

## Spenard Community Council Meeting

January 13, 2016

Meeting called to order 7:00 by Vice Chair Jason Bergerson (in Phil's absence)

Asked for a motion to adopt minutes from last meeting in December with addition of two members who volunteered to be on the Marijuana review committee for the Spenard Community Council  
Bob Auth so moved, Peggy Auth seconded, approved from last month.

Asked two visitors to introduce themselves, Pete Eberhardt and Josh Fink, here to discuss upcoming edible marijuana products business they are considering starting in the area. They will be seeking approval from the SCC for such an establishment under the legalization of marijuana use, production and retail sales in the state. Jason thanked them for coming and appreciate them attending this meeting to demonstrate their interest in being a positive supportive part of this community where business owners and home owners want to make the neighborhood acceptable for both groups. Mentioned the Marijuana committee that will be reviewing proposals for various businesses that they might want to be involved with, as well as general membership in the SCC to be visible to residents who attend these monthly meetings. Another visitor, Leah Leviton, asked for the opportunity express her interest in a potential business establishment to provide marijuana products and possibly production facility. She and two family members plan to submit a proposal during the time frame that has been set for the SCC to review applications. She sees this as a growth industry that can benefit not only the Spenard area, of which she is a resident, but also the state. She is happy to answer questions anyone may have. Jason thanked her for attending and encourage her to stay involved to keep the communications open between businesses and the council.

SCC received information Proposals # 2014 regarding changes to assisted living and rehabilitative care facility regulations and #2015 regarding cell towers, available for anyone to peruse if interested.

Second item is a draft for Trail proposal, 25% portion of a plan for rehabilitation of a portion of trails in the area.

Also a list of approved streets to have traffic calming features, Lois, Cambridge, Chugach, Harding, Woodland Park Drive etc. If someone is interested in requesting a street to be designated there is a process to go through and documents are available upon request from the municipality.

Legislative Reports: Jason asked if any legislators were present with no response he said "maybe they are all driving down to Juneau for the session to begin next week.

Anchorage Assembly Report: Ernie Hall presented information from recent Anchorage Assembly meetings, at last night's meeting 3 major topics discussed 1) sales tax on marijuana-passed with interesting commentary starting with 5% rate with option to increase 2% incrementally every two years with a maximum 12% . Could generate up to 1.3 million in tax revenue in first year of sales though not a known entity at this point. Do not want the tax level to create a burden to consumers to the point of making the "black market" a viable choice rather than pay overly high taxes. Lots of debate including a possible initial 'tax free' year for new businesses, reminder is that this is now a state licensure statute so all current conditions must be met in the process of setting up marijuana establishments  
2) bond issue for \$36.6 million for Spenard Road, Ernie worked on this bond package for 3 years seeking 'consensus' on these issues, does not mean 100% agreement by all stakeholders. Drainage, parks and rec, fire departments etc will be on ballot in April. Discussion regarding switching use of bond monies in case of under expenditure on some projects and over runs on others, Jason asked if there was legal advice commenting on this aspect of funding school bond projects. The Assembly is not involved with school bonds it is between the State and school district. Jason asked if there is another work group to be held before budget is finalized in March, Ernie said no.  
3) tax cap issue to be put on the ballot for next election, there could be new additional costs to monitoring and enforcement of marijuana laws that may cost more than the budget is planning for and this could require a higher property tax rate to cover such costs. Concept of "Above the tax cap" may be needed at the beginning of a new legislative situation to cover initial costs that have not yet been able to be obtained from tax source. Confusion between a "tax cap" and a "budget cap" is common. Gave examples on a budgeted line item that does not get used such as snow removal services during a low snow fall year, creates excess funds and a decision needs to be made on how to reallocate such funds rather than 'returning' the money to tax payers. Lots of continual commentary.

Ordinance on marijuana tax structure he believes will pass, Land use permits may have some points of concern to work out.

Starting Feb 24th marijuana business applications to be presented to Muni, that has 60 days to review and make comments, final approval from State level.

Asked for questions, Peggy Auth thanked him for work on Spenard Road project. Then she asked if marijuana licenses can be sold to another entity the way liquor licenses have been in the past, answer no, there will be a double licensure procedure to eliminate this problem. Questions asked about using Federal banks which does not allow funds to be deposited raised from taxes on state level legal marijuana products. Continued discussion from questions posed by SCC members and attendees that Ernie responded to in detail. Community Councils are only advisory in capacity as the State is the regulatory agency, with this start up industry it is very important to have everything in order prior to marijuana businesses opening. SCC secretary asked about where tourist who stay in hotels during their visit to Alaska will be able to consume marijuana. Possibilities of locations to smoke marijuana only are being considered but all current State laws must be followed regarding no smoking in public buildings including hotels. A few more comments to clarify concerns were given by Ernie before Jason thanked him for an extensive and helpful report!

Anchorage Airport liaison John Johansson, reported on Noise Exposure report that has been completed by FAA and will be available at a meeting February 10th. Lake Hood/Spenard Lake float plane traffic Master Plan status update. A survey was put out to collect information on what ideas/recommendations users, especially have for future development. There has been some problem with people walking out on the lake which is an active runway so a reminder to spread the word that is not safe area to recreate in. Master Plan to communicate with 3 of the nearby Community Councils is to be revisited every two years, even numbered, so please share any ideas/suggestions by responding to this section of the website Anchorageairport.com. New issue to be addressed is Drones must be registered with the FAA, no cost just a registry to keep data on numbers of drones that could potentially impact other larger commercial or private aircraft.

Jason asked if anyone was present from School Board or Mayor's office, no response.

Barbra Street and Fish Creek park update by Taylor from Anchorage Parks and Recreation, Kiwanis Fish Creek playground in Turnagain Community Council district but adjoins to SCC border so is seeking a resolution to approve project from both groups. "A river is a uniter not a

divider". Turnagain Street upgrade and Trail rehabilitation project are in progress since 2011. handouts on table, Funds of \$248,000.00 from a variety of private funders, mentioned list. Highlighted some issues to improve accessibility, re-surfacing, a zip-line, new vegetation and other playground equipment is planned. Hosting a "fix it" work day to remove invasive trees and replace with native plants. A 2015 challenge grant was given to a Boy Scout troop to work on a variety of project facilitation. Offered to answer questions and requested to move to a resolution being made. Draft resolutions are available to look over. Motion made to support the resolution by a member from Turnagain CC, seconded by SCC member. Counted current members who are eligible to vote on this issue. Motion passed. Taylor thanked the Council and said to contact her if have any suggestions for colors to be selected etc.

Nominations open for SCC officers to be voted on at February meeting. Positions to be filled are President, Vice-President, Secretary, Treasurer, two Auditors . Term limitation on President only other positions are ok to continue as long as re-voted in.

Jay Strange nominated Jed Smith for President. He accepted nomination.

Bob Auth nominated Jason Bergerson for Vice-President, he accepted, again:)

Irène nominated Jay Stenge, discussion and accepted.

Jason nominated Irène Persson-Gamble to continue as Secretary

1st Auditor Peggy Auth and 2nd Bill Marsh

No action needed.

Alaska Rail Road resolution: employee of ARR Tim Sullivan presented issue about reenactment of railroad policy of residential use along the railroads right of way. Lots of background on this to issue taken up by at least 6 Community Councils to have more access to the right of ways, the railroad contends that safety is the number one reason the railroad policy needs to be continued. All sorts of data to support the railroads position. Jason "Now let's hear the other side of the issue". Jack Brown from Ocean view Community Council explained his personal attitude about having no ill feelings about the trains and railroad. Yet he has a resolution that he would like to be approved regarding an issue of contention that a group of citizens oppose what they think is the rail road's 'embolden' attitude that they own the right of way and can fence areas to keep the public from accessing what they feel is public land. He gave a detailed history of Federal Railroad legislation and policy since 1875 on into the 20th century up to present time. Specifics about Alaska Railroad ownership, transfers and perpetuation of surface right of ways granted to "homesteaders" were shared in detail. This discussion continued for over 45 minutes with several members of the audience giving personal anecdotes of why they agree with the resolution presented. Mark Butler gave his opinion regarding a gate that has been erected along Fish Creek and suggested representatives of the railroad visit this site. Tim responded that a process of discourse must be followed according to Muni regulations in order to address concerns that are aspects of both safety and economics. A resolution was made by Jay Stenge and discussion became intense among many in the audience who had strong opinions on the topic. Calling for the question was not conducive to a vote so Jason suggested an amendment to the resolution or a withdrawal which Jay agreed to, this was seconded. It was concluded that a work committee of interested parties continue this discussion in committee and then put results on the agenda for discussion at the February 4th meeting. Megan Holden, Mike Mitchell, Dave Shell and Kathleen McCloskey were interested in being involved in this committee or gave suggestions on routes to continue collecting data from various sources relevant to the issue.

Next meeting is February 4th 2016.

Meeting was adjourned at 9:00