

Rogers Park Community Council Minutes

7PM Monday, September 9, 2013

Rogers Park Elementary School Library

Board Members Attending

Janet Bidwell, President
Iris Matthews, Vice President
Jim Wright, Secretary
Cheryl Forrest, Treasurer
Bob Churchill, FCC representative

I. Welcome.

Janet Bidwell called the meeting to order at 7:06 p.m., asking members to please sign in so that the existence of a quorum could be established.

II. Review & Approval of Minutes.

The Minutes of the May 13, 2013 meeting were reviewed. Bob Churchill moved to approve them. Arliss Sturgulewski seconded the motion. There were no requested changes and the Minutes were approved.

III. Assembly Reports.

Assembly member Elvi Gray-Jackson addressed the pending petition to put to the voters Anchorage's controversial labor ordinance (AL 37), referred to as the Mayor's labor ordinance, barring strikes by public employees and limiting their union's powers to negotiate. The petition is now deemed legal and the issue will be put to the voters. She said a special election would cost the city over \$250,000 and should be unnecessary as the regular election is in April anyway.

Elvi noted that there is an upcoming meeting regarding the issue of limiting public testimony before the Assembly, and the public is invited to attend that meeting and weigh in. Assembly members Elvi Gray-Jackson, Dick Traini and Paul Honeman all support the work of the committee appointed to look into this issue, and feel that the attempt to significantly limit public testimony on issues before the Assembly is a move in the wrong direction.

Arliss Sturgulewski inquired whether the Assembly still tends to be divided in a 6-5 split. Elvi indicated that this is still generally true.

Assembly member Dick Traini arrived late. He teaches a class that went over, delaying his arrival. After notifying the group of various scheduled matters for their consideration,

he addressed the pending or impending review of the taxi ordinance. There have been reported events of driver assaults on passengers. He supports the nationwide check of driving records for cabdrivers, limiting passengers to the back seat, and requiring cameras in the cabs to protect the passengers.

Mr. Traini noted that the Assembly will soon be reviewing state grants to the Municipality of Anchorage (MOA). These grants include \$7 million for tennis courts we (the Assembly) did not ask for. There is some question whether the Assembly should hold the money but not spend it. Janet Bidwell asked how much the MOA spends for the Anchorage School District to use the Alaska Club facilities for tennis events? Mr. Traini did not know the answer off-hand, and Ms. Bidwell noted that this information should be considered.

Mr. Traini also spoke of the towing ordinance(s), which are to be reviewed by the Assembly. He described various abuses involving fees, arguably unreasonable, for charges related to nonconsensual tows. He noted that some companies insist that they be paid only in cash. One example he gave was a “cussing fee” – if an aggrieved vehicle owner cursed about the terms of vehicle detention, then the towing/storage outfit charged a fee atop the towing and storage due to the cursing.

Mr. Traini next addressed the Assembly’s review of the Community Council system, which he initiated. He noted that the right to a voice through community councils is guaranteed in the Municipality Charter, so that we should not be concerned about that right being taken away. Rather, the pending review contemplates revising the system in a manner consistent with the Charter. For example, Mr. Traini wants: to lower the age of community council involvement to 16 years old and up; to provide a central repository for community council bylaws; and to consider what is appropriate when a community council becomes inactive. Jim Wright asked what options were being considered if a council becomes inactive? Mr. Traini said such a council might be merged with another, active, council. He noted that some councils no longer had a board, so that council funds held in a bank could not be accessed, no one being authorized to do so. This is a practical problem the Assembly wishes to resolve. Janet Bidwell noted that the FCC presently provides a repository for each council’s bylaws, and they are simply posted on the FCC website for all to see. Mr. Traini noted that Darrell Hess, MOA Ombudsman and historically very active in the community council system, has been reviewing all community council bylaws with the thought that they might be made more uniform.

Mr. Traini addressed the issue of fluoride in the water supply. He invited the public to weigh in on whether each is for or against it, as some feel that they are being medicated without their permission.

Overlapping Elvi Gray-Jackson’s presentation, which he missed, Mr. Traini addressed AL 37, the public employees labor ordinance. He noted that a special election would cost the public from \$280,000 to over \$400,000 and should be unnecessary in light of the upcoming April election. He said that the AFL-CIO is circulating a petition against the

ordinance should community council members wish to weigh in on the issue in that manner.

IV. Legislative Reports.

State Representative Andy Josephson was present, noting that about half of the Rogers Park Community Council was in his district, the other half being part of Representative Harriet Drummond's district. He described his efforts to educate himself as an elected representative even when the legislature is not in session. To that end he recently visited UAF, the energy committee to which he belongs meeting at Chena Hot Springs. He separately attended a conference of the western states and western Canada pursuant to his focus on gas (LNG) issues. He also visited the Fort Knox Mine to see what an open pit mine looks like. He also visited Soldotna as to sport fisheries issues.

Rep. Josephson addressed the UMed north access issue. He said he prefers not to try to block it, but instead to seek to enhance the project to see that it is done right.

State Representative Harriet Drummond noted that her House District 16 encompasses the area north of Northern Lights Blvd, including Rogers Park, while Rep. Josephson's District 15 encompasses the area south of Northern Lights Blvd, including College Village. Rep. Drummond is on the House Finance Subcommittee on Education. She is pleased with the school rating system adopted by Alaska. The state obtained a waiver from the rating system of No Child Left Behind conditioned on its adoption of its own acceptable rating system. It did so, with ratings of 1 to 5 stars under the Alaska Schools Performance Index (ASPI), and she feels it is better suited to Alaska and its goals. Dave Evans asked how Anchorage's schools rate under the new system. Rep. Drummond did not know the details off-hand. Rep. Josephson said it was a 4 or a 5. It was uncertain whether this pertained to Anchorage's schools as a whole or to Rogers Park Elementary in particular. One member, later identified as Jermain Thomas of the Rogers Park Elementary School PTA, reported her understanding that the current rating is a 4 (which is the reported rating for Rogers Park Elementary School as of August 2013). Janet Bidwell asked whether, where there is a school within a school, one exclusive to highly gifted students within a larger school of students not part of the highly gifted program, ratings are available for each of these two programs or bodies of students? Rep. Drummond said she would look into that.

Rep. Drummond spoke to LNG (gas) issues, noting that states typically cater to one buyer rather than a multiplicity of buyers. She reports that Alaska is well-poised relative to Asian markets, but if we limit ourselves to an intra-Alaska railbelt line, supplying gas to Alaska consumers, that is likely to prove non-economical.

Addressing the current state effort to replace government employee office space with cubicles, she took part in a tour of how this will work or is working. Rep. Drummond reports that the cost savings is extensive, that her impression is that it is working, and that the cubicle system employed seems to be accepted favorably by the employees once the transition has occurred.

Rep. Drummond also addressed the state financial system revisions, called IRIS. She reports that it is being implemented gradually, expected to be done in 2016; that as to cost it appears to be staying within budget or very close to it.

Senator Berta Gardner was attending a family event on the East Coast. Her assistant, Noah _____ spoke for her. He noted that Sen. Gardner is on the Senate Education Budget Subcommittee, and that meetings of that body were coming up. These meetings are expected to focus on the goals of subcommittee chair Sen. Dunleavy, who is pressing for school vouchers.

Sen. Gardner is asking the Governor's office to reconsider its refusal to increase Medicare in Alaska, and its refusal to put in place health care exchanges further to the federal affordable health care act, popularly referred to as "Obamacare."

V. Presentations.

A. Alley Service Committee. Iris Matthews spoke to the progress in working with Solid Waste Services (SWS) to achieve the alley garbage and recycling pickup service sought by Rogers Park Community Council for its members in neighborhoods served by alleyways. She reported that SWS was working with us. Roll carts are available pursuant to proper sign up for them, to be delivered on the 27th or 28th of this month, with service expected to commence the following week. On September 21 there is a cleanup of junk and encroachments within the alley right-of-way. All members are invited to attend and take part. SWS is supplying two large dumpsters at two nearby churches. Handouts were distributed describing the event, the time, and the locations. Should anyone require help to move an item or items, then that is available if we have reasonable advance notice. Contact information for cleanup help was provided on a handout. Iris encouraged member participation to assist the effort to clear the alleyways for the SWS trucks to reasonably access roll carts in the alleys.

B. Bragaw Extension-UMED Update. Council President Janet Bidwell explained that there was no available speaker from this contemplated project, but she provided a handout, and a brief status update, alerting members to websites monitoring this issue and contact information at DOWL Engineering. Members can contact Rachel Steer, Public Involvement Manager, at (907) 562-2000 or via e-mail at umednorthernaccess@dowlhkm.com.

Helen Nienhueser voiced concern about Class A wetlands and required consideration of a no-build alternative. She noted that there is a \$20 million cost estimate attached to this project, based on DOWL's figures, which were characterized as optimistic or bare-bones. Helen as well as Dave Evans voiced their opinion(s) that the estimate is inadequate, prepared without any consideration of steps to render the project palatable in light of wetlands concerns, aesthetics, reasonable compatibility with existing uses, etc. Rep. Josephson asked Assembly member Traini if the MOA Assembly can reject the \$20 million? Assembly member Gray-Jackson noted that an issue involving \$20 million or

more requires a public hearing, but that if they vote to reject the money, it will be a nullity. The appropriation will happen anyway.

C. The Connect Anchorage Initiative: Seward Highway and 36th Street (Project #26793) Update. Council President Janet Bidwell explained to the group that there was no speaker tonight, although she had sought to obtain one. For now she wished the membership to know that this phase of the highway work is contemplated and, as the present work up to 36th is being completed, an overpass at 36th is planned. She is seeking a more detailed presentation in the future, as 36th borders our community council district and we all use it.

At this juncture Rep. Drummond reminded the council that the legislature wants our capital projects survey results. Janet Bidwell noted that the survey was done in the spring and should already be distributed. Elvi described the process by which the survey results go to MOA and are then conveyed to the legislature. Dick Traini asked that we provide our survey results now, as the city government's filtering of that information may not deliver the desired information at the desired time.

D. The Move To Amend (a resolution in favor of an amendment to the United States Constitution to overturn the Citizens United decision). In May 2013 former council president Bob Butera advised the group that he wished to see the council consider a resolution favoring an amendment to the United States Constitution to overturn the Citizens United decision. To simplify the context, in 2010, in Citizens United vs. FEC, the United States Supreme Court ruled in effect that: 1) corporations are citizens within the meaning of the 1st Amendment guarantee of free speech; and 2) contributions of corporate money are deemed speech within the meaning of the 1st Amendment. Therefore, said the Court, corporate contributions to influence political issues could not be limited by the government. (The holding also extended to labor unions.)

Beverly Churchill presented the issue at this first meeting following the summer break. Supported by several handouts explaining the issue, she advocated for adoption of the proposed resolution, the wording of which was handed out, and the heart of which was as follows:

Be it resolved, the People of the [Rogers Park] Community Council call for amending the United States Constitution to establish that:

- 1. Only human beings are entitled to constitutional rights, and*
- 2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.*

Rep. Josephson noted that such efforts sometimes take a very long time to become law, referencing the "Madison Amendment" dealing with congressional pay, which was first conceived in 1790 or thereabouts and become the 27th Amendment only recently.

Helen Nienhueser spoke in favor of this effort, noting that the Equal Rights Amendment took a very long time and so far has never become law, yet came very close. *[editorial comment: it actually has become law in 26 state constitutions, is embodied in federal statutes governing employment, and remains 3 votes shy of passage as a constitutional amendment at the federal level.]* Helen noted that, whether passed or not, the effort has had a huge impact on American culture and attitudes toward women.

Bob Churchill asked to whom the resolution would be directed? Other members voiced similar inquiries. Beverly Churchill explained that it would first go to the MOA Assembly, Anchorage's state legislators, and then up the chain to Alaska's delegation to the United States Congress. As presented in handouts, this or very similar resolutions were currently circulating around the country in a grassroots effort to persuade the government to consider a constitutional amendment along the lines proposed.

Bob Churchill moved to adopt the resolution. Helen Nienhueser seconded the motion, which was then put to a vote, with the following result: 21 yeas; 0 nays; 1 abstention. The resolution therefore passed, with the assurance that the executed version would also be circulated to Ms. Churchill as part of her broader effort to garner support.

Ms. Churchill encouraged the members to also sign a petition, to the same effect, which she had with her. Her contact information is: _____.

VI. Treasurer's Report.

Council Treasurer Cheryl Forrest reported that the treasury currently contains \$211.21. President Janet Bidwell noted that we do not require dues, and that she recalled no expenditures during her tenure. Former President, now Secretary Jim Wright, explained that there were past expenditures for a voice recorder and minor administrative needs (e.g., storage boxes for records). Assembly member Dick Traini noted that a community council could not preclude the right to vote as a condition of community council membership.

VII. Federation of Community Councils (FCC) Report.

FCC delegate Bob Churchill explained that there was not a quorum at the FCC's July meeting, so that no meaningful business was conducted. However, Mr. Churchill took this opportunity to briefly describe the work of the committee regarding public testimony, of which he is a member (from the FCC), formed in response to the recent effort to limit public testimony before the Assembly. He recognized the work of Arliss Sturgulewski, who is also a Rogers Park Community Council member and who also sits on that committee. Bob explained that the committee is considering sub-issues such as: 1) whether the 3 minute limit now in place is too short; and 2) whether it is fair to deny public testimony to those who did not originally sign up to do so, when the form of a proposed ordinance has changed since it was first introduced. Arliss noted that the public input to the committee so far included some very thoughtful input. Rogers Park Community Council members were encouraged to offer their thoughts to the committee,

which will hold its next meeting on October 1st at 6 p.m. in the Assembly chambers of the Loussac Library building at 36th and Denali.

Mr. Churchill also serves on the MOA Equal Rights Committee and invited others to consider volunteering to serve on the Equal Rights Committee as current members' terms expire.

VIII. Public Comments.

Tom Obermeyer proposed a resolution to plant and landscape the median on Northern Lights Boulevard for reasons of traffic noise dampening as well as beautification. He submitted the proposed language in writing. Rep. Drummond suggests that this be on the community council's capital project priorities list. Dave Evans supports this effort, and proposes that it be taken up at the next general meeting (in October). Iris Matthews also voiced support and suggests it be on the agenda for October.

On a related note, Iris inquired whether the Northern Lights sound barrier was ever completed. Tom Obermeyer put this question to Jim Wright, who had significant involvement with that issue as the sound barrier was being constructed, in phases. Jim explained that two sections remain (which were probably treated as a single remaining section in proposed legislation, as we tended to get funding and construction for two sections at a time). The last two sections, still un-done, are on either side of Princeton on the south side of Northern Lights. Applying the factors analysis set out in federal, state and local law, these two sections qualified for a sound barrier but were the lowest priority – that is, the least compelling – as sound readings were lowest here, the density of persons residing along the proposed sound barrier was quite low, and the residences were largely up/down duplexes in which the upstairs tenants would get no benefit from the sound barrier (because they reside above it rather than behind it). Noah _____ confirmed that the Governor had vetoed funding of the last section. He and Rep. Josephson noted that there is little chance of funding the remainder of the Northern Lights sound barrier in the short term.

Jermain Thomas spoke for the Rogers Park Elementary School PTA. The PTA is sponsoring "Septemberfest" and asks that each of us consider attending. This is a fundraiser for the purposes of enrichment in the classroom, including help for students who need help by way of academic intervention from the autumn through spring tests. Jim Wright asked whether this includes tutors presently assisting special needs children. Ms. Thomas explained that these funds will be used to assist children not deemed special needs (and already provided for) but nonetheless having difficulty with academic performance. There will be an adult community event serving wine and appetizers at the Petroleum Club on C Street, on Friday, September 20, from 7 p.m. on. The silent auction closes at 9 p.m. Tickets are \$50 per person or \$85 per couple, which covers two beverages and appetizers.

Bob Churchill asked how to get in touch with the sponsoring group, and Janet Bidwell asked more particularly how to get tickets. Tickets can be purchased from the PTA at the

school office, or via contact information in the Rogers Park Elementary School website, or by e-mail: Rogers.Park.PTA@gmail.com.

IX. Announcements.

President Janet Bidwell concluded with two reminders: 1) the Alley Cleanup effort, addressed by Iris Matthews earlier in the evening, will be on September 21 from 10-3, inviting all interested members to attend; and 2) the next Rogers Park Community Council meeting will be on October 14.

The meeting was then adjourned.