, Les & Mary	\$ 204.60
508	00210706	053	Seigel, Richard F. & Victoria J.	\$ 50.55
751	00212502	001	Lapp, George A. & Lillian M.	\$ 109.35
754	00212502	004	Tucker, Warren A.	\$ 72.75
757	00212502	007	Eckstrom, Tim W. & Eleanor E.	\$ 72.90
761	00212502	011	Johnson, Doris E. Julian	\$ 73.05
773	00212502	023	Myers, Opal Family Trust	\$ 72.90
789	00212502	039	Abbas, Grace J.	\$ 109.80
790	00212502	040	Case, Paula E.	\$ 106.65
795	00212502	045	Czech, John S.	\$ 73.05
801	00212502	051	Medema Family Trust	\$ 106.65
824	00212516	005	Fleetwood, Alvin H. & Patricia H.	\$ 247.05
			TOTAL	<u>\$ 1,600.95</u>