

Northeast Community Council General Meeting Minutes Final Draft March 17, 2016

Call to order: 7:05 PM. Fire Exit reminder. The Pledge of Allegiance.

Board Member Introduction: Rick Irwin (President), Dave Ulmer (Parliamentarian, Trails Comm. Chair), Selina Metoyer (Vice President), Stu Grenier (Secretary, Alcohol Comm. Chair), Kristi Wood (Parks Comm. Chair), Carla McConnell (Treasurer), John Ziv, Kevin Smestad (CIP Comm. Chair), John Laux (Marijuana Comm. Chair).

Agenda: Approved

Executive Board Report: Grenier reported that Wood and McConnell were not present. We discussed the Board Elections and what would be on the agenda.

Community Concerns: Mark Kimmer with Anchorage Tomorrow talked about the bonds coming up on Tuesday's election. Metoyer talked about the Muldoon Farmers' Market that begins June 25 - September 10 Saturdays 9:30 -2:30 at Begich Middle School. (muldoonfarmersmarket.org)

Legislative Reports

Senator Wielechowski: The Senator reported on the operating budget with total cuts around \$300M. Medicaid reform passed out of the Senate unanimously, we expect about \$100M in saving eventually from that bill. The Criminal Justice Reform Bill is moving as well. We have gone from having 35% of the people in prison are non violent offenders to 65% are now non violent offenders. 2/3 recidivate and folks are spending longer and longer in prison. Goose Creek is full. We cannot continue building prisons.

Senator Giessel: An email from the Senator was read by Smestad. She started off by congratulating Dallas Seavey for winning the Iditarod and went on to say they are in the last half of the session and this is the first time that both the House and the Senate has stopped to work only on the budget. As a result the Budget will be on the floor of the Senate and voted on March 12.

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Representative Spohnholz: The Representative introduced herself and said it will be difficult to fill in Rep. Gruenberg's shoes. She said she is a third generation Alaskan and has lived on the East Side for decades and that she is excited to represent East Anchorage. She has worked through the non profit community like the Salvation Army, University, and Alaskan Childrens' Trust. She was just sworn in on Thursday so does not have a great deal to report.

She did report that they are working on renaming Post Traumatic Stress Disorder to Post Traumatic Stress Injury and establishing PTSI Day on June 27 in order to educate the community about it. She looks forward to meeting everyone in person. Ulmer asked a question about if access to Max's documents had been given to Max's family and the answer was "that it is an unfortunate situation".

Representative LeDoux: The Representative welcomed the new Representative Ivy Spohnholz. Her staffer Lisa has retired from her office and has been replaced by Amy. She also reported that the Council Judiciary Room has been named after Max, and that now that progress has been made on the budget, hearings of bills not related to the budget can begin. The Narcon Bill allows the opiod addicts to access this life saving drug if they OD. The Omnibus Crime Bill was also mentioned as being very important. Our prison population has grown by 17% in the last decade. \$142 per day is the average cost of keeping someone in jail. The pretrial incarcerated percentage has also gone up from 20% to 28% in the last ten years. They are only there because they cannot post bond. This adds to the prison population. A question about the DOT wanting the "park" to pay for medians on Muldoon in front of the Muldoon Town Square Park was also brought up because it was slowing the encumbering process down.

Representative Pruitt: The Representative reported that they were looking at ways of saving money including looking at oil tax credits. The Medicaid reform bill is also starting to get looked into. Finance Comm. is meeting on many things. Discussions on revenue are starting to happen now.

Special Assistant to the Mayor Amy Coffman. Not present.

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Assembly Person Petersen: AP Petersen talked about SAP Computer program that an update was given on from the Mayor. A contract was signed. Six months ago the cost was expected to be \$80M and we spent about \$40M so far. Because of the new contract we lowered the cost down to about \$71M. The Assembly has been working on this for about four years. There is an election coming up and early voting starts Monday. The tax cap initiative will be on the ballot. If it passes we will have a \$1.6M hole in our budget. The Cell Tower Ordinance is on the Assembly Agenda next Tuesday if anyone is interested. Also a naming committee to name the new fire station is being created. Changes to Prop. 21 and the Muni purchase of gas fields was also mentioned.

Assembly Person Honeman: Was not present.

Candidate Forum: Assembly and School Board Candidates introduced their campaigns. Dunbar was the only speaker.

Old Business

1. NECC Board Elections. Election Chair Wood presenting. A quick reminder about the elections was given and some of the rules that will be followed including checking ID and utility bills to prove residency. Ulmer, Laux, and the President are running again. There were no nominations from the floor. You need to have attended 3 of the last six NECC Meeting to run and just signing in and leaving is not acceptable. Attending most of the meeting is expected.

2. Alaska's Future: A plan to solve the budget crises. Vince Beltrami from Yuitcoms presenting. AK's Future is a broad coalition of folks that ordinarily do not work together. Beltrami is President of Alaska AFLCIO. GCI is also in the coalition. Beltrami pointed out the budget process that they went through in Juneau produced a budget that is completely unfunded. We have \$1.5B in revenue and about a \$5B budget. A short video was shown. Minimums to match federal funding were mentioned. Last year we had a \$3.6B deficit. We have about \$14B to use. We need to restructure the Permanent Fund to have any chance of achieving sustainability. Only the earnings is being touched in this plan, not the

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corpus. If nothing is done the CBR will be empty by 2017. Our credit rating has already been downgraded from AAA to AA. Many other revenue generating sources (taxes) were listed.

3. Pedestrian Fencing Project along the South side of the Glenn Hwy. East from Turpin St. to deter pedestrian crossings. DOT & PF Andrea Morton, P.E. presenting. Handouts were given out again. Carol Roadifer also presented. They also presented last month on this.

This time the presenters had information on two accidents involving pedestrians crossing the highway in this area. One was a minor on a bike. The fence will go from Turpin St. to where the wood fence is currently. This fence will not prevent pedestrian from going down Turpin St. across the highway.

4. Glenn Hwy. / Muldoon Intersection update: Jason Lamoureux and Ronald Searcy presenting. Equipment is already on site clearing out the area. We will eventually have two bridges. Completion is scheduled for Oct. 2018. We will be building temporary intersections and bypasses off and on. The bike lanes were dropped out of the project because there are no bike lanes on either end of the project. Pedestrian will have to go through four controlled crossing to cross the Glenn. Grenier suggested this will be a problem and a pedestrian over pass will be needed. The pedestrian route with the new project will be much shorter than the current tunnels and bike trails.

New Business Motion One:

1. Ernie Hall's suggested changes to title 21 presented with commentary by NECC Board Member John Ziv. Ziv made it clear that he felt that the Assembly was attempting to change title 21 without due notification to the public. The changes would have had a massively bad effect on people with smaller houses like we have in this area. For example anyone with a small house with a motor home parked in the front, if you did not have a basketball court sized yard, it could have cost you anywhere from \$2000 to \$5000 a year because you would have to move it to a storage lot. The changes would have limited where you could store anything on your property with a certain distance from the road. There were many other changes that would have been effective immediately. Ziv

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had motions prepared to address these issues and the fact that the public and community councils were not being informed about these changes and given a chance to have their voices heard.

Motion One. Ziv and seconded by an unidentified person.

The North-East community council hereby resolves that Case 2016-0033, Amendments to AMC 21.05 .070D.17 et al (aka, the Ernie Hall proposal) be immediately dismissed or disapproved, or if not dismissed or disapproved be placed on indefinite hold, and that no further actions including approval, but not disapproval, be considered by the Planning and Zoning Commission, the Municipality Assembly, and the Mayor until full and effective community involvement has occurred, and the attached list of areas of concerns and needs has been addressed

Proposal One, Attachment.

1. A clear, plain-language version of both the current municipal code (and when needed for clarity any referenced code sections) and the proposed changes are available and are provided for review by any and all affected citizens of Anchorage, and to the community councils that represent them. The materials must be provided with sufficient time to allow for effective review and comment by all parties concerned, and for presentation at scheduled community council meetings.
2. A clear, properly performed analysis with supporting data has been accomplished to ascertain both the potential and definitive impacts to current property usage, and when applicable to ascertain the potential and actual costs of compliance to affected property owners, especially those, such as low income individuals or retirees, who have minimal ability to absorb any additional expenses.
3. A determination has been made by appropriate municipality functions possessing expertise in the subject, as to whether the proposed changes disproportionately burden those of lesser means, or give disproportionate benefits to those of significant means, or otherwise grants special benefits to, or unfairly burdens any other group or specific individuals.

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4. The issues of preventing adverse impact on existing properties and their owners where compliance cannot reasonably and easily be accommodated are addressed, and alterations to the proposed changes are made to ensure no harm to existing use or users occurs and no additional costs or burdens to existing property owners are imposed. This refers to (but is not limited to) situations where orientation (such as corner lots), current lot shape or size, location of existing permanent structures, easements, large trees, large boulders, uneven terrain, easements, property ingress/egress, and existing or proposed roadway/right of way access are involved. In all cases property owners should not be burdened with costly permitting or waiver requirements or a significant administrative load.

Vote Yes 13 No 0 Abstain 4 Motion Passed

Motion Two. Ziv and seconded by an unidentified person.

The North-East community council hereby resolves that it is necessary for the common good of all our citizens, and thus the Municipality of Anchorage that full, transparent, and timely public involvement be required whenever new codes, standards, or regulations or changes to Municipality codes, standards, regulations and all other Municipality directives are planned or proposed. We recognize that there may be extremely rare occasions where immediate action must be taken by the Municipality through action by the assembly and Mayor to address highly critical issues involving public health and safety and infrastructure.

To ensure that full, effective, transparent, and timely public involvement occurs, we believe that the attached requirements need to be codified, made mandatory, and not be subject to departmental or assembly member waiver when changes to the aforementioned Municipality codes, regulations and all other Municipality directives are planned or proposed, except under true and critical emergency situations. These requirements also apply to all actions taken by the Planning and Zoning Commission.

Attachment to Motion Two

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1. A clear, plain-language version of both the current municipal code directive, or similar regulatory requirement (and when needed for clarity any referenced code sections) and of the proposed change(s) must be made available and is provided for review without cost to any and all affected citizens of Anchorage, and to the community councils that represent them. The materials must be provided with sufficient time to allow for effective review and comment by all parties concerned, and for presentation at, and collection of comments from scheduled community council meetings. Plain language means that the material be easily understood by any citizen possessing a basic Alaskan high school education. As required by Federal Law, affected individuals who do not speak English, or who have disabilities that interfere with reading or accessing this material must also be accommodated upon request

Note: In the case of P&Z issues, a complete copy of the package submitted to the P&Z, but not converted to plain language, must also be provided upon request for review. These packages often contain extensive technical information that is not germane to the review process by other than experts in the subject matter. A plain language description of the existing zoning, including limitations and exclusions, the proposed changes, and any identified or addressed effects, both short and long term, on the property, nearby properties, and the local community must be provided.

2. Sufficient time for review should mean that a minimum of four weeks notice before comments are due from the time the materials reach the hands of the citizenry. In the case of community councils, sufficient time means a period of no less than five weeks from the time the materials reach the hands of the affected community council president or executive committee. This is because community council meetings typically occur on a monthly basis, and sufficient time is required for the members of the community to receive notice that the issue will be presented at the next scheduled meeting. These time requirements do not greatly differ from similar requirements currently established by the Municipality for filings that must reach a function prior a certain number of days prior to a scheduled, often monthly, meeting.

3. When little or no input is received from the citizenry, the function responsible for processing the action shall be required to determine if effective and comprehensive community outreach did in fact occur (example: whether or not it was sent out, and if sent out whether or not it was actually received). In cases where effective community outreach did not occur, the community involvement

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process should be required to be re-accomplished, and the rest of the review process appropriately delayed. In the case of community councils, the affected community councils must be individually contacted directly to ascertain that the community council both received the notifications and materials in a timely manner. One of four community council responses must be formally documented by the processing agency:

a. The community council recommended approval or disapproval of the proposal, and if so did the community council provide documentation of this action, and if they provided any comments or other inputs does the processing agency have these in their possession.

b. The community council received and acted on, but neither recommended approval or disapproval of the proposal, and if so did the community council provide documentation of this action, and if they provided any comments or other inputs does the processing agency have these in their possession.

c. The community council did not receive notice of, or the materials necessary to respond to the proposal. This is a red flag that should be elevated to the chief of the function responsible for processing the proposal, and if possible request an emergency review by the affected council. Where the failure in communication is due to errors or omissions on the Municipalities part, it should be appropriate to delay the proposal until proper review has been accomplished. When the failure has occurred at the community council end, this shall also be documented, but shall not be a reason for delay unless so determined by the processing agency.

d. The community council was non-responsive, and repeated efforts to obtain one of the three above-listed responses from the council were fruitless. In this case the Municipality Federation of Community Councils should be contacted and advised of which community councils were non-responsive.

4. Clear justification for agency actions taken after the review and comment phase that do not reflect the expressed will of the community (based on public testimony, public comments, and community council inputs for example) must automatically require a detailed justification for the difference. This must be compiled and provided to those who gave inputs to the process, and be a plain-

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language document with full justification/reasoning supporting the final decision, and full justification/reasoning for overriding the will of the community.

5. When assembly or Mayoral actions, including vetoes, override agency actions or recommendations, or when agency actions that do not reflect the expressed will of the community are approved, we believe that the complete justification for the override action be compiled and provided as in number 4, above. This will serve to provide feedback to the citizens and community councils on the responsiveness of the Municipality and our elected officials to citizen inputs and concerns, and to "close the loop" for the community interaction process.

6. A more comprehensive and clearer guideline for including the citizens of Anchorage, and their Community Councils is needed. To this end the following are recommended:

For the purpose of determining what citizens or communities will be affected the following guidelines are recommended. They are slightly more inclusive than what appears to be currently required, and are designed to better reflect neighborhoods and areas where there is less-dense population, such as some areas of the Hillside and Eagle River/Chugach.

a. For General Municipal Regulations - all community councils and all citizens and potentially affected property owners.

b. For localized issues, including specific zoning and land use concerns: Community councils representing any citizens or property owners listed below.

Properties and people living within one city block (660 feet) of the area of concern. Where there is a contiguous property segment involved, such as an area bounded by streets, (but not alleys) the entire segment shall be considered to be within the city block determination.

Where properties are widely spaced, the area for inclusion will be based on a minimum coverage of five contiguous properties, or 1/2 mile, whichever is greater, in any direction, and will include properties separated by local roadways. Contiguous properties and the 1/2 mile distance shall not require notifications where there is a wide natural or man-made barriers such as railroad right-of-ways, ridges and other natural barriers, major highways, or large bodies of water including significant streams or rivers.

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c. For actions affecting roadways and roadway access: Community councils representing and citizens and property owners listed below:

All people and properties on or having direct access to the roadway for a minimum of 1/2 mile in either direction, or to the point of intersection of the roadway with a higher-rated roadway in either direction, whichever is greater. The 1/2 mile minimum does not apply to sections of roadways intersecting or ending at main arterial streets or highways. It includes all people and properties that use (or that may be required to use) the affected roadway section for access to their properties or domiciles.

d. If there is a question as to whether a property or citizen should be included they shall be included.

Vote Yes 12 No 0 Abstain 3 Motion Passed

2. Proposed Geronimo Drop Zone Fire Break With TA 425 Maneuver Trail Access. Grenier presenting. The NECC received a letter and a vague map in the mail and we looked at it at the Executive Board Meeting. The map can be seen at www.jber.af.mil/shared/media/document/afd-160315-056. PDF Zachary Walker was the contact at JBER (Zachary.Walker.25@us.af.mil). He provided the council with a three foot by three foot map of the proposed road and fire break. The road would head East off of the Bull Dog Road or Tank Trail just north of where it crosses Chester Creek. It would top out at the low point of the ridge and drop into the Geronimo Drop Zone in the upper Snow Hawk Valley. It would be an interesting road into the mountains between Arctic Valley Road and Stuckagain Heights Road or Basher. Since it was on the JBER Reservation the public would probably need a permit to "formally" use it. Most of the discussion was positive as berry picking and recreation opportunities were mentioned. One person seemed concerned that the road would be visible from Muldoon. The map was lent to Lowther for the SFCC to use at their meeting.

Committee Reports

FCC Report: Reupke reported the Federation of Community Councils met on Wednesday. There are 38 Community Councils. Some of the community councils do not even exist anymore or just four or five people show up. Police and Fire academies will be started in May. The report on

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homelessness will be out in the next couple of weeks. Title 23 is building codes. We may be hearing more about that soon.

Bylaws: Already done.

Alcohol Comm: Chair Grenier reminded folks that if there are any problems with any of the alcohol sales outlets or restaurants with liquor licenses let someone on the Alcohol Comm. Know and we can bring it up when they try to get their licenses renewed. Times and photos are valued.

Parks Comm: Chair Wood reported we have three dates on the board. Next Saturday we are meeting at the Boston St. Curve to hand out flyers in support of the parks bond. If it passes we will be able to complete funding for the frontage property in the Muldoon Town Square Park. On April 11th is the Public Hearing at P&Z. We also hope to work out issues with DOT on the turn in to the park off of Muldoon. We are working to encumber the funds for the park before the state takes them back.

CIP Comm: Chair Smestad reported a meeting will be held on April 14.

Trails Comm. Chair Ulmer reported nothing new.

Picnic Comm: New Chair is Kevin Smestad.

Treasurer's Report: McConnell reported by email \$1787.55.

NECC January Meeting Minutes: Approved.

Community Activities Reports: Grenier reported that he took part in the MOA JBER Force Reduction Discussion Focus Group. 2600 soldiers and with about 15,000 dependents and other related positions about to be cut, the purpose of the group was to produce ideas from the community on how the draw down would affect the community and what the MOA could do to keep things rolling along.

A hat was passed to pay the door person \$20.

Adjournment 9:35 PM