

# **Rogers Park Community Council Minutes**

## **7 PM Monday, October 12, 2015**

### **Rogers Park Elementary School Library**

#### **Board Members Attending:**

Iris Matthews, President  
Clare Boersma, Vice-President  
Jim Wright, Secretary  
Marilyn Pillifant, Treasurer  
Bob Churchill, FCC Representative

#### **I. Welcome.**

The meeting was called to order at 7:05 p.m. Members were asked to sign in to establish a quorum. Initially there were only 12 members present, short of a quorum.

#### **II. Community Council Business.**

**A. Minutes:** Minutes from the May and September meetings were not tabled until such time as a quorum is assembled for approval.

**B. FCC Report.** FCC representative Bob Churchill advised that Tam Agosti-Gisler presented the FCC with the state of the Anchorage School District. It was emphasized that the reality for ASD is that 26% of our students are “transient” kids moving from school to school or relocating to Anchorage from elsewhere. This places an extra burden on our system of public education. The FCC also heard from Land Use Planning, which asks the community councils to review the Land Use Planning map and get back to them with comments within 60 days. The FCC is requesting the same budget for the coming year (\$85K), while FCC Treasurer Kevin Fineman has significantly reduced operating expenses of the FCC.

**C. Treasurer’s Report.** Treasurer Marilyn Pillifant reported that RPCC funds stand at \$202. Bob Churchill asked whether a fundraiser was in order. Iris Matthews suggested we all think about a goal for a fundraiser to be taken up in the future.

#### **III. Assembly Reports.**

Assembly member Elvi Gray-Jackson presented as follows:

- The Assembly received the Mayor’s SAP Executive Review Committee’s report at a work session on Friday, October 9<sup>th</sup>. The Committee reported that, under the

prior Administration, the project leadership, direction, accountability, and governance by the MOA and contractors were lacking. The Committee recommended that the MOA move forward with SAP but hire SAP to implement the software. The Mayor has taken full responsibility for project completion.

- The Public Hearing on the Equal Rights Ordinance was held on September 15<sup>th</sup> and 16<sup>th</sup>. On September 29<sup>th</sup>, the Assembly approved AO 2015-96 (S-1) which added Sexual Orientation and Gender Identity to the grounds of prohibited discrimination in Title 5 of the Municipal Code. The vote was 9-2.
- The Mayor's proposed 2016 Operating and Capital Budgets were submitted to the Assembly by the required deadline – October 2<sup>nd</sup>. The budget ordinances will be introduced at the October 13<sup>th</sup> meeting.
- The budget includes funding for two police academies and a fire academy.
- Property Tax increase of 4.3% which equates to \$50 on a \$300,000 home.
  - The first Public Hearing will be held at the October 27<sup>th</sup> meeting.
  - The second Public Hearing will be held on November 10<sup>th</sup>.
  - Action on the budget will take place at the November 24<sup>th</sup> meeting.

#### Work Sessions:

- The first Work Session was held on October 2<sup>nd</sup> 12:30 – 2:30 p.m.
- The second Work Session will be held on October 9<sup>th</sup> from 11:00 – 2:00 p.m.
- The third Work Session will be held on October 23<sup>rd</sup> from 11:00 – 3:00 p.m.
- Tentative Work Session on Assembly proposed amendments on November 13<sup>th</sup> from 1:00 – 2:00 p.m.
- Tentative Work Session on Assembly proposed amendments on November 20<sup>th</sup> from 1:00 – 2:00 p.m.

#### *Next Assembly Meeting: October 13, 2015*

Assembly Chair Dick Traini noted that the mayor wants to increase public safety. Part of that program involves an increase in fines and fees. APD will be dropping patrols at Girdwood. Girdwood will be voting on what to do about that.

Dave Morgan asked whether Girdwood has the option to contract with Whittier for police services? Dick responded that it could – Whittier presently has two officers, and the area of concern is not just Girdwood, it's also Indian, Bird and the highway corridor down to Girdwood.

One member asked whether a sales tax was up for consideration? Dick said that problems with implementing a sales tax are: 1) fear that once in place the mayor (this or a future mayor) will increase it; and 2) JBER is exempt from it, creating an imbalance in the community and possibly driving purchasers on base. Elvi added that there is no present discussion of a sales tax.

Iris Matthews raised the issue of derelict vehicles and code violations. With lack of resources, Municipal agencies don't want to impose fines for code enforcement. Iris asked about staffing of code enforcement. Dick and Elvi reported that it is presently minimal, with only two or three enforcement officers.

Dick noted that animal control also has too little staffing at present – the same staffing model in place in 1996. Jim Wright noted that this is a contracted service, and asked when the animal control contract next renews? Elvi responded that increased staffing is not dependent on renewal. Staffing can be increased at any time if we have the money to do so.

Ann Loerber asked whether the Municipality has an arson investigator? Dick and Elvi did not directly respond, Dick saying that the AFD is currently focused on “spice” casualties. This is tying up paramedics on drug problems that we need federal help to deal with. Getting back to the issue of police patrols, Dick said he wants to see motorcycle patrols back in use.

One member asked about cell towers and whether their proliferation can be limited, or effectively masked, as by camouflage? Dick and Elvi responded that there is a committee presently working on that. Assembly members Amy Dembowski and Pete Peterson are on it. It will propose a draft ordinance to regulate cell phone towers. The Assembly will then take it up for public comment later in the autumn.

Knut Boersma observed that active patrolling does not appear to have a positive impact on crime statistics, and that focusing units on proactive investigation appears to be more effective.

#### **IV. Legislative Reports.**

Representative Andy Josephson spoke. He reported that he just got back from the nation's capitol with Sen. Berta Gardner, where they attended a Legislative Energy Horizon Institute Conference. He assured the members that this trip was at no expense to the Alaska public, due to corporate financing of attendee scholarships. Topics covered included clean power plans, curbing emissions, and the dangers of fracking.

He also attended a fiscal policy summit at Girdwood. Standard & Poors noted to attendees that Alaska has a AAA rating through it, but that it truly should be AA+ in

recognition of our declining fiscal status. We don't have our fiscal house in order. The observations presented overlap the recent Alaska Common Ground event in Anchorage. The Institute of the North says we have to get our fiscal house in order. These were heady discussions with no joy in the room, as Rep. Josephson reports.

Turning to the U-Med Bypass project, this has been an issue since the 1980s. Planning & Zoning says the plan at present doesn't pass muster. It wants sidewalks on both sides of the road, an additional overpass for pedestrians, and a 30 mph speed limit. There was talk of "fee in lieu of mitigation" as to use of the wetlands – that is, use wetlands but buy and protect other wetlands to compensate for this use. Can MOA reject the road? Yes, but that won't make it go away. UAA, APU, Providence, and other major stakeholders may achieve consensus, in which case it will foreseeably happen anyway.

The municipality may not oppose. The mayor is on the sidelines regarding the pending issue whether to adopt the building height regulations allowing 6 stories overlooking residential properties. He is waiting to see how that issue evolves.

The Governor has now called a special session of the legislature to address 1) the option of buying out TransCanada's interest in the proposed gas line; and 2) a reserves tax – that is, taxing gas in the ground if the oil companies do not provide adequate assurances to pump it out of the ground. Andy said he would be stunned if such a tax passed. As to the TransCanada buyout option, there is a projected \$400M per year benefit to it, but downside risks of losing that player's expertise and adopting an increased duty to meet cash calls with an increased role for the State. The risk of lost expertise can foreseeably be met by simply contracting for it, perhaps with TransCanada as contractor rather than as co-owner.

Dave Morgan noted that Commonwealth North says buying out TransCanada requires \$8B of increased money up front. He referenced projections by Black & Beach. Another member said that comes with a 20 year payback period. Dave Morgan said that his brother is knowledgeable about Kentucky's experience with the issue of gas in the ground. Kentucky deals with that concern via lease covenants. If the companies with the leases don't produce, then they lose the lease and get their money back. Dick Traini noted that Black & Beach is the same outfit consulted about SAP, so that caution is in order.

Senator Berta Gardner was not present, but her assistant Samantha Strauss presented. She said there would unfortunately be no constituent meeting before the special session, due to work preparing for it.

## **V. Presentations & Discussions.**

**A. Land Use Map & Update.** Jon Cecil, Senior Planner with MOA, presented. He provided a 7-page handout of Powerpoint slides. This is related to the Title 21 rewrite

process to reflect the Anchorage 2020 plan. The 2006 draft land use map was never approved. The pending goal is to get the map adopted in 2015 or early 2016. It is the map relied on by developers and those wanting to rezone. It helps determine how Anchorage will grow out to 2040, reflecting a study of available space for residential, commercial and industrial purposes. All easily developable land is gone.

It is not a zoning map, but the zoning map works in tandem with it. It shows changes since 2006. There have been 58 rezones since 2006. There are multiple Neighborhood and District Plans so far in place, adopted by the Assembly, with others pending. Rogers Park doesn't have one. If no neighborhood and district plan is adopted, then this area will be governed by the general 2020 plan and map.

The general map must still go through Planning & Zoning, then through the Assembly. The Rogers Park area presently includes business areas. For example, at Lake Otis and Northern Lights there is space used for a strip mall or other commercial use. One member asked if the map reflects current use or proposed use? Jon Cecil responded: both. Decisions about land use could result in the export of industrial uses for reasons of tax policy. The Assembly needs to decide if it will allow crossover uses. A member noted that there is potential for the growth of logistics industry at the airport – for example, Amazon warehousing. Mr. Cecil responded that FAA rules and regulations may not allow non-aeronautical uses. This makes it more difficult to plan and implement that potential. A pending example of mixed commercial and industrial use is the C Street corridor where Cabela's stands.

Knut Boersma asked about hospital uses. Providence Hospital can't meet requirements with the existing space. The city needs emergency room facilities, but a proposed multi-bed facility is not reflected in these maps. We need another hospital, perhaps in south Anchorage. Bob Churchill asked why there are empty beds at Regional Hospital. Dave Morgan and Knut Boersma said it's because Regional doesn't accept Medicare.

Iris Matthews asked what RPCC should do to get a neighborhood plan? Mr. Cecil said we should ask our Assembly members.

Mr. Cecil said the maps are not a transit plan, but may impact it. Lake Otis is a transportation corridor, as shown by dotted lines. This impacts development along that corridor. Such corridors don't really exist yet, but are planned. Examples include Spenard and Jewel Lake roads. The proposed H2H (Highway to Highway) designation is on there. Fairview wants it and their neighborhood plan reflects it.

Ann Loerber asked about plans for an outlet mall at the south C Street corridor. Mr. Cecil said it is on hold due to the depth of peat (organic soils) there, which may be prohibitive. Knut Boersma added that excavating ~30 feet of soils is typically required for foundations in that area.

Jon Cecil wants: 1) a resolution from RPCC endorsing the Land Use Plan Map (there will be a template of it on the website soon); and 2) a RPCC liaison to shepherd developments along.

Noting that we haven't got a quorum tonight so cannot adopt a resolution, Iris asked him to define the timeline for this process. Mr. Cecil said the public review process is at "slide 14" of his handout, noting that his department is already behind schedule. Clare Boersma noted that there have been ~9 neighborhood plans adopted since 2006, but they aren't reflected on the website yet. Marilyn Pillifant asked if there is at least a map on display at City Hall? Mr. Cecil said not yet.

## **VI. Other Business & Announcements.**

**A. Boy Scout Proposed Project At Carlson Park.** Dave Morgan introduced himself and other adult leaders of Boy Scout Troop 5, John Lime, Ted Greene, and Jay McGinnis, along with Senior Patrol Leader Noah Green. Noah is working on his Eagle Scout project to develop a dock for kayaks and small boats on Otis Lake, at Carlson Park. A 5-page handout illustrated what is contemplated, with contact information.

Bob Churchill asked if they had considered needed permitting. The response was that this is part of the project.

Marilyn Pillifant asked whether there would be safety signage (e.g., "Kids don't float" for lifejacket use) and to take care of the ecosystem. The response was that the project will include appropriate signage, and that we will receive updates as the project progresses.

**B. New Seward Highway and 36<sup>th</sup> Avenue Update.** Iris Matthews with Bob Churchill provided an update on the projected changes at New Seward and 36<sup>th</sup>. The 30% design phase was accepted with northern access from 36<sup>th</sup> westbound, but not eastbound. The concern is that this will increase traffic on LaTouche. The Department of Transportation says that four times the present traffic on LaTouche is acceptable. Bob Churchill expressed his disagreement.

The noise impact study for the proposed raised highway found "no significant impact" so there will be no funding for noise mitigation. There has been no disclosure of the study, and the conclusion seems suspect. Bob Butera asked if we could bring Shawn Holland back to address this? Iris expressed her reluctance to do so until there is new information to address. She explained that the DOT says there is no significant impact not because that is literally true but because the impact would be too expensive to fix. Jim Wright explained that the noise threshold laws include a variety of factors and one is whether excessive noise can be abated at reasonable expense. Iris said another \$70 million is said to be needed for further study and design.

Knut Boersma noted that the East Dowling project has taken some pressure off of 36<sup>th</sup>. Knut and Bob Churchill agreed that long term there has not been much expanded traffic, Bob indicating that appears to be the case since ~1980. Iris said our goal is to monitor this project, get disclosure, and follow up as appropriate once we know more.

**C. Cell Phone Towers.** About 40 questions were passed on to GCI following its recent presentation about its proposed utility pole extension cell tower in our district. We are awaiting responses. Meanwhile, member Annette Cordiet introduced herself and a draft resolution on this topic. Annette noted her goal was for less obtrusive cell service and maintain the natural beauty in Anchorage. The proposed development does not comply with Title 21. Rather, GCI seeks an amendment to allow this. AMC 21.05.040 provides that there will be a minimum separation distance of 2x the allowable height of a utility pole (65 feet for residential districts) to the nearest building. In an impassioned appeal she read her proposed resolution, which was detailed. It included, among other things, advocacy supporting co-location on large buildings or on existing poles (sharing with other companies), considering alternate technologies and camouflaging antennae, all to ensure less marring of the landscape.

Knut Boersma noted that the long term goal is to underground utility lines by 2050, with that step being taken in some neighborhoods quite soon, and new construction requiring as much. So it is unwise to place cell antennae atop utility poles.

Iris Matthews noted that there is presently no quorum to vote on the resolution at this meeting, that she/we should stay on the issue and tweak the proposed resolution to fit the evolving process. Bob Churchill noted that it would be helpful to see the proposal in written form. Ann Loerber said she hoped GCI would return to discuss this – that it seemed to reject industrial or commercial locations in favor of residential locations, presumably to avoid payment for commercial use. Iris responded that they were not ready to come back this month, but perhaps they would update us next month. Annette noted that for more money the cell service providers can do much less intrusive steps. The technology is available.

The meeting was then adjourned.