

**MUNICIPALITY OF ANCHORAGE**  
**ANCHORAGE ASSEMBLY**  
**Assembly Conference Room**  
**First Floor, City Hall**

**Minutes for Special Meeting of November 9, 2007**

**1. CALL TO ORDER**

The Special Assembly Meeting was convened by Chair Coffey at 2:05 p.m. in the Assembly Conference Room, First Floor, City Hall, Room 155, 632 West 6<sup>th</sup> Avenue in Anchorage, Alaska.

**2. ROLL CALL** A Quorum was achieved with Assemblymembers present.

PRESENT: Allan Tesche, Dan Coffey, Debbie Ossiander, Jennifer Johnston, Chris Birch, Paul Bauer, Sheila Selkregg and Matt Claman.

ABSENT: Dick Traini, Dan Sullivan and William Starr, each as an excused absence.

**3. PLEDGE OF ALLEGIANCE** Assemblymember Bauer led the pledge.

**4. ITEM OF BUSINESS**

**4.A. Municipal Utility Services Assessment (MUSA) Issues.**

Chair Coffey stated that a question was raised at the last Assembly worksession and because of ongoing litigation the Administration was reluctant to enter into discussion on the matter on public record.

Mr. Claman moved, to go into Executive Session,

Ms. Ossiander requested that specific motion language include justifiable cause to go into Executive Session. Municipal Attorney Jim Reeves responded that code provisions permitted an Executive Session if discussion was needed on pending litigation matters.

Mr. Birch stated that he had requested discussion on Municipality Utility Services Assessment (*MUSA*) issues, related to the current budget and it had been recommended that that topic be discussed in Executive Session.

Ms. Ossiander moved, to go into Executive Session to discuss ongoing litigation that  
Mr. Claman seconded, that may have an adverse financial effect on the city,

Chair Coffey stated that no Assembly Action was taken during Executive Session and all discussion was kept confidential and the record sealed at the conclusion of the session, to a time-certain date. Mr. Reeves responded that under code, Assemblymembers were required to establish a date to release the record and the record would remain confidential until pending litigation was finally resolved. Ms. Ossiander responded that her motion was adequate.

To Mr. Tesche, Mr. Birch responded that the Administration had suggested conducting an Executive Session. Mr. Tesche stated that he would support the motion providing that it was without prejudice that in future public discussions of the budget, the draft resolution sponsors could be asked how to fill in Line 21 on Page 4, concerning the reduced amount recommended by the (*Budget*) Committee.

Chair Coffey stated that the Assembly needed to be cautious not to waive the attorney-client privilege and not to harm the Municipality's legal position. Regardless of the Executive Session, the Assembly would still address the budget and their actions would be dependent upon what they learned that day.

Mr. Tesche stated that when the Assembly took action on the budget, real numbers needed to be included. The Assembly conducted public, open and transparent discussion and action.

To Chair Coffey, Assembly Counsel Julia Tucker responded that the current motion created the foundation to go into Executive Session. Mr. Reeves concurred and stated the record was adequate.

and the motion was approved without objection.

**4.B. Executive Session**

Chair Coffey excused all persons from the Assembly Conference Room who were not appropriately associated and called for a recess of the Special Meeting, to go into Executive Session. *(Clerk's Note: Executive Session began at 2:25 p.m.)*

Chair Coffey resumed the Special Meeting at 3:42 p.m. and called the Question.

Ms. Ossiander moved, that the record of the Executive Session be kept confidential  
Mr. Tesche seconded, until the litigation is complete,

Chair Coffey stated that litigation included all appeals. Ms. Ossiander concurred.

and this was approved without objection.

## 5. ADJOURNMENT

Chair Coffey called for a motion to adjourn the meeting.

Ms. Ossiander moved, to adjourn the Special Assembly Meeting,  
Mr. Tesche seconded,  
and this motion was passed without objection.

AYES: Tesche, Coffey, Ossiander, Johnston, Birch, Bauer, Selkregg and Claman.

NAYES: None.

ABSENT: Traini, Sullivan and Starr, each excused.

*(Clerk's Note: The Special Assembly Meeting was adjourned at 3:44 p.m.)*

*See Archived Document for Signatures*

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DAN COFFEY, Assembly Chair

ATTEST:

*See Archived Document for Signatures*

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BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: December 11, 2007  
MC/BG

*(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6<sup>th</sup> Avenue, Suite 250, Anchorage, Alaska, telephone (907)343-4505, or on the Municipal Web Site at [www.Muni.org](http://www.Muni.org) and link to Assembly~Minutes~year~month/day)*