

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of May 18, 1999

1. CALL TO ORDER:

The meeting was convened at 5:00 p.m. by Assembly Chairman George Wuerch in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Dan Kendall, Dan Sullivan, Cheryl Clementson, Allan Tesche, Melinda Taylor, George Wuerch, Kevin Meyer, Anna Fairclough, Dick Tremaine, Fay Von Gemmingen.
Absent: Pat Abney (excused.)

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Von Gemmingen.

4. MINUTES OF PREVIOUS MEETING: None.

5. MAYOR'S REPORT:

6. ADDENDUM TO AGENDA:

Ms. Von Gemmingen moved, to amend the agenda to include the addendum items.
seconded by Ms. Taylor,

Chairman Wuerch read the addendum items.

Question was called on the motion to amend the agenda and it passed without objection.

7. CONSENT AGENDA:

Ms. Von Gemmingen moved, to approve all items on the consent agenda as amended.
seconded by Mr. Tesche,

A. BID AWARDS:

1. Assembly Memorandum No. AM 466-99, recommendation of award to various vendors for providing **miscellaneous road maintenance material** to the Municipality of Anchorage, Public Works Department (ITB 99-B032), Purchasing. **(addendum)**

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-127, a resolution of the Anchorage Municipal Assembly **supporting Senate Bill 135, "An Act Relating to Metropolitan Planning Organizations"**, Assembly Chair Wuerch. **(addendum)**

Ms. Von Gemmingen requested this item be considered on the Regular Agenda. See item 8.D.

2. Resolution No. AR 99-128, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 135, "An Act Relating to Metropolitan Planning Organizations"**, Assemblymember Von Gemmingen. **(addendum)**

Ms. Von Gemmingen requested this item be considered on the Regular Agenda. See item 8.D.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 467-99, sole source purchase from Fieldturf International, Inc. for the **purchase and installation of artificial turf at the Anchorage Football Stadium** for the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing. **(addendum)**

E. INFORMATION AND REPORTS: None.

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen.

NAYS: None.

8. REGULAR AGENDA:

A. TIME CRITICAL ITEMS: None.

B. BID AWARDS: None.

C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 99-127, a resolution of the Anchorage Municipal Assembly **supporting Senate Bill 135, "An Act Relating to Metropolitan Planning Organizations"**, Assembly Chair Wuerch. **(addendum)**

Ms. Von Gemmingen moved, to approve AR 99-127.
seconded by Mr. Kendall,

Ms. Von Gemmingen opposed the resolution. She noted the Assembly discussed this issue at length last year, and informed a State Legislative committee that the Assembly opposed the bill.

In response to Ms. Von Gemmingen, Municipal Attorney Mary Hughes recalled there was an “on-line” discussion with the committee. She could not recall whether the Assembly’s opposition was unanimous. She did some legal analysis at the time, and recalled she deferred to the Attorney General with respect to the legislation. From a legal perspective of the Municipality, she felt the bill overstepped the boundaries that were called for under the regulations and guidelines, and this should be a local matter under control of the Municipality.

Vice Chair Taylor assumed the Chair.

Mr. Wuerch said he proposed this resolution because there was a difference of opinion among Assembly members. Some of the flaws of a previous change to the AMATS (Anchorage Metropolitan Area Transportation Study) seemed to be corrected by the bill. The remaining question was how representative of the residents of Anchorage should AMATS be? He pointed out the current AMATS organization appears to place more authority under the control of appointed members rather than elected officials. The changes in SB 135 would give more responsibility to elected officials. Another issue was whether Anchorage Legislators should be considered Anchorage “locals” or residents of Juneau. He felt Anchorage Legislators are our local neighbors and they represent their local neighborhoods on other issues in Juneau; there should be no reason to think they would not represent the needs of Anchorage on AMATS issues. Mr. Wuerch also pointed out SB 135 would make AMATS resemble more the organizational structure with other metropolitan area transportation systems throughout the country. Anchorage is unique in that it has such a small committee, and in that it does not include State Legislators on the committee. He felt including Legislators on the AMATS committee would provide other avenues of information about Federal and State funding that currently are not available, unless appointed committee members share that information.

Ms. Clementson pointed out AMATS has a five-member policy committee, composed of three elected officials, two members appointed by the Governor. The Mayor and two Assembly members are the elected officials. The Governor’s appointees are the Director of the State Department of Transportation and Public Facilities (ADOT-PF) and the Director of the State Department of Environmental Conservation (ADEC.) There is also a technical advisory committee made up of staff members and Department heads who also review issues that go before the Assembly. There is a very extensive public process associated with AMATS; when projects are prioritized in the Transportation Improvement Program (TIP), there is a great deal of public review prior to Assembly action. The Assembly votes on which recommendations to send to the Policy Committee. She felt there were very few situations where adding government officials to the process improves efficiency. She did not feel that would be the case in this instance. There have been no complaints that there is a lack of elected officials on the AMATS committee, except from one or two State Legislators. She pointed out public testimony last year on this issue was in opposition to the change. Also, the majority of Assembly members were opposed. She felt expanding the committee to include Legislators and cede some control over local issues was a mistake.

Mayor Mystrom addressed concerns about slowness of road construction in Anchorage. He pointed out there is a Federal requirement that economic impact studies be done for roads built in cities with a population greater than 250,000. That requirement is extraordinarily burdensome, and has contributed to delays in road construction. Happily, that requirement is proposed to be canceled. Delays are also a result of the technical process, which by nature is very lengthy. The technical committee must review all issues prior to the policy committee. He pointed out that Senator Ted Stevens is now the chair of the U.S. Senate Appropriations Committee, and the amount of roads that are built in Alaska should increase as a result. Mayor Mystrom felt although the AMATS process is complicated and esoteric, it works well. He did not think it would benefit from the addition of two State Legislators. He pointed out Legislators are very busy in Juneau from January through April.

Ms. Fairclough objected to the proposal in the bill to remove voting rights from the Director of ADEC. She was also troubled by the tone of the sponsor statement of the bill, which implied the current AMATS format has failed to provide adequate planning. She pointed out if the Legislators were part of the committee, and the local representatives disagreed with those Legislators, there could be negative repercussions against the Municipality.

In response to Mr. Meyer, Ms. Clementson explained the interaction between the technical committee and the policy committee. She said the technical committee meets prior to the policy committee, and makes recommendations. She felt the

policy committee worked well, in part, because its main function is not as a political body. Interjection of more politics would cause the committee to become more political and technical expertise would be diminished. She felt if there were concerns that policy committee members were not accountable, the members would hear complaints. She said the Mayor, Ms. Abney and herself have not heard those types of complaints.

Mr. Tremaine noted the Assembly approved AR 98-63 on February 24, 1998. That resolution was very similar to the proposed resolution on tonight's agenda opposing the Senate bill. He felt circumstances have not changed substantially since approval of the resolution last year. He would not want to expose the process to the conflict that would occur if the Senate bill is approved, vetoed by the Governor, and that veto is overridden. There would also be conflict if the Assembly opposes the legislation and it becomes law. Mr. Tremaine felt the Legislature should pay heed to the Assembly's comments on this issue. He did not believe those who felt if members of the Legislature did not sit on the committee there would be fewer funding opportunities for Anchorage. He did not support the bill.

In response to Mr. Tesche, Ms. Von Gemmingen said the bill has left the House Transportation Committee and is scheduled for a vote in the House.

Mr. Tesche concurred with the Mayor and Ms. Clementson on this issue; he opposed the bill.

Mr. Wuerch added the timing of the AMATS priority list could be improved. Currently, the priority list is produced after the close of the Legislative session. It would be beneficial to have the list complete at the beginning of the session, so Legislators would have an opportunity to leverage funding for Anchorage during the session.

Question was called on the motion to approve AR 99-127 and it failed:

AYES: Wuerch.

NAYS: Kendall, Sullivan, Clementson, Tesche, Taylor, Meyer, Fairclough, Tremaine, Von Gemmingen.

2. Resolution No. AR 99-128, a resolution of the Anchorage Municipal Assembly **opposing Senate Bill 135, "An Act Relating to Metropolitan Planning Organizations"**, Assemblymember Von Gemmingen. (**addendum**)

Ms. Von Gemmingen moved, to approve AR 99-128.
seconded by Mr. Tremaine,

Ms. Von Gemmingen requested the support of her colleague on this item.

Ms. Clementson asked to be listed as a co-sponsor for this resolution.

Question was called on the motion to approve AR 99-128 and it passed:

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Meyer, Fairclough, Tremaine, Von Gemmingen.

NAYS: Wuerch.

Chairman Wuerch returned to the Chair.

E. NEW BUSINESS: None.

F. INFORMATION AND REPORTS: None.

9. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:

- A. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 441-99, recommendation of award to BlackRock Financial Management, Inc. for providing **professional investment services of the "MOA Trust Fund"** for the Municipality of Anchorage, Finance Department (ITB 99-P011), Purchasing. (APPROVED 5-11-99; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. WUERCH 5-12-99)

Chairman Wuerch gave the history of the memorandum and noted the question of whether to reconsider action was before the body.

Vice Chair Taylor assumed the Chair.

Mr. Wuerch explained after this item was approved, he learned that some provisions in the implementing ordinance which established the Trust called for consultation and advice from the Investment Advisory Commission. It appears that consultation and advice has not been accomplished. He felt the issue should be reconsidered to allow further discussion.

Mr. Meyer encouraged reconsideration. He was concerned an "outside" company was chosen to provide this service, when there are local firms with proven success in this field.

Mr. Tesche also spoke in support of reconsideration, to allow comments from the Commission.

Ms. Clementson opposed reconsideration. She pointed out there were no questions from the Assembly prior to action on this item last week. However, after receipt of correspondence from a former Assembly member, questions and suspicions have apparently surfaced. She added the question is not which company should receive the award, but whether the contract should be awarded to BlackRock, a company that went through the bidding process as required. The bid was shown to be sufficient, and there have been no complaints, so there is no reason to deny the award.

Mr. Tremaine said he seconded Mr. Wuerch's notice of reconsideration because he was not sure that procedural issues were followed correctly.

Question was called on whether to reconsider action on AM 441-99 and it passed:

AYES: Kendall, Sullivan, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen.

NAYS: Clementson.

Chairman Wuerch returned to the Chair.

Mr. Tremaine moved, to approve AM 441-99.
seconded by Mr. Tesche,

In response to Mr. Tremaine, Executive Manager Elaine Christian reviewed the process and events surrounding this issue. She explained AO 99-50(S), the ordinance which created the Trust, was adopted on April 6, 1999 and also made changes to the Investment Advisory Commission. There was significant debate on the ordinance at the Assembly meeting and at a worksession the same day. At that worksession, Commission members made a presentation to the Assembly and discussed issues of liability and concerns about their role as an advisory commission. It was agreed at the worksession that the Assembly did not want to put the Commission members in an uncomfortable position. At the Assembly meeting that night, the document before the Assembly exempted the selection of Trust fund managers from Title 7 of the Municipal Code. The Assembly felt that was not acceptable, and amended the document accordingly. The result was a traditional Request For Proposal process to select the fund managers according to Title 7. An evaluation team would be created to perform the selection. At that time, since the Commission was an advisory body and would not make the fund manager selection, members were offered the opportunity to participate on the evaluation committee. Three of the Commission members did not participate; one was not able and two believed they had conflicts. Two of the Commission members did participate in the selection committee. The administration's position was by that action, Commission members were asked for their advice and recommendation. The evaluation committee made its recommendation, which was brought before the Assembly for approval last week. Based on recent concerns that the Commission was not consulted, despite the administration's belief the Commission was consulted and were involved in the process, Commission members were contacted. Based on approval by the Municipal Attorney, Commission members were given the confidential documents to review over this last weekend. The members had a meeting yesterday. Four of the members are present today to discuss resolutions passed by the Commission. Ms. Christian added that Purchasing Officer Ted Chenier reviewed the bidding process, and sent letters to the protesters stating the process was followed according to policy and the Municipal Code.

In response to Chairman Wuerch, Investment Advisory Commission Vice Chair Julius Brecht addressed the Assembly. He introduced Rod Shipley, Jerry Anderson and Jack Diamond of the Commission. Mr. Brecht explained AO 99-50(S) provides for Commission members to review, advise and make recommendations on the Trust etc. However, Title 7 of the Code requires establishment of a committee to do the review. Commission members feel the only way to resolve the two requirements is to interpret the ordinance requirements to mean the Commission was to review the process rather than make a selection on the bids. To assume the latter would result in a conflict with requirements of Title 7. Mr. Brecht said at their meeting yesterday, the Commission approved three resolutions. The first, 99-2, basically reiterated the actions of the Commission at an earlier meeting in April and resolved the selection process which resulted in selection of a Trust fund manager was reasonable and fair. The second, 99-3, resolved that interjecting Title 7 into the process complicated the process and made it more difficult without improving the results. The third resolution explained the Commission's position that there is an apparent conflict between requirements of Title 7 and Section 2.b. of AO 99-50(S), if the ordinance is interpreted to mean the Commission should be involved in the actual bid selection. He reiterated the Commission interpreted the ordinance to mean it was to be involved in the process, which members feel they accomplished.

In response to Mr. Tesche, Mr. Brecht said four of the seven Commission members, those he introduced earlier, attended the meeting yesterday. He explained the Commission could have as many as nine members, but only seven have been appointed so far. Resolution 99-2 was passed unanimously by the four members present at yesterday's meeting. He said the members, as a Commission, did not meet in any formal session to make a recommendation on the proposed award to BlackRock.

Chairman Wuerch asked how the Commission could fulfill the provisions of AO 99-50(S) "...with a view to minimizing cost, and maximizing prudent and productive investment advice and management in the best interest of the Municipality and its citizens..." by only reviewing the process.

Mr. Brecht replied the provisions of the ordinance should be read in the context of the existing provisions of Title 7, which clearly defines a specific process for bid selection.

Chairman Wuerch questioned why the Commission could not provide its advice in addition to the provisions of Title 7.

In response, Mr. Diamond said members of the Commission were concerned about liability exposure. He felt the Assembly had acted to ensure members would not be put in a position to make decisions for which they could potentially be responsible.

In response to Ms. Fairclough, Jerry Anderson, a member of the Commission and the selection committee, explained the process of the selection committee. He pointed out the Request For Proposal (RFP) was one of the best he recalled in his years of experience with the Municipality. There were between 15 and 18 responses. He said it took about 20 hours to review all the responses. The committee met as a group after individual members reviewed the responses. The respondents were evaluated according to the criteria that was published in the RFP. Mr. Anderson said he, Steve Tolton, also a member of the Investment Advisory Commission, Ellen Braden, Soren Orley and Dan Moore were the members of the selection committee. In the first meeting of the committee, the top four respondents were identified. The RFP specified that the top three firms would be interviewed; since there was a tie for third place, the top four respondents were interviewed. Mr. Anderson explained BlackRock was the clear winner according to the criteria and the interviews. He confirmed that Alaska Permanent Capital Management was among the original respondents and was evaluated. He discussed the criteria that were

used, including organization, key managers, loss of clients, client services, methodology and fees. He did not feel that any committee members exerted any influence over the others. Each of the members graded the respondents individually.

In response to Mr. Tremaine, Mr. Diamond explained concerns about liability were discussed with the Assembly in a work session about six weeks ago.

In response to Mr. Meyer, Purchasing Officer Ted Chenier explained the local preference was covered under the client services criteria. More points were allotted under that criteria to companies with a local presence. He said two of the respondents were companies with a local address.

Ms. Taylor asked in relation to the top four respondents, how BlackRock ranked in the return on investment category.

Mr. Chenier said he could discuss the winning proposal. He could not divulge scoring, placement and tabulation of the scores.

Mayor Mystrom said that prohibition is in effect until a bidder is selected and any reconsideration time frame has expired.

Chairman Wuerch clarified Ms. Taylor's question was the ranking of BlackRock, the winning proposer, in the return on investment category.

Mr. Anderson said BlackRock ranked near the top in that criteria, to his recollection. He pointed out there were about 13 pages of data regarding performance. There was one firm in the top four that ranked higher, but that firm also recently lost its two best investment managers.

In response to Mr. Tesche, Mr. Brecht pointed out the sale of ATU process would entail several steps, this being one of the first. He felt there should be a clarification that the Commission was charged with reviewing the process. Therefore, the Assembly was urged to confirm the content of Commission resolution 99-4. Confirmation of Commission resolution 99-3 was also requested. He explained resolution 99-3 provided for contracting with private parties to make the selection process. He deferred to the administration to explain the details of those procedures, if the Assembly also exempted the process from Title 7. In general, there would be a consultant to advise the administration.

Ms. Christian said the potential process has not yet been discussed in detail. She said when AO 99-50(S) was under consideration, it was envisioned that a consultant would search for fund managers based on the investment policy criteria established by the Assembly. Then an evaluation committee would evaluate the fund managers. The Assembly's role would be to review the information if it chose.

Chairman Wuerch pointed out in March, the Assembly believed it had sent direction to the administration to obtain consultation and advice from the Commission. It was not known until May 12, 199 that action was not accomplished.

Mayor Mystrom pointed out there were conflicts between the provisions of AO 99-50(S) and Title 7, and the administration took every step possible to get the Commission members involved in the process. He encouraged Assembly members to offer any suggestions they had to improve on the process.

In response to Mr. Sullivan, Ms. Christian explained the ordinance expanding the Commission was adopted so recently, the additional two members have yet to be appointed.

In response to Mr. Sullivan, Mr. Anderson said the evaluation committee reviewed multiple years of earning histories of the various bidders.

Mr. Sullivan moved, to call the previous question.
seconded by Mr. Kendall,

Chairman Wuerch did not recognize the motion. He thanked the Commission members for their efforts on this subject.

Ms. Christian pointed out on April 8, 1999, the Commission met and discussed the process regarding the search for an investment manager. Commission members were asked to volunteer for service on the evaluation committee, and Mr. Diamond, Mr. Tolton and Mr. Anderson agreed. The entire Municipal procurement process was explained to the Commission, so there was an official review of the process by the Commission prior to its meeting yesterday.

Mr. Kendall raised a point of order. He pointed out he seconded a motion to call the previous question.

Question was called on the motion to call the previous question and it failed:

AYES: Kendall, Sullivan, Wuerch, Von Gemmingen.
NAYS: Clementson, Tesche, Taylor, Meyer, Fairclough, Tremaine.

In response to Mr. Tremaine, Ms. Hughes said as a result of Assembly members' concerns, she reviewed the process used by Ms. Christian, Soren Orley and Mr. Chenier. She performed that review last week, and felt Ms. Christian and the group did everything within their power to ensure the provisions of Title 7 were followed. She felt comfortable that the Commission members were advised of the process at its April 8, 1999 meeting, and given the opportunity to participate. Ms. Hughes explained that also last week, Municipal Manager George Vakalis asked her to consider a proposal by Mr. Tesche, which would allow the three Commission members who did not participate initially to review the confidential proposal documents. She felt that was appropriate and allowed, so after discussing it with Mr. Chenier and Mr. Orley, those documents were provided to those Commission members. Given all these circumstances, she was very comfortable that the proposed award was absolutely concurrent with the administration's interpretation of Title 7. She acknowledged there is a discrepancy

between Title 7 provisions and AO 99-50(S), which should be addressed. However, she felt Title 7 must be followed, and was comfortable it was followed.

In response to Mr. Tesche, Ms. Hughes explained the meeting held yesterday was not an official meeting of the Commission, but a meeting of four members of that Commission. An official commission meeting was not called; five individual members of the Commission were called, and four attended. The resolutions passed yesterday reflected the opinion of those four members. Therefore, the resolutions were not technically resolutions of the Commission. She said if the award was approved, and then legally challenged because resolution 99-1 was not approved by at least five members of the Commission, such a challenge would probably be unsuccessful.

Mr. Kendall pointed out the question before the Assembly was whether or not to approve the award to BlackRock. He noted Title 7 provisions were in effect, because the Assembly declined to exempt that process for the purposes of a trust financial manager selection. He felt section 2.b of AO 99-50(S) could be interpreted several ways. Mr. Kendall recalled the Commission members did not want to have a fiduciary responsibility. To protect the members, the Assembly discussed at length whether or not there was a fiduciary responsibility. He felt there was a line the Commission could not cross. They could advise generally, but could not determine which manager should be selected. He felt it was inappropriate at this point to imply the administration did not follow proper procedures, especially since provisions of Title 7 are clearly in effect.

Question was called on the motion to approve AM 441-99 and it passed:

AYES: Kendall, Sullivan, Clementson, Tesche, Taylor, Wuerch, Meyer, Fairclough, Tremaine, Von Gemmingen.

NAYS: None.

Chairman Wuerch questioned the will of the body with regard to the future role of the Commission.

Ms. Hughes explained there are many boards and commissions active in the government. It is not the case now, and it is not the policy of the administration to provide indemnification for members of those boards and commissions. When and if members are sued, her office reviews the situation on a case-by-case basis, and indemnification is usually provided. Since the time the current administration has been in authority, every member has been indemnified when cases arise. However, there is not a blanket indemnification policy. Many board members have requested the blanket policy; the Police and Fire Retirement Board requested it many times, and have now obtained insurance.

Mr. Kendall felt this issue should be discussed further with the Investment Advisory Commission.

Mr. Kendall was excused and left the meeting.

Mr. Tesche agreed the issue of indemnification was complex. He suggested the Assembly consider an amendment to AO 99-50(S) to address indemnification for this particular Commission.

Mr. Tremaine said he was interested in receiving expert advice, rather than experts in the field merely confirming the correct process was followed.

Mayor Mystrom said this discussion has been beneficial. He recognized there are some interpretation problems with AO 99-50(S) and confusion with provisions of Title 7. He said those issues will be addressed by the administration. Also, they will work with the Investment Advisory Commission members to balance their comfort levels with actions that would be beneficial to the Municipality, and use that information to produce amendments to the ordinance.

10. APPEARANCE REQUESTS: None.

11. CONTINUED PUBLIC HEARINGS: None.

12. NEW PUBLIC HEARINGS: None.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

14. SPECIAL ORDERS:

A **Joint Meeting of the Audit & Public Safety Committees** was scheduled for May 25, 1999 to discuss the Fire Department management audit.

Mayor Mystrom felt the public, and perhaps not even the Assembly realized the important role Municipal Attorney Mary Hughes played in the sale of ATU. He said her hard work, expertise and guidance was integral, and felt without her input the sale would not have come about. The number of problems which surfaced in the weeks, days and even hours before the sale she was able to deal with, and respond to, were extraordinary. He thanked her for her contribution.

15. ASSEMBLY COMMENTS:

Ms. Von Gemmingen encouraged everyone to contact their State legislators to express their concerns regarding municipal revenue sharing.

Mr. Tremaine congratulated Mayor Mystrom for his statement in a newspaper, where he said although reduced municipal revenue sharing would be difficult to Anchorage, it would be devastating to rural Alaskan communities. Mr. Tremaine felt that knowledge of Anchorage's position in relation to other Alaskan communities was critical.

Ms. Fairclough reported many of her constituents are opposed to any increases in property taxes, as well as any change in the State Permanent Fund dividends.

Mr. Meyer reported on the first meeting of the Alcohol task force. He and Mr. Tesche were invited to attend the Anchorage Restaurant and Beverage Association (ARBA) board meeting next week. He felt other Assembly members would be welcome to attend. The task force will meet again on June 10, 1999.

Chairman Wuerch recalled at last week’s Assembly meeting, Robert Hayes addressed the Assembly under Audience Participation and requested information as to why he could not receive whistleblower protection. Mr. Wuerch researched the question, and determined Mr. Hayes could not receive the protection because he was not a Municipal employee. The issue is between Mr. Hayes and his former employer.

16. UNFINISHED AGENDA: None.

17. AUDIENCE PARTICIPATION:

THERESA OBERMEYER said recent orders of exclusion motivated her to attend the meeting tonight. She felt appointees to boards and commissions should be interviewed. She pointed out she has applied many times for appointment to the Anchorage Telephone Utility Board of Directors, yet has never been interviewed. She felt this practice violated the Open Meetings Law.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

Ms. Von Gemmingen moved,
seconded by Mr. Tesche,
and it passed without
objection,

to adjourn.

The meeting adjourned at 7:15 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: October 19, 1999

VC/db

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