

Rogers Park Community Council Minutes

7 PM Monday, November 9, 2015

Rogers Park Elementary School Library

Board Members Attending:

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

I. Welcome.

The meeting was called to order by Clare Boersma. Members were asked to sign in to establish a quorum. Initially there were over 23 members present, so a quorum.

II. Community Council Business.

A. Minutes: Minutes from the May, September and October meetings were reviewed. Marilyn Pillifant moved to approve them. Bob Churchill seconded. Annette Cartier proposed a change to the October Minutes at p. 7 (2nd line), which amendment was accepted by Marilyn and Bob. The May, September and October Minutes were then approved by a vote of 28 yeas, 0 nays, and 2 abstentions.

B. FCC Report. FCC representative Bob Churchill summarized the last FCC meeting, which focused on a report by Beth Nordlund about the state of city trails, and a report by _____ about a particular trail, _____.

C. Treasurer's Report. Treasurer Marilyn Pillifant reported that RPCC funds total \$202.

III. Assembly Reports.

Assembly member Elvi Gray-Jackson presented as follows:

- At the October 27th meeting, the Assembly approved a change to the Tax Cap Calculation which will allow the amount of taxes "*allowed*" for collection as the base for the next year's calculation instead of the amount of taxes "*actually*" collected. This does not immediately represent a tax increase but allows both the Mayor and the Assembly to determine whether to cut services or increase taxes after input from the citizens. The vote was 7-4. This is warranted due to less revenue sharing by the State. It is related to the issue whether the Municipality should consider a sales tax as a revenue source.

- The Assembly will have a Work Session on November 13th from 1:00 – 2:00 p.m. to review proposed amendments to the 2016 Budget.
- The 2016 budget will be approved at the November 24th meeting.

Next Assembly Meeting: November 10, 2015

Assembly Chair Dick Traini noted that the proliferation of “spice” drug incidents is taxing EMTs. The Assembly expects to criminalize spice tomorrow. The new law is meant to target dealers, not users.

Dick advised that the MOA operating budget will be addressed at the meeting tomorrow. The city needs to increase support for the Anchorage Police Department. The FCC budget will remain at \$85,000. The issue of fines and fees increases will be raised tomorrow. Elvi noted that texting while driving will now be a \$500 fine. Dick added that improper parking in a handicapped space, now a \$250 fine, will increase to \$500.

Dick turned to the Waldron Lake issue (near Tudor Road). The State in 2012 granted funds so that the city could buy 16.9 acres there. Boys & Girls Club is to do the maintenance. That organization owns it now. Dick is anxious to wrap up that deal.

Marilyn Houser sought confirmation of when budget issues would be taken up at the Assembly Meeting. Dick thought it would be about 7-9 p.m.

Richard Goldstein asked for clarification about the issue of a sales tax. Dick said it has long been an issue, but there is a problem as he perceives it pertaining to Joint Base Elmendorf-Richardson (JBER). Because it is a federal enclave it is not subject to a city sales tax.

Dave Evans asked about the status of the proposed sale of Solid Waste Services assets. Dick said that the proposed sale is now off.

Jim Richardson commended our assembly members for their work on the effort to secure Waldron Lake. Dick noted that it was bought in 1972 for \$10,000, but is \$3.9 million now. He wants to avoid site condos that were once projected to be built there. Dick and Elvi both thanked Senators Berta Gardner, Johnny Ellis, and the rest of our legislators for helping on the State grant.

About “spice,” Knut Boersma noted the past issue was how to regulate it to avoid the definition problem. Dick said they tried to adopt a precise definition, but that didn’t work due to the ever-changing nature of the substance to be controlled. The recipe keeps changing. So the city has moved to a more general approach.

Knut turned to a problem of loading and unloading downtown. He noted there is inadequate space, and that Frank Kelly of MOA has been citing vehicles delivering to businesses. Dick and Elvi indicated they would look into that.

Ann Loerber asked whether the Dimond Mall Library would be re-opened. Dick said that is not in the works at present. Ann favors branch libraries. Dick agrees.

IV. Legislative Reports.

Representative Andy Josephson spoke first. He reported that he just got back from the special session in Juneau, called to consider: 1) a tax on undeveloped gas, withdrawn beforehand due to positive developments to develop the gasline project; and 2) the proposal to buy out TransCanada's ownership interest in the gasline project. TransCanada's interest is bought out for \$71 million. It will lend us ~15 employees who will work on this until late May 2016 further to the transition.

The project includes three parts: 1) a gas treatment plant on the North Slope; 2) a pipeline; and 3) a liquefaction plant at Nikiski on Cook Inlet. TransCanada was the State's proxy on the first two parts. Roughly \$150 million total package was spent last week to further the project. There were five partners: British Petroleum (BP); Conoco-Phillips; Exxon-Mobil; the State; and TransCanada. With the buyout of TransCanada, there are now four partners.

TransCanada, with a 7% markup, was to commit Alaska's interests, involving cash calls. The State is now in more direct control of that. This should result in financial benefit to Alaska. Other issues include right-of-ways, Federal Energy Regulatory Commission (FERC) permits, Free Trade and non-Free Trade issues, etc.

The legislative majority did a good job identifying problems with the executive branch chain of command on this project, which problems are now being corrected.

Andy alerted the group to an upcoming presentation by Alaska Common Ground regarding Climate Change, and an upcoming presentation of energy issues by the Alaska Resource Development Council.

Bob Williams asked for an update regarding the confidentiality clause issue – i.e., the requirement that legislators sign confidentiality clauses agreeing not to disclose to the citizenry information the oil companies deem confidential. Andy explained that Governor Walker wanted more transparency than did ex-Governor Parnell. There is a problem in that some legislators pledged confidentiality and some did not.

Jim Richardson noted that Canada has had similar issues, raised in the course of testimony that a fuel line there did not pencil in.

Andy favors the gasline. His worry is that Exxon is the most powerful player. It is good at making money, so Alaska's 25% interest should benefit to the extent that its interests are congruent with its co-owner Exxon. But that may not always be the case. For example, Exxon might delay development to a time that is less beneficial for Alaska.

Representative Harriett Drummond spoke next. There was much testimony before the legislature, including from Steve Butz, the “lead guy” for development. He expressed comfort with progress and noted the commitment of the suppliers. She said Senator Gardner, Representative Josephson, and she will hold a constituent meeting, probably on January 9, a Saturday, to address members’ concerns.

Ann Loerber asked if there is a way to check on the status of large road projects that continue to be funded although it seems unrealistic or unwise. Harriett noted that this was a capital budget problem. The spending now is from commitments made in early years, two to three budgets ago. Future progress will require 90% federal funding.

Bob Churchill asked about the status of death with dignity legislation. Harriett has sponsored such a bill and hopes it moves out of committee next session.

Knut Boersma asked about the status after Shell’s Arctic drilling was dropped, and Resolution 301 addressing the extension of leases. Harriett explained her understanding that the feds did not address extensions or new leases because there was little interest.

Samantha Strauss spoke for **Senator Berta Gardner**. The special session went well. They approved the TransCanada buyout by large margins. Berta met with majority leaders and they have agreed to fiscal action needed at the next session. She encouraged members to attend the upcoming Alaska Common Ground event on climate change. She noted that the Senate is looking for pages 21 years old and older.

Bob Churchill asked that attention be given to the issue of the Legislative Information Office in Anchorage – the deal brokered by Hawker – noting that the manner in which it occurred is unethical or should be.

V. Presentations & Discussions.

A. Title 21 Changes related to Cell Phone Towers. Heather Knowlan, from the South Addition Community Council, spoke to this issue. Cell phone companies are pressing their interests in erecting cell towers and antennas more pervasively. They seek to change the laws to suit their goals. If our members have concerns, then they need to express their residential interests. There have been hearings and meetings at the Public Works office on Elmore Road, but they have been on weekdays during work hours, affording inconvenient opportunity for input. We need safety setbacks from homes. They want to increase the height of utility poles by 10% or 20 feet, whichever is greater, so that they can mount a 20 foot wide attachment on top. We feel they need to use smaller technology that is less obtrusive. Knut Boersma noted that the small technology costs a lot more. Heather noted that camouflage is also an option. Cell phone companies want to use older technology that is more obtrusive. She presented a handout with detailed information.

Residential concerns can be expressed to the Community Economic Development Commission, attention to Assembly members Amy Dembowski (chair of the Tile 21

committee) and Pete Peterson (chair of the cell phone work group). Amy's e-mail is on the website. Annette Cartier also mentioned Assembly member Ernie Hall from Sand Lake as a contact.

One member asked how it is decided whether to use old technology or new technology? Heather said it ultimately has to go to the Assembly for public hearing. At that stage the Assembly can decide to impose limits. GCI is fighting the small technology.

Jim Richardson asked for clarification of South Addition Community Council's issue about cell towers. There is a pole in the right of way. There is a lawsuit pending, appealing the separation distance issue. Planning & Zoning declined a waiver of the required separation distance. That decision was overturned by the Board of Adjustment. So it was appealed to the Superior Court, where it is pending before Judge Rindner.

Bob Churchill asked when the Public Works meetings are being held. Heather said Wednesday at 10 a.m. in conference room 170 or 140.

Jim Richardson noted that, in response to concerns about the cell phone tower at Don Jose's Restaurant, near here, Planning & Zoning dismissed residential concerns.

Marilyn Pillifant asked if South Addition Community Council (SACC) passed a resolution regarding cell towers. Heather said yes. GCI presented their plans to our community council but failed to bring specs they promised. SACC is not as robust as RPCC, and so it was rather weak. The resolution was not to support the opposition to the tower. People who opposed the tower were unhappy with the resolution proposed, and left before the vote.

Clare Boersma noted that membership on the Board of Adjustment is by appointment. Positions are presently open on many municipal boards.

B. Draft Resolution re: Cell Phone Towers. Annette Cartier presented a proposed resolution, discussed in concept at the October meeting. Marilyn Houser seconded the motion. Clare summarized the terms, which were presented in handout form. Annette continued to summarize the terms.

Bob Churchill felt the language is good, and wanted it taken together with Heather's presentation (above). He wants it understood that increased cost for less obtrusive technology is appropriate to preserve aesthetic values.

Terese Columbus wanted assurance that the resolution terms would not cause more obtrusive use by favoring collocation on existing towers.

Judith Andress spoke in favor of the resolution. She assisted in drafting it. Annette Cartier read the resolution aloud to the group, by invitation from Clare. Three minor changes from the handout were noted, and agreed to by the movant and second.

Terese Columbus reiterated her concern, particularly at the seventh “Whereas”. Clare showed what is meant by small technology by reference to the handout from Heather.

Clare read aloud from a message by Sandra Singer, who could not be here but sent her position to RPCC. She agrees with Annette’s proposed resolution. Sandra’s input is not a proxy vote, but was read for the information of the attendees.

Judith Andress noted her concern about 11th hour notice practices of the Anchorage Community Economic Development Commission – a practice that tends to evade public involvement and input.

Marilyn Pillifant called the question. The vote on the proposed resolution as amended was 41 yeas, 0 nays, and 2 abstentions. The resolution passed. Marilyn Pillifant asked that notice of the resolution be conveyed to the FCC for its endorsement as appropriate. Bob Churchill assured the group that it would be so conveyed.

VI. Other Business & Announcements.

Clare advised the group that the Watershed & Natural Resources Commission had passed a resolution against curbside pickup in Government Hill. Iris wrote a letter objecting to their action. Handouts of that exchange were available in the back of the room.

Jason Wakish introduced himself to the group. Jason lives on Ingra Street. He expressed concern about the state of the vegetative sound buffer behind his house, between it and the New Seward Highway. Vegetation was thinned resulting in increased noise. Clare summarized the history of the issue regarding a sound barrier along that roadway bordering our district. Jim Wright elaborated on the history of the issue, explaining that it was also part of planning for the Highway 2 Highway (H2H) project, later abandoned in favor of piecemeal highway reconstruction. It is said to be far less expensive to do a sound barrier as part of highway construction than it is to retrofit. The corridor between the alley and highway is said to be a park or greenbelt. One less expensive way to do a sound barrier, but with a relative larger footprint, is to mound earth there – a very effective noise barrier. We have an example at the Anchor Park neighborhood as it borders Northern Lights. Jim Richardson suggested we form a Neighborhood Improvement District and push for a concrete barrier rather than one made of wood, noting that concrete barriers abound in the Lower 48 states. Jim Wright noted his understanding that more populous areas have contractors who cater to this need, while no one is doing so in Alaska, pushing the price up.

The meeting was then adjourned.