

Spenard Community Council Meeting

Wednesday, April 2, 2014 7:00 – 9:00 p.m.

Spenard Recreation Center, 2020 W 48th Ave.

1. Minutes and Agenda Approval – Bob Auth

- The president called the meeting to order.
- The agenda and March meeting minutes were approved with no corrections.
- There were about 20 people in attendance.
- Announcements (see agenda + newsletter)
 - Bob suggested having an informal meet&greet at 6:30 p.m. at future meetings, especially for the benefit of new members. He will add this on the agenda for next month and going forward.
 - Some members of Fire Station 5 (off McRae Road) thanked the public for voting for the bond measures, and offered that they are available at the meeting to answer questions, and always welcome visitors and are happy to give tours.

2. Assembly Report – Rep. Ernie Hall

- **Session is over in 18 days** – Rep. Hall anticipates that the last portion of session will be intense, and will have a big impact on the Muni's funding situation as well.
- Ernie shared that the Governor has proposed taking \$3 billion out of savings to pay down some of the pension liability this year. This would be beneficial because paying it down now would lessen the growth of the pension liability (paying down some principal to avoid interest). No clear word or indication from the legislature what they will do on this, or other projects related to the Muni's priorities.
- **Spenard Road Upgrade:** The funding is still unclear – the legislature has not shared their leanings on this. The Muni is hopeful that this funding comes through.
- **School Budget:** still not clear what will occur, particularly whether they will change the BSA (base student allocation) for this year or going forward. The Muni will be liable for some of the remaining gap if this is not adequately funded – there are maximums that the Muni can pay in if they do pay in, but no requirements if they do not pay in.
The Municipal school budget is also in deliberation right now – the District is required to submit a budget to the Assembly in early March, and the Assembly has 30 days to respond and approve it. There were some procedural issues re: approving it in time (setting a meeting, providing public notice, etc). The option remaining was to poll the Assembly members and to waive certain requirements in order to have a special meeting. The school budget was approved because the Assembly did not take official action. However, it will come back to the Assembly a second time pending further funding being given by the Legislature. Until those numbers are available, however, the total budget stands at \$567,604,000 contribution by state/federal/local government; with grants included, the \$743,049,000. With other contributions and budget lines, the total is \$929,373,000. With increased legislative appropriation, this will likely surpass \$1 billion.
- **Assembly elections.** The election occurred yesterday. Tim Steele apologizes for not attending, he is out picking up all of his campaign signs. The election needs to be finally decided, but Ernie anticipated seated by 22nd, if not on the 8th, after ballots are counted and the election is certified. The new and/or returning members will jump right into working through the municipal budget once information from the legislature is received about funding.
Absentee ballots. There is a proposal to allow out-of-state addresses of absentee voters to be made public for campaign purposes. So far this is not the case, but voter address lists are available unless you check a box that makes your address confidential.
- Agenda Item 14(E) on the April 8th Assembly Meeting: **Alyeska Pipeline Property Assessment** – the Muni was holding a sum of funds in escrow that Alyeska felt it had overpaid in taxes. The court case was decided in the Muni's favor, Alyeska will likely appeal but if/when the money is available to the Muni, Patrick Flynn has proposed putting it into the Muni's endowment fund.

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- **Comments & Discussion**

- *A member asked whether property tax (mill rates) will increase?* Ernie noted that the legislature is likely to give more money to the school district, and many are regretting having put a limit on municipal contributions. It is also complicated because of teacher salaries and growth in the number of students in the district, costs continue to go up for several reasons.
- *Peggy Auth asked whether the escrow fund from Alyeska is an interest-bearing account?* Ernie noted that it was not, but that if the Muni had had access to the account prior to now, they would have had to pay a fee on it. The Muni endowment fund is an interest-bearing account and part of the Muni's overall investment portfolio.
- *Allen Thornhill asked about the number of administrators employed by the School District?* Ernie noted that there is a lot of paperwork required by the federal government for funding (grant applications) and reporting, so it is difficult to sort through all those details, and takes a great deal of staff time.

3. **Legislative Report** – Rep. Chris Tuck

- The legislators are currently in Juneau for session. Rep. Tuck called in from Juneau.
- Floor sessions happening daily, the biggest issues right now are the natural gas pipeline and the education omnibus bill.
- **SB138 (Natural Gas Pipeline)** is currently in House Resources Committee, will be moving to Finance and then to the general floor.
 - Alaska is looking at about 40% ownership of the project, with TransCanada (10% overall). The state would be a minority owner.
 - A remaining question is about how much of the natural gas will be retained in Alaska, versus being shipped out of state? Being a minority owner of the project would give the state limited say over where the gas goes, and that is a concern.
- The House Finance committee is considering an **omnibus bill on education** – not sure what will happen, but Rep. Tuck expects to see an \$85 increase for the next year in the Base Student Allocation, and an ongoing \$25 million per year (about \$100 per student) to the BSA.
 - Chris has a bill to have proper signage for charter schools: public schools have public signage on roads, etc. indicating the presence of a school
 - He also supports a bill to increase the BSA for charter schools, including facility costs and start-up grants.
- There is **consideration to extend session**, particularly for the public initiative process (referendum for SB21, legalizing marijuana, minimum wage) – they are intended to be on the primary ballot, but may need to be pushed to the general election. The session may be extended to give proper review and hearings about the initiatives listed above.
- April 11th will be a **joint session of House and Senate** to conduct appointment approvals. There is some controversy about an appointment to the Natural Gas Pipeline commission, a gentleman from Texas (not from Alaska).
- **Comments and Discussion**
 - *Bob Auth asked about the status of the Anchorage Legislative Information Office (LIO), and the proposal to purchase it?* There has been some study into possibly purchasing the building, but it is not feasible—the state will continue to lease rather than purchase it. Work continues on renovating the office.
 - *Tom McGrath asked about the proposal to buy down the \$3 billion pension liability?* Chris answered that he is not sure of the final status, but that the longer the state waits, the more that liability will grow – it does seem advantageous to buy it down. The current liability has grown considerably in the last year.

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- *Anna Brawley asked about the feasibility of legalizing marijuana and whether the legislature has been considering this – she has concerns about implementation?* Chris noted that it has not been a big focus of the legislature currently, there have been hearings about how it might be implemented, and testimony from all sides. He does not see that as a major issue on legislators' minds, given the other issues taking precedence this session. However, depending on how the voters act, they will be considering the regulatory implications.
On **minimum wage**, the legislature has been considering this more closely and may be considering legislative action – if a popular initiative passes with the voters, the legislature still has the option to “trump” the initiative by passing their own law on the same issue. This may be on the table, but no specifics have been determined yet.
- *Another member asked about Medicaid expansion?* Chris has not been closely tracking this issue currently, but Rep. Andy Josephson has a bill to accept federal funds to expand Medicaid as proposed under the Affordable Care Act.
- *Ira Perman asked about the status of the capital budget?* Chris did not have specific updates on this yet, the Senate is still working through the Capital budget. The House has finished and sent the Operating budget over to the Senate for review, but have not received the Capital Budget for review. The preliminary numbers are about \$1.5 billion, but it is not clear at this time.

4. **Airport Report – John Johansen**

- See *Airport newsletter* or check for updates online, www.anchorageairport.com
- **Airport Master Plan:** The public review draft plan will be published likely in late May, look for it next month!
- **Part 150 Noise Study:** There will be a workshop on April 24th, 5:30-7 p.m. at the Spenard Rec Center to discuss the findings of the noise study and come up with some solutions.
- **New Concession:** there is a new cosmetics kiosk/vending machine at the Airport, selling cosmetics and toiletries, similar to the ones such as Best Buy's kiosk.
- **Kulis Base:** the Airport has sold a building at Kulis and leased out a warehouse for an air freight company to use for storage.
- **Annual Airport Cleanup Day:** Friday, May 2nd – come out to help clean up the airport starting at 10 a.m. and enjoy a free barbecue lunch for your efforts!
- **Great Alaskan Aviation Gathering** will be held on the first weekend in May, Sat 3rd and Sun 4th at the FedEx hangar on Postmark Drive.
- **Summer Construction Schedule:** will be posted by April 15th, John will give an update on construction projects at the next meeting. The projects coming up will impact airlines, but not much effect directly on the public.
- **Anchorage won an Air Cargo of Excellence award** for their airport operations, beating out both FedEx and UPS's centers of operations elsewhere in the US!
- **Comments and Discussion:**
 - *Tom McGrath noted that there is generally a cluster of people waiting for cabs, and the narrow sidewalk doesn't allow for effective queuing to wait for cabs. There isn't clear coordination, and in the absence of informal organization, it is confusing and frustrating. Tom suggested having a cab station, or having a more formal queue in which the cabs can pull up – he gave examples of other cities (Las Vegas, Chicago) where the procedure is a lot clearer and people, even those unfamiliar with the airport, is easier to understand.* John noted that it has been a topic of discussion, one consideration is to be fair to the cabs waiting and make sure there is opportunity to pick people up. He deferred to one of the cab drivers attending: she shared that it is difficult because most people come out of Alaska Airlines, but it difficult because

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cabs need to pull up but cannot move forward necessarily. She also noted that it is a very narrow sidewalk. Cathy Gleason agreed that this is an issue, and that it was brought up at the Airport Master Plan meetings as well. John agreed that it is a design issue, and not the cab companies' fault. He has noted this input.

5. Ure Park Update – Bob Auth

- The standalone proposal to re-zone the park land as PLI-P went before the Planning & Zoning Commission on March 3. The Lions Club has withdrawn its proposal to build a new club building on the property.
- There is no other news at this time, and we will report on other developments as they occur.

6. Long House Update – Bob Auth

- A proposed ordinance to change the zoning designation for “Supportive Housing Facility,” to replace “Severely Alcohol Dependent Housing,” is in development. It was scheduled to be presented to the Planning & Zoning Committee on March 3, but it has been postponed to April 7th.
- Bob shared that as far as he knows, it was supposed to be heard on April 7th but the Planning Department has asked for an extension until April 14th to make further amendments to the ordinance.
- Cathy Gleason (Turnagain) shared that she got an update from Erika McConnell at the Muni Planning Department: there are two changes proposed, first to eliminate the “Severely Alcohol Dependent Housing” portion of the code and to create the “Supportive Housing Facility” portion of code. At this time the Planning Department is not proposing this new portion of code be included, so there would be no required conditional use for this type of facility. The Supportive Housing Facility portion would have required a conditional use permit for more than 26 residents. Turnagain is concerned about the lack of provision for a conditional use permit on facilities of this type
- **Comments and Discussion**
 - *Anna Brawley asked whether group housing, of any kind, needs a conditional use permit, beyond these specific designations?* Cathy was not sure, but believes that there may be requirements for assisted living, but as it stands right now, would leave Title 21 without a provision for a required conditional use permit for these types of facilities in residential facilities.
 - Bob Auth noted that there could either be further action taken on the part of the Muni to add back in Supportive Housing Facility language in code, or that it might be the end of it.
 - *Tom McGrath asked whether there has been further movement on the Muni creating a “road map” for these types of proposals, whether a conditional use permit or some mechanism for public input?* Ernie stated that this is still being worked on, but it is complicated, and there has been various groups' input on this issue. Cathy agreed that it is complicated, and based on what she has heard from Planning is that they need more time to work through it.
 - *A member noted that there are two separate issues – first, changing the code; and second, this specific proposal (the Long House). What is the City's position on this case?* Cathy noted that the Muni issued a use determination letter that showed that the Long House as proposed is allowed at the property (pending building code and permitting approval).
 - Peggy Auth commented that she and Bob have attended Planning & Zoning Commission meetings and have heard a lot of troubling stories and testimony about Bean's Café, Brother Francis Shelter and Karluk Manor. She generally supports

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having these types of facilities but that they tend to get put in certain neighborhoods, and there isn't always accountability or a good relationship with neighbors.

- Anna commented that we are focusing on non-profit organizations trying to do the right thing, but that there are a lot of private motel operators that house the same population, and are not always well run or held accountable.
- Bob proposed that the Council put forward a formal objection to the lack of public notice and that there are concerns about not having any existing provisions to require a conditional use for large-tenant group housing.
- Anna moved to vote on a proposal

Proposed resolution: the Spenard Community Council objects to the lack of public notice and that large-tenant group housing should require a conditional use permit. The group briefly discussed the specific motion, and focused on the Council's issues with process and lack of public input in that process.

- **Discussion**

- One member commented that this seems very reasonable, and that the public has an interest in getting as much information as possible, especially before it's built, rather than having to go back and deal with something that's already built. He also asked whether conditional use permits can be revoked after something is already in place?
- Heidi Heinrich (Fairview) pointed out that they asked that a review process be put into the conditional use that requires the organization to come back in a year or so to be accountable to the community – she did not know about revocation but that at least the organization has to come back and listen to community concerns.
- Chris Constant (Fairview) noted that these seem to be two different issues: first, the Planning & Zoning Commission seems to be changing the law without having opportunity for public input. The second is more specifically about the Long House. He recommends that the Council keeps these two issues separate but that there is merit to both considerations.
- Bob clarified that the motion at hand does focus on process, and that the motion was not intended to make a comment specifically about the Long House. He will make sure the resolution is written as such.
- Jason commented that those with mental health issues, "hard to house" etc. are also part of the community, and that Anchorage has housing shortages for many populations—the neighborhood can't just take a "Not In My Back Yard" approach to these kinds of proposals, but rather should come up with a solution that works. As part of a housing organization, he is concerned about the desire to block these proposals rather than working to find a solution.
- Anna noted that public input is not public veto, and that there is existing case law that limits the ability of a community to just shut out a supportive housing project from their area. She is also concerned about the issue of housing.
- Peggy pointed out that Spenard has been concerned about the lack of transparency in these proposals: that these organizations have not been forthcoming about their proposals, and that they should seek out community input prior to moving forward with the project.
- Jason pointed out that conditional uses are a completely acceptable way to ensure community input, and that the councils have that mechanism in order to provide feedback – Spenard has long taken the position that new or renewing liquor licenses should come before the council with their proposal and that Spenard would like to recommend conditions on those uses. This seems similar.
- Merle Akers (Turnagain) reiterated that the background of Turnagain's involvement was that a group went to Juneau to secure money in Juneau to buy the hotel

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property, and that it happens to be on the border of two councils but not actually in Turnagain. He is concerned that because it's adjacent to Turnagain but not in that council technically, the input process should also involve notifying adjacent property owners or those within a certain distance of the proposed project.

- **Vote:** all in favor, none opposed. **The resolution passed.** Bob will prepare the resolution and forward it to the Planning Department and present it at the Planning & Zoning Commission.

7. **Liquor Report** – *Anna Brawley; Ernie Hall; Chris Constant and Heidi Heinrich, Fairview Business Association*

Anna Brawley, “De Facto Liquor Committee”

- Anna shared that she is working on a map of all the liquor licenses in the city, and particularly in Spenard. She will share her findings at the May meeting.
- She has found that there are 52 within Spenard's boundaries proper, and 91 licenses within a half-mile of Spenard's boundaries (the general measure of notification that the ABC Board recommends to the Muni). Pretty much all of these are retail licenses (bar, restaurant, package store) and she will show that on the map.
- Come back next month to learn more!

Ernie Hall: Update on Conditional Use Permits

- Ernie shared that after the conversation in March that Tim Steele shared with him the Council's request to find out the number of liquor licenses without conditional use permits (or, conditional uses prior to 1985, meaning they were grandfathered in).
- Ernie has called a Task Force to look at which licenses do not have conditional uses and to figure out, when the liquor license does not have one, how it could be brought into compliance. He will have more information at the next meeting – the City Clerk has been busy dealing with the election, so it will take a bit more time.
- Ernie also noted that there are difficulties with trying to implement area-wide restrictions because each conditional use permit should be unique to respond to the situation at hand. He does support the idea of having stickers on bottles—it indicates clearly whether bottles seen out on the streets and trails are from a particular store, and rules out those stores that it did not come from.
- Anna asked whether there are legal considerations with imposing such conditional uses? Ernie said he was not sure, but that there may be concern about imposing arbitrary restrictions on, for example, a business that has no violations and a business that has had several violations on record. The legal department is working on those considerations. He also noted that many operators are responsible, and that (for example) in Mountain View, there is a problem of chronic inebriates but those problems aren't necessarily coming from Brown Jug, that only has one violation on record. Just focusing on liquor licenses alone is not the solution.

Chris Constant (AKEELA), Heidi Heinrich (Lucky Wishbone) from Fairview Community Council and Fairview Business Association

- Heidi and Chris presented on Fairview's proposal: they have been dealing with this issue for years, and do not want the issue of chronic inebriates to be pushed from one area to another – this needs to be a city-wide solution. They have been dealing with this (the Business Association and the Council) related to Karluk Manor, Brother Francis etc.
- The Business Association has gone to Juneau with a proposal, and are looking for other neighborhoods' support. They have been meeting to come up with a plan, and considered elements from a plan in 2007:
 - Modeled on a proposal from Green Bay, Wisconsin, a solution to the “public service call problem.” For individuals who habitually trespass, get police calls about their

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behavior, etc., and take a great deal of public safety resources. They are proposing having a “no sell” list through the Anchorage Police Department and publish a regular list that requires package stores not to sell to these individuals.

- Because fully cutting off alcohol to an addicted individual is dangerous and could cause death, it is inhumane to just cut off supply without having services to help. The second half of the proposal is to have wrap-around services for these individuals (a few hundred at most). The current money from the alcohol tax is not being allocated to treatment – they are proposing \$5 million to be specifically allocated for outreach, case management, detox facilities, etc. Chris also works for AKEELA, which is one of the organizations who provides this support. Even Fairbanks has twice the number of detox beds that Anchorage does.
- Fairview Business Association, Alaska Native Justice Center, et al. are working on this issue together to come up with a good solution.
- Chris and Heidi are asking individuals to contact their legislators to support this proposal, and possibly for the Council to pass a resolution in support of this proposal.
- They reiterated that this is a city problem, but that certain neighborhoods (Fairview, Mountain View, Spenard) bear the burden of these individuals. They are not trying to criminalize or harm the individuals, but to deal with the public costs of chronic inebriates—people released from jail, or who are sent to Anchorage because there aren't services in more rural areas. There are social costs to the community, and there needs to be a city-wide solution because it has just been pushed around from place to place.
- They are also considering this a demonstration project, with a model that may work in other areas (e.g. hub communities). This is a community-led process, with a lot of different partners at the table. Chris noted that there is a clause in the language that requires working with the community representatives.
- Chris reiterated the need to talk to legislators about protecting and increasing treatment funding—this is an important service that needs to be provided.

Proposed resolution: Motion to support the proposal of the Fairview Business Association, to support the appropriation as presented, and to work as much as possible in coordination with Fairview, Mountain View and other areas of the city affected by alcohol issues.

- **Discussion**
 - Ira Perman asked whether the program in Green Bay worked, and whether it had support? Chris noted that it was very successful and got a lot of support—they were focused on about 30 individuals, fewer than in Anchorage, but that service calls went down about 91% in a year. They are expecting less dramatic results, but it seems to really work, based on Green Bay's experience.
- **Vote:** all in favor, none opposed. **The resolution passed.** Bob will prepare the resolution and send a copy to the Fairview Business Association, Fairview Community Council, and Spenard's representatives and senators as soon as possible.

8. **Bylaws Update** – Anna Brawley, Jason Bergerson

- Anna shared briefly that by the Muni's requirement (AO 2014-3), all Community Councils have to update their bylaws by September. Spenard was one of the model councils used to draft these new bylaws, so there is a lot that Spenard's bylaws already includes.
- Anna worked through Spenard's existing bylaws, compared it with the new requirement and put them side by side for comparison with recommended changes (underlined text on the draft copy). Copies were available at the meeting, and online (see link below). The document has a concurrent comparison of the existing (left column) and draft (right column) bylaws, with notes about what is being changed (if anything).

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- Members should review these draft bylaws, send thoughts and comments to spenardcc@gmail.com in the next month, and the Executive Committee will include those at the May meeting. The Council will discuss the proposed changes at the May 7th meeting, and hopefully approve the final bylaws to be returned to the Muni for approval.
- Download the draft bylaws and the details about the ordinance at Spenard's website: <http://communitycouncils.org/servlet/content/34.html>
Or go to www.communitycouncils.org and click "Spenard" on the right.

9. Officers' Report – Bob Auth, Jason Bergerson, Allen Thornhill, Anna Brawley

As always, check the Spenard CC website for updated copies of the minutes, an archive of past agendas and minutes, and other documents like the bylaws or the map of Spenard's boundaries! Feel free to send in photos of Spenard to feature on the website.

- **President:** [none]
- **VP / FCC:** [none]
- **Secretary:** [none]
- **Treasurer:** [none]

10. Old + New Business

Spenard Farmers Market

- The Spenard Farmers Market starts on Saturday, May 17th!

The meeting was moved to adjourn at 8:50 p.m.

Anchorage Airport Update
April 2014

1. Part 150 Noise Study:

- a. Next Public Open House is scheduled for Thursday, April 24th 5:30pm -7:00pm at the Spenard Rec Center. The consultants and staff will be available for a workshop-style discussion of land use and administrative mitigation alternatives.
- b. Web site is anc150study.com for information and to send comments, questions and request to receive notifications/updates.

2. Master Plan:

- a. The draft Master Plan Update report is being prepared and is estimated to be complete in spring 2014. The draft report will include chapters on the Airport's inventory, facility requirements, alternatives and more, and will be available for public review.
- b. The Anchorage Airport will continue to accept comments on the Master Plan Update in 2014. Comments will be accepted through the release of the draft Master Plan Update report (estimated Spring 2014), at which time the public will have a 30 day review period to comment on the document prior to final publication. The Airport will consider and respond to all comments received in that timeframe.
- c. Website is www.ancmasterplan.com for information and to send comments, questions and request to receive notifications/updates. December 11, 2013 Open House, materials are available on the [library page](#), as is the third in a series of Comment Response Reports. This report responds to comments collected between July 1, 2013 and October 11, 2013.

3. Concessions:

- a. An expansion of the landside seating area for Norton Sound Seafood House is anticipated to be completed by April, 2014. The area will include the sale of beer, wine and liquor.
- b. A new *Benefit Cosmetics Zoom* kiosks (vending machine) will be installed in the terminal near Gate C2 in May that will sell toiletries and cosmetics
- c. The warehouse building at Kulis Business Park was sold to TFGC, LLC. The building will be used for an air freight forwarding business.

4. **Lake Hood Master Plan Update:** the airport will be kicking off the Lake Hood Master Plan Update Project beginning this summer.

5. **The Lake Hood Economic Impact Study:** available on the ANC website:
http://dot.alaska.gov/anc/about/LakeHoodSeaplaneBase_FinalReportREV_9-20-13.pdf

6. **Alaska Airlines Q400 Service:** began service to Kodiak February 27th and service to Fairbanks March 3rd

7. **Ted Stevens Anchorage International Airport Annual Job Fair:** was held on Saturday, March 22 in the North Terminal.

8. **Airport Clean-up Day:** Friday May 2. Meet at the Old Field Maintenance Facility on Aircraft Drive, get work assignments, pick-up trash for a few hours, and get a "free" barbeque lunch.

9. **Great Alaska Aviation Gathering:** Saturday and Sunday, May 3rd and 4th. FedEx hangar on Postmark Drive.
10. **2014 Summer Construction Update:** information on the summer construction projects at the airport will be posted on our website by April 15.
11. **Air Cargo Award of Excellence:** the airport just received this award for large cargo airports in North America from *Air Cargo World* magazine based on surveys of ground handlers and airlines, beating out airports like Memphis and Louisville, Fed Ex and UPS hubs.
12. **Sign up for GovDelivery:** www.anchorageairport.com to receive emails on all sorts of DOT related things.

Turnagain Community Council Resolution Regarding Amendments to Municipal Code Title 21, Group Living Uses

WHEREAS, the Municipality of Anchorage Departments of Law and Community Development have proposed to amend Anchorage Municipal Code Title 21, Land Use Planning to repeal the Group Living uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new group living use “Supportive Housing Facility”; amend the definitions of Group Living uses “Assisted Living Facility” and “Habilitative Care Facility”; amend tables of allowed uses; amend off-street parking requirements; and amend Anchorage Municipal Code Title 21, Land Use Planning, to repeal the uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new use “Supportive Housing Facility”; and amend other sections of code to effectuate the addition and deletion of uses; and

WHEREAS, the Municipality has stated in its Revised Use Determination Letter (August 7, 2013) that, based on information provided by Anchorage Community Mental Health Services, the proposed Long House housing development at 4335 Wisconsin Street (adjacent to the Turnagain Community Council boundaries) would:

- “Consist of 54 units, 50 of which would be for tenants in need of supportive housing”;
- Provide “permanent supportive housing for persons who are disabled with a serious mental illness and who have a history of homelessness”; and
- Provide “on-site services,” for the tenants who would reside there, including voluntary “case management services” and “individualized community services,” including possible “crisis management or skill development”; and

WHEREAS, the proposed amendments to Title 21 include the requirement for a Conditional Use Permit for a Supportive Housing Facility with 26+ residents; and

WHEREAS, while TCC recognizes the need for adequate housing throughout our community to serve the various needs of the Anchorage population, Turnagain residents have voiced concerns regarding the lack of a formal public process, including a public hearing, and the lack of a conditional use permit requirement and conditional use standards and procedures (similar to the existing Code requirements for Severe Alcohol Dependent Housing) for the proposed Long House facility under current Municipal Code; and

WHEREAS, the proposed language for Title 21 Group Housing uses does not provide adequate, specific conditional use standards and procedures for Group Housing uses (Assisted Living Facilities, Habilitative Care Facilities and Supportive Housing Facilities) to address expressed neighborhood concerns;

NOW, THEREFORE, BE IT RESOLVED THAT the Turnagain Community Council:

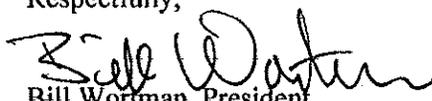
- 1) Supports the proposed Title 21 Code requirement of a Conditional Use permit for all Group Living housing uses for 7 or more residents, which would include a formal public notice and public hearing before the Planning & Zoning Commission;
- 2) Recommends inserting “or services” after “programs” in the proposed ordinance amending Title 21 Group Living uses in the following locations:
 - a. Section 1.5.a. (Supportive Housing Facility Definition);
 - b. Section 1.5.b.ii. (Supportive Housing Use-Specific Standards);
 - c. Section 7. (Supportive Housing Facility Definition); and

- 3) Recommends incorporation of a Section entitled "Conditional Use Standards and Procedures" with the following language (based on similar language included in existing Code for Severe Alcohol Dependent Housing) into the proposed ordinance amending Title 21 for any Group Living use housing 7 or more residents:
- a. "An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, and other site improvements consistent with the character of the neighborhood;
 - b. "The operator shall submit a management plan for the facility and a floor plan showing all uses and services, including any sleeping areas/rooms and/or residential dwelling or units. The management plan shall also include provisions regarding operations, on-site staffing, rules and regulations for tenants, methods to manage impacts on the adjacent neighborhoods, an outreach requirement to the surrounding area, provision of staff contact names and numbers to the local community council and surrounding neighbors, and other such items determined by the Planning and Zoning Commission to lessen the potential impacts on the adjacent residents and businesses. The management plan shall demonstrate that the local community councils have been provided the opportunity to review and comment on the management plan, before a hearing by the Commission. On-site services shall be for residents of the facility only, and shall not be a primary use of the facility. All on-site services shall be described within the management plan for the facility. Once accepted, the provisions of the management plan shall be deemed incorporated as continuing conditions of use, and;
 - c. "After the first year from the date of approval of the conditional use, and on a three-year cycle subsequent to the first anniversary of the date of approval of the conditional use, the operator shall schedule a public hearing before the Planning and Zoning Commission to allow for public and community council discussion and input on the effectiveness of management and the management plan in addressing public concerns and lessening potential and observed negative impacts on the neighborhood. It is the responsibility of the operator to ensure that a public hearing is held with the Commission one year (12 months) after approval of the conditional use, and at least once every three years (36 months) subsequent to the first anniversary date during operation of the housing facility under the conditional use. The Planning and Zoning Commission has the authority to require revisions to the management plan."

PASSED AND APPROVED by Turnagain Community Council at its regularly scheduled meeting this 6th day of February 2014.

This resolution passed by a vote of 12 in favor, 3 opposed.

Respectfully,


Bill Wortman, President
Turnagain Community Council

STREET SWEEPING, BROADWAY STYLE



REVITALIZING A BUSINESS DISTRICT FROM THE INSIDE OUT

GREEN BAY POLICE DEPARTMENT, WISCONSIN, FORT HOWARD DISTRICT

THE PROBLEM: An inner-city business district had become a high-crime area marked by litter, broken liquor bottles, and people living on the street who were often drunk and disorderly.

ANALYSIS: Officers discovered a high concentration of crime compared to the rest of the city and a disproportionate demand for police and rescue services. Analysis of police records indicated that approximately 20 people were involved in most of the neighborhood complaints. Furthermore, neighborhood residents and business leaders had lost faith in the police to respond to disorder in the area.

RESPONSE: Police spearheaded a community effort to strongly enforce public ordinances on open intoxicants, evictions from city parks, trespassing in city parks, and lewd and lascivious behavior. They also worked to increase liquor license regulation, mobilize citizens to attend city council meetings, modify the environmental design, use the court system to link alcoholics with treatment resources, and gain the cooperation of liquor store and tavern owners in denying alcohol to habitually intoxicated people.

ASSESSMENT: After a problem-solving initiative began in 1995, Broadway Street was transformed into a booming business district. From 1993, when there were no community police officers in place, to 1999, after police officers had been in place for 4 years, the area experienced a 65-percent reduction in total police calls and a 91-percent decrease in the demand for rescue squad services to handle injuries resulting from assaults. From 1995 to February 2000, the Broadway business district gained more than \$8.4 million in new public and private investment, 410 new jobs, and 33 new businesses.

SCANNING

In the city of Green Bay, Wisconsin, Broadway Street had a seedy reputation. People lived on the street, were often drunk and disorderly, and slept on park benches outside of neglected, decaying buildings. Liquor bottles littered the streets. For 4 decades, taverns known for the frequent

disorderly behavior of their patrons were not held accountable.

In fact, 16 to 18 taverns—the scene of multiple shootings, stabbings, and other violent crimes—operated in Broadway's 3-block business district. Broadway became

known as the "Wild West," and law-abiding citizens avoided the area and most area businesses suffered financially.

Residents and business owners in the area viewed Broadway as isolated. They felt abandoned by city government. Before 1995, there was little growth in the Broadway business district.

ANALYZING THE PROBLEM

In 1995, the Green Bay Police Department adopted the concept of community policing. Two officers were assigned to the Fort Howard district, which includes the Broadway business district. Green Bay's community-policing officers (CPO's) focus on long-term problem solving and typically are not dispatched to calls-for-service.

The newly stationed CPO's, Bill Bongle and Steve Scully, met face-to-face with neighborhood residents, schoolteachers, children, and business people. Within a short time, the officers learned firsthand about the problems plaguing the Broadway area:

- n A disproportionate demand for police and rescue services compared to the rest of the city.
- n An unusually high concentration of crimes, including battery, disorderly conduct, retail theft, property damage, public urination, prostitution, and drug activity.
- n Visibly intoxicated people in city parks and in close proximity to the nearby elementary school engaging in inappropriate behavior (sleeping on benches, vomiting, urinating, and defecating outdoors).

People Living on the Streets and in the Taverns

An analysis of police offense reports revealed that approximately 20 individuals, mostly habitually intoxicated people who lived on the streets and people who had mental

illnesses, were responsible for most of the neighborhood complaints. The homeless shelter had referred many of these individuals to the Brown County Mental Health Center's Alcohol and Other Drug Abuse outpatient counseling. Many of the people living on the street did not use or access these services and remained on the street, though they would have been permitted to stay at the shelter if they had become sober.

Analysis of police data showed that most victims of serious crimes in the area, such as stabbings, shootings, and assaults, were patrons of the problem taverns. Several high-profile incidents, involving violent behavior, drug activity, and prostitution, took place at the Broadway taverns. In 1993, two men were shot; in 1996, detectives uncovered a child prostitution ring; in 1997, there was a violent attack with pool sticks; in 1998, five people were stabbed in a bar fight; and in 1999, a bar manager was arrested for selling cocaine from a Broadway bar. Repeat calls were made to the same licensed liquor establishments for fights and other alcohol-related problems. Victimization rates were very low for citizens in the area who did not patronize the taverns.

Loosely Regulated Liquor Licenses

Wisconsin State law provides a judicial process for local governments to regulate liquor licenses. Unfortunately, the Green Bay city government rarely exercised its authority to revoke or suspend the licenses of poorly-operated taverns. In fact, the city's Protection and Welfare Committee, which regulates liquor licenses, often approved and renewed licenses in the area without question. In some cases, convicted drug dealers were granted bartender licenses.

The progression of disciplinary action against an owner of a problem tavern amounted to a series of warning letters issued by the Committee. Before 1995,

no liquor license had been revoked since the late 1970's. The Committee declined to take action against a problem bar unless the police issued the bar owner a citation. But under existing city ordinances, police officers could not issue a citation to a bar owner if the owner was absent at the time an incident occurred. As a result, bar management practices and absentee owners contributed to an environment that fostered disorderly and illegal conduct. Under the existing licensing system, it was difficult to hold owners accountable for activities that occurred in their bar.

Police Enforcement Lacking

The police response to alcohol-related complaints in the Broadway business district rarely included arrests, partly due to jail policy. In the early 1990's, the local jail refused to accept prisoners who had blood alcohol content levels higher than .30 percent, unless they had received medical clearances. This eliminated what was known as the "drunk tank" and left no other practical alternative for street patrol officers.

As a consequence of the policy, police spent their time transporting intoxicated people who had been arrested for offenses such as disorderly conduct to a hospital emergency room to receive medical clearance. Police would then transport them to the Brown County Jail or the Brown County Mental Health Center, which provided detoxification. These facilities often released people to the community after 24 hours, where police officers would find them in the same condition soon after their release. Patrol officers viewed the 2 hours spent transporting arrestees from place to place as a waste of time and taxpayer dollars.

During their analysis, the CPO's learned that the neighborhood lacked faith in the police. At meetings sponsored by the Fort Howard-Jefferson Family Neighborhood Resource Center, a bilingual, multicultural, grassroots organization with a commitment

to strengthen the Broadway neighborhood, CPO's listened to area business leaders and neighborhood residents. Community members said Broadway was viewed as a dumping ground by the rest of the city, including the police, and its business community had long ago lost faith in the police department's response. Citizens no longer called to report nonemergency problems to the police.

The Green Bay Police Department's analysis showed that the police department had not reached out to other government agencies—such as the revenue department, park department, city attorney's office, building and health inspection departments, and mental health services—that were available to help them address problems in the neighborhood.

Officers also had not been aware of the different roles that municipal and circuit courts could play in resolving disorder problems. Officers in Green Bay can divert offenders to circuit court, but they are encouraged to send minor offenses to municipal court to generate fines. However, the circuit court can order offenders into treatment while the municipal court cannot. The officers met with the Brown County District Attorney, who agreed that people who were habitually intoxicated should be diverted to circuit court, which has broad sentencing authority, including alcohol treatment and probation.

Environmental Design Flaws

A review of building design in the Broadway area highlighted numerous deficiencies. Several taverns had dark alcoves and doorways facing alleys, permitting criminals discrete, easy access to the taverns. Drug users and sellers could quickly duck into taverns and get lost in the crowd, making it difficult for patrol officers to make arrests. Poorly designed landscaping created hiding places for people who were intoxicated and living on the street. Dense undergrowth made detection of transients during routine surveillance difficult. s

Resources That Helped Broadway Succeed

Funding

The Green Bay Police Department has been assisted by funding from the U.S. Department of Justice, Office of Community Oriented Policing Services. A grant enables the department to pay salaries for four community-policing officers for 3 years. Two of these officers are assigned to the Fort Howard district.

Training

The department developed its own problem-solving training by organizing meetings with other similarly assigned police officers from across the State. Herman Goldstein's book, *Problem-Oriented Policing* (McGraw Hill, 1990), helped the department develop problem-solving strategies.

Donations

Community members donated office space and equipment for their community-policing officers. Office space was provided free of charge in a housing complex for the elderly. Area businesses donated a computer, a cellular telephone, police bicycles, and office furniture.

The Fort Howard neighborhood and area businesses conducted a fundraising campaign in 1998 to send the two community-policing officers to the Police Executive Research Forum's Problem-Oriented Policing conference in San Diego, California.

most of the problems in the area. Officers Bongle and Scully provided liquor store and tavern owners with a list of people who were habitually intoxicated, accompanied by a letter from the police department requesting that licensees deny service to them. The police department placed persons on the list if they met the following criteria:

- n Had three or more arrests in a 3-month period in which intoxication was a factor.
- n Had been incapacitated by alcohol, requiring detoxification three or more times in a 3-month period.
- n Were involved in some type of behavior in the Broadway business district that generated a complaint to the police.

The police department's letter was approved through the city attorney's office. To gain compliance with the no-serve list, police educated liquor retailers and

tavern owners on their responsibility to decline service to intoxicated people. The letter defined intoxication by physical characteristics.

The American Civil Liberties Union (ACLU) sent a letter of complaint to the police department, expressing concern over distribution of the no-serve list. The ACLU argued that "Targeting some individuals to be denied legal goods and services causes a tangible change in the legal and social status of the affected individuals." The ACLU requested that the police department retrieve the lists from bar owners and issue a directive to prohibit the practice in the future. However, the Green Bay City Attorney reviewed the ACLU's complaint and advised the police department that the no-serve list was supported by Wisconsin statute 125.12(2)3, which prohibits distributing "known habitual drunkards." The police department

RESPONSE

The Green Bay Police Department developed a response strategy designed to achieve the following goals:

- n Eliminate illegal activity from the neighborhood.
- n Reduce calls for police and rescue services.
- n Bring business to the neighborhood by improving the public's perception of the Broadway business district.
- n Restore faith in the police department by building a cooperative working relationship with the community.

To achieve these goals, the officers implemented the following five initiatives.

No-Serve List

The police identified and targeted a core group of individuals who accounted for

continued the practice, which turned out to be one of the most successful initiatives implemented by the Fort Howard district's CPO's. People who at one time generated three to four calls per day to the police now rarely have police contact.

The officers also targeted specific bars that had a history of a high volume of calls-for-service. In some cases, bars in the area had generated more than 200 calls to the police in a 1-year period, compared with 11 calls from other bars in the area. Bar owners argued, however, that targeting bars with high call volumes would punish bar owners and employees who made legitimate calls for help. To alleviate the concerns of bar and liquor store owners who might become reluctant to call police when there was a disturbance, the police and business owners agreed that calls for assistance would not be used against the businesses.

Operation "Hot Seat"

For this element of their response strategy, Officers Bongle and Scully stepped up enforcement of ordinance violations in the neighborhood. Police issued citations and arrests for activities that would have resulted in warnings in the past. For an offense such as disorderly conduct, the officers used their discretion to send offenders to circuit court, which has the authority to order alcohol treatment. Several offenders were placed on probation, and Officers Bongle and Scully worked closely with probation officers to enforce probation conditions. These included such restrictions as no alcohol consumption and no visits to taverns or liquor stores. If the officers observed a probationer violating these restrictions, they would report the violation to probation officers, who would have the probationer incarcerated.

Modifying Environmental Design

During analysis, it became clear that no attention had been paid to environmental design in the areas experiencing problems. For this element of the strategy, the police

department and other city agencies made the following changes:

- n Trimmed overgrown shrubs that concealed illegal activity.
- n Modified the Broadway district's park benches to prevent people from lying down.
- n Eliminated access to an unsecured apartment building that people who lived on the street used as a hiding place.
- n Maintained the Broadway district's park grounds, eliminating buildup of litter and bedding generated by people who lived on the streets.
- n Improved lighting in dark alcoves behind taverns and modified rear doors to permit exit only.

Operation "Spotlight"

The police department sought media coverage for its problem-solving efforts. Police believed the media would present a positive story if they were approached early.

The police department explained that arrests, liquor license hearings, and crack-downs were part of the revitalization and improvement of the neighborhood. The department pointed out that many crimes, such as muggings, were rare. A strong relationship was built with the media, who became an asset to the police department by covering the positive change the department was making as well as the trouble businesses and individuals. The press was a useful tool for the department to use against businesses and individuals who did not want to be identified to the public as problems.

Increased Regulation of Liquor Licenses

Police felt that many citizens were unaware of the licensing regulations governing liquor establishments. Therefore, the community-police response included educating citizens about how they could influence the actions of the Protection and Welfare Committee, which had the power to issue and rescind

licenses. Officers Bongle and Scully provided citizens with dates and times of Protection and Welfare Committee meetings, the names and telephone numbers of council members who sat on the Committee, and the proper procedure for addressing the Committee.

Meetings once conducted in a small room in city hall had to be moved to city council chambers in 1996 to accommodate the increased number of citizens attending. The neighborhood's interest in the Committee's actions increased Committee members' accountability to the public.

The police department worked with the city attorney's office to enforce new city ordinances. Police officers now can cite bar owners even if they are not present when offenses are committed. The city attorney's office developed a system in which points are assessed against the liquor license upon conviction of an alcohol-related offense. Now, the municipal court can automatically suspend a license and close a tavern for a designated period of time after 12 points have been accumulated.

ASSESSMENT

During the past 4 years, the health of the Broadway business district has steadily improved. Five taverns rife with criminal activity were closed because of the joint efforts of community-policing officers and citizens. By pressuring council members to take action, citizens played a key role in driving out the taverns. Community-policing efforts drove out other troublesome businesses, including one where illicit drugs were sold.

Improved Public Perception

Since 1995, the Broadway business district has experienced substantial growth in new businesses and jobs. When 'On Broadway,' a private, nonprofit organization that promotes investment in the Broadway business

district, analyzed changes in the neighborhood from 1995-99, it discovered the following:

- n \$8.4 million had been invested by both public and private interests.
- n 410 new jobs had been created.
- n 33 new businesses had been formed.
- n A \$1.8 million day care center was under construction.
- n \$3.1 million had been devoted to streetscape, sidewalk, and lighting improvements by the city government.

Reduced Need for Police and Emergency Services

Computer-aided dispatch system statistics show a significant decrease in the demand for police resources, including:

- n A 65-percent reduction in total police calls from 1993 to 1999.
- n A 91-percent decrease in calls for rescue squad services from 1993 to 1999.
- n An 86-percent reduction in disorderly conduct calls from 1993 to 1998.
- n A 70-percent decrease in disturbance-unwanted person type calls from 1993 to 1998.

This reduction in the demand for police resources frees police officers to assist in other areas of the city.

Restored Public Faith in the Police

To educate and mobilize neighborhood residents, the Green Bay Police Department built a close, cooperative working relationship with the Fort Howard-Jefferson Family Neighborhood Resource Center, which sponsored neighborhood meetings and handled mass notification of city hearings. This relationship helped the Green Bay Police Department to restore the public's faith in its ability to solve problems in the Broadway district. Cleaning up the area of drunks, taverns, and alleys and bushes played a part in restoring faith, as well.

Dale Smith, owner of Dale's Millennium Motors, a Broadway district business, notes, "Our neighborhood is easily 100 percent better because of the beat cops and their extra efforts." Tom Perry, associate editor of the *Green Bay Press Gazette*, wrote, "Forget the negative images, the news from Broadway is mostly positive and upbeat."

Broadway has become not a part of town that needs to be avoided, but rather "a great place to shop," according to Larry and Ben Frye, owners of the Broadway district's String Instrument Workshop.

Did Crime Relocate?

Although some taverns chose to relocate to other areas of the city, the taverns ceased to pose a problem because they were no longer in the same neighborhood with their problem patrons. However, the habitually intoxicated people did move to areas of the city where enforcement was less stringent. As a consequence, these neighborhoods have asked for and received community-policing teams assigned to their districts.

The Broadway business district now is a thriving part of downtown Green Bay. The Green Bay police had responded to the same calls in the Broadway business district for decades with no change. Only when the police employed a problem-

solving approach and sought the assistance of the community did long-lasting changes take place.

FOR MORE INFORMATION

For more information about the Green Bay Police Department's efforts, contact Officers Bill Bongle and Steve Scully at the Fort Howard District, Green Bay Police Department, 307 Adams Street, Green Bay, WI 54301; phone: 920-448-3332; fax: 920-448-3333; e-mail: Bill Bongle: beatcop@msn.com, Steve Scully: sscully@execpc.com.

NOTES

1. One individual, who had been placed at the mental health center more than 80 times for intoxication, is estimated to have cost the city some \$96,000, as follows: The Brown County Health Center estimates the cost of an admission for detoxification at \$400 per day, with an average stay of 2 days; St. Vincent's Hospital estimates hospital emergency room costs to average \$300 to \$400 for this type of visit; and the police department's business manager estimates the cost of each call to average between \$50 and \$100, depending on the number of personnel hours required.



PROJECT ORGANIZATION

We are proposing that this project will be a grant to a named recipient through the Department of Commerce, Community and Economic Development who would handle administrative aspects of the grant. The project performance standards and accountability would be overseen by the Department of Corrections. Akeela will provide overall project management, accounting and reporting on financial aspects to the Department of Commerce. The project would either be included in the State's Capital budget or included as a fiscal note to Senate Bill 64, the Omnibus Crime bill currently being considered by the Alaska Legislature.

FUNDING SOURCE

We are proposing that the funding for this initiative would come from the State's alcohol taxes, which amount to approximately \$40 million per year. About half this amount is currently spent on alcohol treatment programs. When the alcohol tax was almost doubled in 2003, it was stated that this money should go toward alcohol treatment. Other Alaskan organizations agree with this approach:

Municipality of Anchorage 2014 State Legislative Program:

Alcohol Beverage Tax: There is an unmet need for additional substance abuse treatment. Currently, 50% of the taxes collected under the Alcoholic Beverage Tax (AS 43.60.050) is allocated to treatment and prevention. The Municipality of Anchorage recommends 100% of the tax be devoted to funding additional treatment services.

Cabaret, Hotel, Restaurant and Retailer's Association 2014 Legislative Priorities

CHARR recommends use of alcohol tax funds "to make alcohol detox and rehab treatment available to those who need it." They call for "detailed plans" that are "accountable" and "show quantifiable results." Their specific action request is to **"Ask the DHSS to develop rational plans to help Alaskans with detox and treatment and consider providing funding to other groups to address the state's problems."**

BUDGET

The total budget for this initiative is \$5,043,697. This includes outreach and court diversion, increased detox services, residential and outpatient rehabilitation, reentry job training and placement, case management and administration/accounting and reporting.

Creating a healthy business climate in a healthy community

www.fairviewrising.com | Box 201262, Anchorage, AK 99520-1262 | Tel. 907-351-0407 or 907-947-9438



ANCHORAGE PUBLIC INEBRIATES

A Coordinated and Accountable solution

The Fairview Business Association, in association with other community organizations and alcohol treatment providers has organized a coordinated and accountable approach to Anchorage's longstanding public inebriate problem. Although Fairview is most strongly impacted, this is an issue that affects all of Anchorage, both in terms of community and business impacts and the health and safety of the inebriates themselves. It is an unacceptable situation on all levels.

PROPOSAL ELEMENTS

Restrictions on liquor sales, both in terms of types of products sold and restrictions on the ability of chronic inebriate's ability to purchase alcohol are an important tool to move people into treatment. Chronic inebriates are also frequently arrested or taken into protective custody and this creates an opportunity to offer people the choice of either going to prison or into treatment. This will also offer the benefit of reducing the substantial recidivism of this group.

The other critical element is coordinated and case managed treatment of this group. The flow of treatment includes: outreach and diversion into treatment, detoxification, residential and outpatient rehabilitation, re-entry job training and placement, and transitional housing. Case management means that one agency will follow each person through the treatment program to ensure compliance. This type of focused program has never been implemented before.

The key partners in providing this treatment continuum are the premier providers of these services in Anchorage: The Alaska Native Justice Center, Akeela, Partners for Progress and Rural Cap. Project contact: Paul Fuhs, Fairview Business Association, 351-0407, Paulfuhs@earthlink.net

PERFORMANCE STANDARDS AND ACCOUNTABILITY

The performance standards that will be reported from this initiative are as follows:

- ◆ Reduced incidence of recidivism and prison days
- ◆ Reduced Title 47 involuntary commitments
- ◆ Former public inebriates living sober in stable housing

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