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# TURNAGAIN COMMUNITY COUNCIL

Council Meeting | February 4, 2016 | 6:30 – 9:00 p.m.

Turnagain Elementary School Library, 3500 West Northern Lights Blvd.

Chaired by Jonathan Tarrant, TCC President

## SPECIAL PRESENTATION: ALASKA'S BUDGET GAME | GUNNAR KNAPP, BOB LOEFFLER, UAA

- The presentation was an interactive game for people to practice balancing the budget.
- For more information, visit the Alaska Common Ground website for a video of this presentation, and a link to the presentation slides by Prof. Gunnar Knapp:  
<http://akcommonground.org/programs/alaskas-fiscal-future/>

## WELCOME & APPROVE AGENDA, MINUTES

- The regular meeting was called to order at 7:25 p.m., following the special presentation and re-setting the room. About 28 people (members and guests) attended.
- The agenda was reviewed; Jonathan Tarrant made two amendments:
  - To move the Legislative Report first, since the legislators are already available on the phone
  - To add an item under Board Report regarding Sydney's Shortcut
- The December and January meeting minutes were not available at the meeting, and therefore not reviewed; they will be reviewed and approved at the February meeting.
- Announcements:
  - Cathy passed around a sign-up sheet for a multi-council working group addressing the informal trail at Fish Creek. This is not a TCC committee but a group of interested residents who are interested in potentially advocating for a more formal trail along that route.
  - Cathy also mentioned that the Airport Communications Plan is up for review. Please see the TCC website for a link to the plan, or <http://www.anchorageairport.com/>.

## LEGISLATIVE REPORT | REP. MATT CLAMAN AND SEN. MIA COSTELLO

- Session began on January 19.
- **Rep. Matt Claman**
  - Rep. Claman shared that the big issue this session is the budget, and there is a great deal of activity. Legislators are working hard and discussing on the budget, and he is hopeful that the legislature can come to agreement within the 90 days.
  - The House passed a National Guard Code of Military Justice law, a great accomplishment. The bill will go to the Senate next, and addresses some of the issues raised during the recent scandal and hopefully improve conduct and outcomes in future situations.
  - Community event: He and Sen. Costello will have a community meeting on Saturday, Feb 20, 3 to 5 pm in the new West High vocational tech building. It will focus on criminal justice reforms and feature Greg Razo from the Alaska Criminal Justice Commission. Many people came to the constituent meeting in early January with Comm Hoffbeck (Revenue).
- **Sen. Mia Costello**
  - The Senate State Affairs committee is taking comment currently on the Governor's bill and proposal to restructure the Permanent Fund.
  - The budget was cut \$800 million last year, and the legislature is considering other items.
  - There are also tourism tax, alcohol tax, tobacco tax and other proposals. Senate Labor and Commerce Committee will consider these bills and look at them from a policy perspective, and then pass them to Finance in order to review them financially.
- **Questions and Comments**
  - *Cathy Gleason asked Rep. Claman's opinion on where the legislature appears to be currently?* Matt shared that he believes that many people (legislators) are coming to

understand the need for using the Permanent Fund, as it may be the only feasible way to accomplish this goal. Recently he met with a constituent and discussed how an income tax alone will not solve these problems. Closing the budget gap, he believes, needs to involve use of the Permanent Fund. Three legislative proposals (from Sen. McGuire, Rep. Hawker, Gov. Walker) have different options to consider. He also shared that constituents should be active in committee hearings and tracking legislation about the different proposed taxes, as it will help legislators understand different perspective on the impacts with these taxes. *Cathy asked if he currently prefers one of the options laid out, or a fourth?* He shared that to date, he believes McGuire's and the Governor's proposals are most promising, because Rep Hawker's proposal does not take effect until next year. If this latter proposal changes to take effect immediately, he would look at it again.

- *Dan Gleason asked whether he has been tracking changes to oil tax credits, and the proposal to change AIDEA? Dan is in favor of this proposal.* Claman has not been following this closely. He shared that he has heard positive things about this proposal, but he is concerned about cutting tax credits and its incentives for smaller and new producers.
- *Cathy Gleason asked Sen. Costello as well, which of the current budget proposals she likes the most?* She is considering all of them, and looking at treating permanent fund as an endowment. HB 24 (Rep. Hawker) proposes paying a \$1000 dividend each this year and next year, and after that tying the dividend to earnings. There is also an income tax provision. The Governor's bill moves all existing funds into the Permanent Fund and funding all services out of this fund. Most large endowments are managed through a percent of market value. She also feels that inflation proofing the fund as we do now, twice over, is perhaps too much and could be accomplished by not putting another \$900 million in the fund.

## EXECUTIVE BOARD REPORT

- Check Turnagain CC's presence on Facebook and NextDoor! Join the Facebook group "Turnagain Community Forum."
- Please contact TCC at [tccpresident@yahoo.com](mailto:tccpresident@yahoo.com)
- **President's Report | Jonathan Tarrant**
  - Jonathan and his wife will shortly be having a new baby, so he will be temporarily less responsive! In his absence, Cathy will serve as acting president and the rest of the board will split up duties. Jonathan will return to regular duties by the end of the month.
- **Vice President's Report | Cathy Gleason**
  - The Assembly receives notifications of liquor license applications and renewals. The Council doesn't have many, but can comment on to the Assembly as part of a potential protest to the ABC Board. An individual can also object to a license application or renewal, separate from protest. Instructions and list of licenses on ABC (now AMCO) website.
  - Cathy also reported on a short plat application, to combine 4 lots into one, with no new construction proposed on the lot. The plat is near Brookside Drive and Iowa and has existing buildings on the property. Mark (?) moved, Pat second. Move to say "no objection" letter.
  - **Motion by Mark Worcester, second by Pat Redmond to direct the Board to prepare a "no objection" letter for the proposed short plat.**
  - **Vote on motion: all yes, 0 no. Motion passes.**
- **Secretary's Report | Anna Brawley**
  - No updates.
- **Treasurer's Report | Gloria Manni**
  - No updates.
- **Member at Large's Report | Kennis Brady**
  - No updates.

## COMMITTEE REPORTS

- **Sydney's Shortcut:** Billy Wailand provided an update on the ongoing discussions of Sydney's Shortcut, the right of way between Marston Drive and the Coastal Trail. A new property owner is building a house and as of this summer blocked off access to the trail. Billy and others attempted to contact the owner, and he and Mark Worcester met with the owner. They have since met with the owner. Mark Tabbitt, the owner, has asked his architect to look at options for installing a right of way close to the original lines and which would minimize impacts to the property. The owner would like to focus discussion with other rightholders in the neighborhood, since the original right of way was written "for the benefit of the Turnagain Heights Subdivision." The owner's lawyer has read the right of way to mean that the trail users need to take on responsibility of the trail and its maintenance costs. The next step will be determining what costs there may be. As of now, specifically owners in that subdivision are the residents of interest. TCC will continue to monitor the situation but will not take an active role at this time, per the owner's interest in working with neighbors. Anyone who lives in that portion of the neighborhood and interested in being involved should contact [bwailand@gmail.com](mailto:bwailand@gmail.com), or contact TCC ([tccpresident@yahoo.com](mailto:tccpresident@yahoo.com)) and Jonathan will pass along information.
  - **Federation of Community Councils:** Kennis Brady reported on items from the meeting:
    - Cell Tower Ordinance (*see item below*).
    - Marijuana Ordinances: Fairview CC has taken the most proactive stance to date. Fairview has been meeting with the Marijuana Business Association and developing the concept of a Neighborhood Responsibility Plan.
  - **Marijuana (Ordinances):** The committee met on January 16 and 28, and developed a comment letter on the land use ordinance. *See the agenda item below; copies of the letters are on the TCC website.*
  - **Anchorage Land Use Plan Map:** No updates from the committee: the Muni has not yet posted the draft map, and at this point are anticipating late January. The map is not yet ready, per an update from Planning Director Hal Hart, and the Muni has limited GIS staff capacity. At this point, the Municipality is anticipating that the maps will be released February 29.
  - **Turnagain St./Turnagain Blvd. Upgrades:** The project team held a project open house last month, and is working on completing design work with the remaining funding available. The construction for this street was removed from the bonds on the April 2016, and the project will likely be phased with Boulevard first and Street second. Cathy Gleason shared that the committee met and produced comments for the Council's review (*see draft comment letter for specific proposals*).
- Additions or Edits to Comments:**
- Anna requested that the recommended tree species either be non-specific, or do not include species (like chokecherry) that can kill moose. Cathy will add this comment regarding not adding species that are poisonous to moose.
  - **Motion by Cathy Gleason, second by Gloria to approve committee comments as written and with the amended comment.**
  - **Vote on motion: all yes, 0 no. Motion passes.**
- **Anchorage Trails and Wayfinding Signage:** Gloria Manni shared an update on the project: the Anchorage Park Foundation and the Municipality of Anchorage are designing icons. Gloria and Cathy, the committee, provided comment and found confusing, they are continuing to work on this.
  - **Cell Tower Ordinance:** The council submitted a resolution in support of the group who presented last month, it was not included in the Planning and Zoning Commission packet but was provided to the commission and is on record. Cathy Gleason also shared that she provided oral testimony from this resolution, but P&ZC did not take additional testimony and closed the public hearing. The Commission developed a list of questions for the Planning Department with several questions, and will not take it up again until March 14. The Assembly will still hold a public hearing on their regular agenda, but will be also on hold until passing through P&ZC.
  - **Airport Part 150 Noise Study:** There will be a meeting on Wednesday, February 10, 1:30 pm with the Airport to present on the final plan; the FAA has approved the plan and produced a record of decision regarding the impacts of the plan. The consultant will talk about the plan at this meeting.

Cathy Gleason also shared that Breck Tostevin, formerly the chair, has moved out of the council, Merle was his alternate and she believes he will attend the meeting, as will she. This committee's task has been completed and is dissolved.

- **Fish Creek Trail:** Contact Cathy Gleason, [cathy.gleasantcc@yahoo.com](mailto:cathy.gleasantcc@yahoo.com), if you are interested in the committee. This project is ongoing, Cathy passed around a sign-up sheet and there will be future opportunity to review plans and provide comments; this committee will be back to the council with proposed comments.
- **Airport Stakeholders:** This group is a multi-sector group with the Airport, representing businesses, community councils, and other sectors. The stakeholders' meeting is a chance to provide updates from the Airport, and for community members to provide comments to the Airport. Cathy Gleason is the TCC representative on this group and attended the meeting, and provided some updates. See also the Airport Report below. Items include: a proposal to raise rent fees from leaseholders, a cooperative agreement with the Muni (AeroNexus), and a revised proposal for the snow dump lease for the Municipality to store snow. The two entities are working out an agreement on a long-term lease payment because they are required to do infrastructure upgrades to ensure compliance with the EPA.

### AIRPORT REPORT | JOHN JOHANSEN

- See airport updates on the handout provided at the meeting or online at: [www.anchorageairport.com](http://www.anchorageairport.com)
- **Proposed Land Lease Fee Increase:** The Airport has not raised these fees in many years, and is considering doubling the rate from 9 cents to 18 cents per square foot annually for aircraft-involved uses (airlines and others). At Lake Hood, the proposed rate increase would be from 9 cents to 12 cents. Existing leases under an auxiliary land rent are now considered non-aeronautical, and would increase from 17 cents to 31 cents, with a 10% increase annually until reaching fair market value.
- **Anchorage Snow Dump Land Lease:** The Municipality continues to lease (with no charge) on a month to month basis. The FAA also requires that non-aeronautical uses must pay rent; the Muni and the Airport are working to resolve Fair Market Value.
- **Air Service:** The seasonal carriers are anticipated to be back this summer, and Alaska Airlines has proposed direct service to Spokane over the summer.
- **Airport Communications Plan:** The communications plan has been posted to the Airport and TCC websites. This is an update from the 2014 plan, with several proposed changes (many administrative) and encourages individuals and the council to make comments.
- **Questions and Comments**
  - None

### ASSEMBLY REPORT | IRA PERMAN, ASSISTANT TO ERNIE HALL

- Assembly members were not present because of a special meeting held the same evening to address marijuana ordinance drafts AO 2016-3(S) and AO 2016-16. This special meeting will be held through 11 pm tonight, solely for public hearing; no action will be taken tonight. Public hearing may continue on Tuesday, February 9, with further amendments, and the Assembly is expected to take action then.
  - Contents of the ordinances include: a 1000 ft (versus 500 ft) distance separation from protected uses such as schools, daycares, and other uses specified in federal law; dual local and state licensing; allowing consumption of marijuana on the premises, either at a retail licensed establishment (where sales are allowed) or a private club (sales are not allowed).
  - The state regulations have been approved by the Lieutenant Governor and have taken effect, and the Marijuana Control Board will receive licenses starting February 24; the Muni is working to pass the ordinances in time for this.
- The Anchorage Transportation Fair took place this evening and had a variety of state and municipal projects, including projects happening this summer and others more speculative pending future funding. There is a funding mix of state, local and federal dollars for these projects. Reconstruction of the northern portion of Spenard Road, including bike and pedestrian improvements, is a significant portion of the bill.

- **Questions and Comments**

- *Cathy Gleason asked about improvements for Town Square Park, and whether it involves removal of trees? Ira was not sure but will find out.*
- *Karl Schroeder asked whether there is federal funding for Spenard Road? Ira shared that no, there is no Federal funding, because it would have required additional studies per federal rules, and would have significantly increased the total project cost.*

## MAYOR'S REPORT | SHARON LANE

- Mayor Berkowitz and team held Project Homeless Connect and the annual Point in Time count of homeless individuals, including 22 areas with former camps and 51 people currently living in camps. The Mayor's Housing and Homelessness Team is seeking out funding sources for increasing housing and resources in the city, as well as a fundraiser "Walk for Warmth" in February.
- There are currently three police academies, the first starting in November 2015.
- The CIP (Capital Improvement Projects List) will open on March 1 through May 31.
- The filing deadline for candidates for Assembly and School Board is Friday, February 12.
- The Youth Commission has restarted, an opportunity for youth to volunteer.
- Leadership Anchorage, with a cohort of 22 participants, will be working with a variety of projects in the city, including a farmers' market **in Mountain View, prisoner reentry** initiative, and housing.
- The mayor will hold open office hours each month, second Thursday of the month 4 to 5pm, in City Hall downtown. Anyone is welcome to attend and chat.
- **Questions and Comments**
  - *None*

## MARIJUANA ORDINANCES: TCC COMMENTS ON AO 2016-3(S) AND AO 2016-16

- The committee will meet on 9 a.m. on Saturday, February 6 to complete review and comment on these ordinances. Both the "land use" (AO 2016-3(S)) and "licensing" (AO 2016-16) ordinances are before the Assembly this evening, as well as their next regular meeting on Tuesday, February 9.
- Cathy Gleason gave an overview of the land use ordinance and important provisions, including: notice to community councils, the process for a business and council to work together to mitigate potential negative impacts, buffers (minimum distance) from a business to certain protected land uses, mitigation of odors, and in what zones businesses can locate.
- Anna gave an update on the licensing ordinance, with items relevant to councils: the notification process for proposed and renewing licenses, community input about a license, restrictions on what licensees can do, such as allowing consumption of the product onsite, and restriction on public consumption.
- The committee submitted a letter of comments on AO 2016-3(S) on January 26, which they have brought for approval in this meeting. The committee has not yet submitted a letter about AO 2016-16, and brought some general discussion items for the group to give their thoughts and some guidance for the council's comments which the committee will finalize over the weekend, in time for the February 9<sup>th</sup> meeting.
- The group did not vote or take a formal position on the matter, but individual members weighed in with their opinions and concerns.
- *Discussion questions and members' thoughts about public consumption, and whether it should be in a private club and/or licensed business:*
  - Pat Redmond commented that perhaps allowing consumption at commercial establishments would be better than having it only at home. She would not like to smell it at her neighbors' houses and sees value in having a club or business where people can use marijuana.
  - Gloria Manni commented that it is a new industry, and all the potential impacts are not known at this time. If it is not clear how intoxicated someone might be, unlike alcohol, she is

concerned about whether someone consumes too much and gets in a crash. She opposes allowing consumption outside of the home at this time.

- Sharon Lane shared she was able to tour Pot Luck Events, a local marijuana club. She shared that after using marijuana in their club, members of Pot Luck Events can use a shuttle provided by the club, if they use the product and are not able to drive home.
- Cathy Gleason is very concerned about opening up a significant exemption in the city's smokefree indoor law, and that it might create other problems regarding smoking indoors at bars and other adult uses. She has strong concerns about odor.
- Radene Schroeder commented that she supports the idea of not weakening the smoking law. However, she believes a social club should have more ability if it is a private establishment to allow these activities.
- Mark Worcester commented that he does not support social clubs, he believes it is against the intent of the original ballot measure and finds it disingenuous that industry advocates are now promoting this idea when it was not in the measure.

- **Motion by Pat, second by Gloria to approve the TCC Marijuana Committee's letter submitted to the Assembly January 26, 2016 about AO 2016-3(S).**

**Discussion**

- Cathy gave an overview of the comment letter of AO 2016-3(S) released on January 12. There have been amendments introduced that the committee hasn't reviewed and which are under discussion now, so TCC may choose to submit additional comments if there is time.
- Anna gave an overview of the contents of the letter, which is posted on the TCC website.

**Vote on motion: 13 yes, 0 no. Motion passes.**

**PROPOSED BYLAWS AMENDMENT: STANDING LAND USE, LICENSE, PERMIT REVIEW COMMITTEE**

- Board members shared a proposal to create a standing committee to review land use, alcohol and marijuana license or permit applications, to allow TCC a mechanism for responding to these applications in a timely manner. Many other councils are creating similar committees, or committees dedicated specifically to marijuana applications.
- No action needed this month; the board is providing notice of a proposed bylaws change and will share draft language for the Council's consideration next month.
- **Questions and Comments**
  - *None.*

**STATUS OF CRIMINAL PROSECUTIONS IN ANCHORAGE | JACK MCKENNA, DEPARTMENT OF LAW**

- Jack shared that his office is visiting all community councils to provide information and answer questions about the criminal justice system.
- He is considered an assistant attorney general; Alaska does not have county or district attorneys.
- Anchorage is a home rule municipality, and can prosecute violations of its ordinances. Anchorage has municipal prosecutors, and works with some other communities.
- His office works closely with Anchorage Police Department.
- **Questions and Comments**
  - *Anna asked about the percentage of cases that are alcohol related? Jack did not have a specific number, but estimated it is likely 80%.*
  - *Mark Worcester commented that he is concerned about the cost of incarceration and the amount of time people are involved in the justice system. He is also concerned about minor crimes, such as burglary and vandalism, because as of now these issues are not being followed up.* Jack shared that a lot of structural issues in the system are proposed for change by the Criminal Justice Commission in SB91, but he only has a personal opinion on what is appropriate. The Attorney General has signed off on the CJC recommendations and was participating in the discussions. He is also aware of changes such as smaller but more frequent penalties on probation violations, modeled on Hawaii. However, a lot of the reductions in

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APD has impacted the amount of follow-up on minor crimes at this time, and patrol officers are stretched thin with the variety of calls they receive while on patrol.

- *Dan Gleason asked about the conviction rate, versus the number of people who come to trial? Are there steps being taken to improve the conviction rate?* Jack shared that the number of convictions has increased, and there was talk of adding an additional judge to handle the caseload. The conviction rate itself may not be as helpful because it depends on how many cases are brought to trial versus decided in another manner.
- *Jonathan Tarrant asked about the potential impacts of budget cuts on the ability of his department to do their job?* Jack has seen a reduction in staff by not filling vacancies, and it does have an impact on their ability to handle and respond to cases.
- *Karl Schroeder shared his interest in reducing recidivism, and “ban the box” legislation where an employer cannot ask a prospective employee whether they have been convicted of a crime in the past, as it can be discriminatory.* Jack could not provide specific comments on ban the box initiatives, but is familiar with the concept.

## MINNESOTA DRIVE RECONNAISSANCE STUDY

- This study is considering alternatives for improving road safety, including pedestrians, at key points along Minnesota Drive. There are several items in the Turnagain and Spenard area, all the way south to O’Malley. However, there are no specific construction projects at this time: the designs proposed are potential alternatives for whenever a project is proposed in the future.
- The Board determined that it did not seem important for comment at this time, so Jonathan shared that comments on the study are due Thursday, February 11.

## WEST ANCHORAGE CANDIDATES FORUM

- The Board has begun working to schedule, with cooperation with other councils, a West Anchorage Candidates Forum. The date is the evening of Wednesday, March 23, at Spenard Rec Center. Turnagain is working with Spenard, North Star, Sand Lake and Taku Campbell community councils.
- Candidates include Assembly, School Board, and having individuals speak to the ballot issues if possible.
- Cathy passed along a sign-up sheet for those interested in helping.

## ANNOUNCEMENTS & PUBLIC COMMENTS

*See Attachments flyer available as a handout in the meeting and on the TCC website.*

- Chugach Electric is seeking board members. The deadline for filing is 5 p.m. Friday, February 5.

## CLOSING

- The meeting was adjourned at 9:25 p.m.
- The next meeting will be Thursday, March 3, 2016 at Turnagain Elementary.

*Minutes prepared and submitted by Secretary/Treasurer Anna Brawley on 2/22/16*

*Minutes approved by Turnagain Community Council at the regular meeting on 3/3/16*