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**MUNICIPALITY OF ANCHORAGE**  
**ANCHORAGE ASSEMBLY**

**Assembly Chambers, Z. J. Loussac Library**  
**3600 Denali Street, Anchorage, Alaska**

**Minutes for Regular Meeting of December 16, 2008,**  
**Continued to December 17, 2008**

*(Clerk's Note: Due to technical difficulties the first five minutes of the Assembly Meeting video was not recorded. Please refer to the Meeting Minutes for details of the missing section.)*

**1. CALL TO ORDER**

The Regular Assembly Meeting of December 16, 2008 was convened by Chair Claman at 5:00 p.m. in Assembly Chambers, Room 108 of the Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

**PRESENT:** William Starr, Mike Gutierrez, Elvi Gray-Jackson, Chris Birch, Matt Claman, Sheila Selkregg, Harriet Drummond, Debbie Ossiander, Patrick Flynn and Jennifer Johnston.

**ABSENT:** Dan Coffey, excused.

**3. PLEDGE OF ALLEGIANCE**

Cub Scout Pack 103, sponsored by Chugach Optional Elementary, led the pledge and included Cub Scouts Matthew Lundell, Ferris Allen, Teddy Carwile, Christopher Madsen, David Lundell, Ethan Davis and Christopher Loudon, accompanied by Den Leaders Amy and Bob Lundell.

**4. MINUTES OF PREVIOUS MEETINGS** There were none.

**5. MAYOR'S REPORT**

Mayor Begich distributed a report from Project Management & Engineering, describing projects around the city.

Mayor Begich reported that that evening was his last Assembly Meeting as Mayor and he wanted to say for the record that it had been an honor working with the Assembly. He attributed his success as Mayor to his staff and all municipal employees, who kept him tuned-in to the issues that needed to be addressed. Since he came to office in 2003 citizens always stepped up with good ideas that made the city what it was today. Chair Claman, Ms. Drummond, Ms. Gray-Jackson, Dr. Selkregg, Mr. Gutierrez, Ms. Johnston, Mr. Flynn, Ms. Ossiander and Mr. Birch thanked Mayor Begich for his service and contributions to the city and wished him success as Alaska's Senator in Washington, D.C. Mayor Begich thanked all Assemblymembers and stated that he would continue working with Anchorage in the future.

Mayor Begich introduced newly appointed Emergency Operations Center (EOC) Director Kevin Spillers, a retired Marine Colonel who would be an incredible asset, leading the EOC team.

**6. ASSEMBLY CHAIR'S REPORT**

Chair Claman introduced newly appointed and reappointed members to boards and commissions who were present, including Jay Dulany to the Public Transit Advisory Board; William Compton, Joan Diamond, Becky Hauser and Iris Matthews to the Health and Human Services Commission; Bronson Frye to the Housing Neighborhood Development Commission; Ana Hang to the Diversity Advisory Commission; Helena Hall to the Municipal Light and Power Authority Board of Directors; Tom Chapple to the Anchorage Water and Wastewater Utility Board of Directors; James Hillig to the Sister Cities Commission; Glenn Cipriano to the Investment Advisory Commission, and; Mark Butler to the Public Safety Advisory Commission. Chair Claman thanked the members for their service.

**7. COMMITTEE REPORTS**

Mr. Flynn reported that he and Mr. Coffey were preparing the proposed 2009 Legislative Priorities. Declining oil prices indicated the capital budget would be relatively thin and the Legislative Committee was preparing a rather brief list of priorities, unlike the past process. The Committee welcomed Assembly feedback as the Plan was finalized for January.

Ms. Ossiander reported that the next Title 21 Committee Meeting was scheduled for January 8<sup>th</sup>, from 9:30 to 11:30 a.m. in the Planning Department Conference Room, to finish the Committee approved amendments and revisions to Chapter 3. The Committee would begin *(revisions to)* Chapter 7 next.

Ms. Drummond reported the Resilient Youth Workgroup of the Community and Economic Development Committee continued to meet regularly. She was attending leadership meetings of the Anchorage Partnership for Successful

1 Youth, the newly-formed organization for all community youth services, which was addressing accountability and  
2 duplication issues. The group had scheduled a kickoff summit on Friday, January 30<sup>th</sup>, from 8:30 a.m. to noon.  
3

4 Dr. Selkregg reported that the Community and Economic Development Committee would meet on December 17<sup>th</sup> at  
5 1:00 p.m. to hear a report from the Tyonek Corporation on energy initiatives that were relevant to the Municipality's  
6 choices for expanding energy sources. The Committee would report to the Assembly in mid-January.  
7

8 Ms. Gray-Jackson reported the Budget and Finance Committee met December 12<sup>th</sup> to hear the Fire Department's  
9 Budget revisions prior to the December 16<sup>th</sup> Assembly Meeting. The Committee would meet on January 15<sup>th</sup> to  
10 consider the documents that were being introduced that evening.  
11

12 Mr. Gutierrez reported the Public Safety Committee met on December 10<sup>th</sup> to discuss AO 2008-122, sponsored by Ms.  
13 Johnston, regarding ignition interlock devices for Driving Under the Influence (DUI) enforcement. He urged approval of  
14 the ordinance that evening. The Committee would meet again on January 14<sup>th</sup>, in City Hall from noon to 1:00 p.m., to  
15 discuss the issues of dangerous animals and the Player's House of Rock and to make recommendations about the  
16 bear issue. Chair Claman reported there was consideration of postponing the resolution regarding bears to January.  
17

## 18 8. ADDENDUM TO AGENDA

19  
20 Chair Claman read the Addendum items. There were no additional Addendum items and he called for a vote to  
21 incorporate the Addendum items.  
22

23 Ms. Drummond moved, to approve the inclusion of the Addendum items  
24 Ms. Johnston seconded, into the Consent Agenda.  
25 and this motion was passed, 10-0.  
26

27 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston

28 NAYS: None.

29 ABSENT: Coffey, excused.  
30

31 Chair Claman called for a motion on the Consent Agenda.  
32

33 Ms. Drummond moved, to approve the Consent Agenda.  
34 Ms. Johnston seconded,  
35

36 Chair Claman called for Assemblymembers to request items be pulled for discussion on the Regular Agenda.  
37

## 38 9. CONSENT AGENDA

### 39 9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

40 9.A.1. Resolution No. AR 2008-330, a resolution of the Anchorage Municipal Assembly and Mayor Mark  
41 Begich **recognizing students, teachers, and administrators from the Anchorage School District**  
42 for their participation in the Inauguration of President-Elect Barack Obama. (*Addendum*)  
43

44 Mr. Gutierrez requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)  
45

### 46 9.B. RESOLUTIONS FOR ACTION - OTHER

47 9.B.1. Resolution No. AR 2008-314, a resolution of the Anchorage Municipal Assembly approving a minor  
48 amendment to an alcoholic beverages conditional use in the B-2B (Central Business District,  
49 Intermediate) to modify the licensed premise for a brewpub use and license per AMC 21.40.160 D.13  
50 for **Glacier Brewhouse**; located at 737 West 5<sup>th</sup> Avenue, within Anchorage Original Townsite, Block  
51 40, Lots 7 through 12; generally located on the northeast corner of West 5<sup>th</sup> Avenue and H Street  
52 (Downtown Community Council) (Case 2009-011), Planning Department.  
53 a. Assembly Memorandum No. AM 840-2008.

54 9.B.2. Resolution No. AR 2008-315, a resolution of the Municipality of Anchorage appropriating \$10,000 from  
55 the Alaska Department of Environmental Conservation and a contribution of \$220 from the Anchorage  
56 Fire Service Area Operating Fund (131), Anchorage Fire Department 2008 Operating Budget, to the  
57 State Categorical Grants Fund (231) to maintain the Municipality's **oil spill response capabilities**.  
58 a. Assembly Memorandum No. AM 841-2008.

59 9.B.3. Resolution No. AR 2008-316, a resolution of the Municipality of Anchorage appropriating \$31,278 from  
60 the State of Alaska, Department of Transportation and Public Facilities MS/CVE and \$1,215 as a  
61 contribution from the 2008 Anchorage Police Operating Budget, Anchorage Metropolitan Police  
62 Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department,  
63 for **Commercial Vehicle Inspections**.  
64 a. Assembly Memorandum No. AM 842-2008.

65 9.B.4. Resolution No. AR 2008-324, a resolution of the anchorage Municipal Assembly urging State officials  
66 to act as quickly as possible to ensure that Anchorage and all of Southcentral Alaska has sufficient  
67 **natural gas resources** to support current needs and new economic development, Assemblymember  
68 Selkregg.  
69

70 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (*See item 10.B.4*)  
71

72 9.B.5. Resolution No. AR 2008-328, a resolution of the Anchorage Municipal Assembly **reappointing Kristi**  
73 **Cada as Ombudsman**, Assembly Chair Claman. (*Addendum*)  
74

75 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.B.5*)  
76

- 1 9.B.6. Resolution No. AR 2008-329, a resolution of the Anchorage Municipal Assembly relating to the  
2 **property tax status of Alaska Pacific University campus property** used to generate income to  
3 support Alaska Pacific University's educational programs, Assemblymember Coffey. (*Addendum*)  
4

5 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.B.6*)  
6

- 7 9.B.7. Resolution No. AR 2008-332, a resolution of the Anchorage Municipal Assembly making findings  
8 relating to relaxation of the date for requesting exemption from 2007 property taxes by **Alaska United**  
9 **Methodist Conference, First Samoan United Methodist Church**, Assemblymembers Ossiander,  
10 Flynn. (*Addendum*)

- 1 9.B.8. Resolution No. AR 2008-333, a resolution of the Anchorage Municipal Assembly to address the  
1 current financial environment through **monthly evaluation and reporting to the Assembly on the**  
1 state of municipal finances, Assemblymembers Selkregg, Ossiander. (*Addendum*)  
14

15 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (*See item 10.B.8*)  
16

- 17 9.B.9. Resolution No. AR 2008-334, a resolution of the Anchorage Municipal Assembly in support of sound  
18 financial management by **postponement of new hires and certain municipal contracts until after**  
19 **first quarter budget review**, subject to monthly reporting on the state of municipal finances,  
20 Assemblymembers Selkregg, Ossiander. (*Addendum*)  
21 a. Assembly Memorandum No. AM 882-2008.  
22

23 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (*See item 10.B.9*)  
24

25 **9.C. BID AWARDS**

- 26 9.C.1. Assembly Memorandum No. AM 849-2008, recommendation of awards to Alaska Sales & Service and  
27 to Cal Worthington Ford, Inc. to furnish **miscellaneous light duty vehicles** to the Municipality of  
28 Anchorage, Maintenance & Operations Department (M&O), Municipal Light & Power Utility (ML&P),  
29 and Girdwood Volunteer Fire Department (ITB 28-B068) (\$1,170,305), Purchasing.

- 30 9.C.2. Assembly Memorandum No. AM 864-2008, recommendation of award to SR Bales Construction, Inc.  
31 for the **Mountain View Library Renovation** for the Municipality of Anchorage, Maintenance &  
32 Operations Department (ITB 28-C065) (\$3,150,000), Purchasing.  
33

34 **9.D. NEW BUSINESS**

- 35 9.D.1. Assembly Memorandum No. AM 850-2008, **Education and Workforce Advisory Commission**  
36 appointment (David Alexander), Mayor's Office.  
3 9.D.2. Assembly Memorandum No. AM 851-2008, **Municipal Light and Power Authority Board of**  
3 Directors appointment (Helena Hall), Mayor's Office.  
39 9.D.3. Assembly Memorandum No. AM 852-2008, **Senior Citizens Advisory Commission** appointment  
40 (Sheila Wright), Mayor's Office.  
41 9.D.4. Assembly Memorandum No. AM 869-2008, **Diversity Advisory Commission** appointments (Ana  
42 Hang, and Guadalupe Marroquin), Mayor's Office.  
43 9.D.5. Assembly Memorandum No. AM 870-2008, **Health and Human Services Commission** appointments  
44 (William Compton, Joan Diamond, Becky Hauser, and Iris Matthews), Mayor's Office.  
45 9.D.6. Assembly Memorandum No. AM 871-2008, **Housing Neighborhood Development Commission**  
46 appointments (Tamas Deak, Bronson Frye, and Carel Nagata), Mayor's Office.  
47 9.D.7. Assembly Memorandum No. AM 872-2008, **Human Resources Advisory Board** appointment (Judith  
48 Peterson), Mayor's Office.  
49 9.D.8. Assembly Memorandum No. AM 873-2008, **Investment Advisory Commission** appointments (Glenn  
50 Cipriano and Arun Upadhyay), Mayor's Office.  
51 9.D.9. Assembly Memorandum No. AM 874-2008, **Parks and Recreation Commission** appointments  
52 (Meagan Krupa and Dan Frank), Mayor's Office.  
53 9.D.10. Assembly Memorandum No. AM 875-2008, **Public Safety Advisory Commission** appointment (Mark  
54 Butler), Mayor's Office.  
55 9.D.11. Assembly Memorandum No. AM 876-2008, **Public Transit Advisory Board** appointment (Jay  
56 Dulany), Mayor's Office.  
57 9.D.12. Assembly Memorandum No. AM 877-2008, **Sister Cities Commission** appointments (Rosey  
58 Fletcher, James Hillig, and Kate Sangster), Mayor's Office.  
59 9.D.13. Assembly Memorandum No. AM 853-2008, **WildFin #4846**-Application for Transfer of Ownership and  
60 Location of a Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.  
61 9.D.14. Assembly Memorandum No. AM 854-2008, **Dimond Liquor #4853**-Application for a Transfer of  
62 location for a Package Store Liquor License (Sand Lake Community Council), Clerk's Office.  
63 9.D.15. Assembly Memorandum No. AM 855-2008, **Stellar Wines #4852**-Application for a New Wholesale  
64 Malt Beverage and Wine Liquor License (Taku/Campbell Community Council), Clerk's Office.  
65 9.D.16. Assembly Memorandum No. AM 856-2008, **2009/2010 Liquor License Renewals**: Double Musky Inn  
66 #1551, Garcias, Cantina #2275, The Blue Fox #140, Sea Galley #1666, Barrys Baranof Lounge #93,  
67 Kings X Lounge #615, The Bradley House #814, F Street Station #762, Pioneer Bar #866, The Cabin  
68 Tavern #970, Simon and Seaforths Saloon and Grill #1050, TGI Fridays #4279 - Beverage Dispensary,  
69 Bella Vista Pizzeria Restaurant #107, Ichiban #2113, El Rodeo Mexican Restaurant #3082, Twin  
70 Dragon #733, Yamato Ya Restaurant #1617, Gumbo House #4275 - Restaurant Eating Place, Dimond  
71 Jims #2926, Y2K Liquor #3898 - Package Store (Girdwood, University Place, Fairview, Chugiak,  
72 Midtown, Campbell Park, Eagle River, Taku/Campbell, Northeast, Bayshore/Klatt, Downtown, South  
73 Addition Community Councils), Clerk's Office.  
74 9.D.17. Assembly Memorandum No. AM 857-2008, proprietary purchase of software licenses and annual  
75 maintenance support from **Bio-Key International** for the Municipality of Anchorage, Anchorage Police  
76 Department (APD) (\$50,100.40), Purchasing.

- 1 9.D.18. Assembly Memorandum No. AM 858-2008, proprietary award to speakTECH, Inc. to provide annual  
2 support of **Microsoft Office SharePoint Server (MOSS)** to the Municipality of Anchorage (MOA),  
3 Information Technology Department (ITD) (\$99,840), Purchasing.  
4 9.D.19. Assembly Memorandum No. AM 859-2008, **Designation of Municipal Property for Placement in**  
5 **Heritage Land Bank Inventory**: The property is Tract 3, Commercial Drive Subdivision (Plat No.  
6 2008-104). The physical location is the northwest corner of Commercial Drive and Meyer Street in  
7 Mountain View.  
8 9.D.20. Assembly Memorandum No. AM 860-2008, Change Order No. 1 to Purchase Order No. 280279 with  
9 Moore Heating and Air Conditioning to **replace the hot water boiler at 901 Orca Street** for the  
10 Municipality of Anchorage, Merrill Field Airport (\$16,777.73), Purchasing.  
11 9.D.21. Assembly Memorandum No. AM 861-2008, proprietary purchase from Motorola, Inc. to provide **Astro**  
12 **digital portable radios** for the Municipality of Anchorage (MOA), Municipal Light & Power Utility  
13 (ML&P) (\$64,989), Purchasing.  
14 9.D.22. Assembly Memorandum No. AM 862-2008, proprietary purchase with NC Machinery Company (NC) to  
15 **repair a 2005 Cat D8T Dozer** for the Municipality of Anchorage, Solid Waste Services (\$160,073),  
16 Purchasing.  
17 9.D.23. Assembly Memorandum No. AM 863-2008, Assembly approval of Change Order #5 to 2005-2008  
18 contract with **Delisio Moran Geraghty & Zobel, PC** to provide legal services (\$50,000), Risk  
19 Management.  
20 9.D.24. Assembly Memorandum No. AM 865-2008, proprietary services contract with Computer Task Group,  
21 Inc. (CTG) to provide project management services for the **electronic Patient Care Reporting**  
22 **System (ePCR) implementation**, for the Municipality of Anchorage, Anchorage Fire Department  
23 (AFD) (\$60,300), Purchasing.  
24 9.D.25. Assembly Memorandum No. AM 866-2008, approval to enter into a Management Agreement with the  
25 **Alaska Center for the Performing Arts, Inc. (ACPA)** to operate the Alaska Center for the Performing  
26 Arts (Center). The Office of Economic and Community Development's 2009 Operating Budget for this  
27 expenditure is \$1,173,500.  
28 9.D.26. Assembly Memorandum No. AM 867-2008, Amendment No. 5 to Purchase Order No. 250993 with  
29 The Wilson Agency (TWA) for **Employee Benefit Consultant Services** for the Municipality of  
30 Anchorage, Employee Relations (\$193,000), Purchasing.  
31 9.D.27. Assembly Memorandum No. AM 868-2008, proprietary services contract with Aurora Consulting  
32 (Aurora) to assist the Municipal Light & Power (ML&P) develop a **Transition Plan (Plan)** (\$150,000),  
33 Purchasing.  
34 9.D.28. Assembly Memorandum No. AM 881-2008, Change Order No. 12 to Purchase Order No. 251272 with  
35 VPSI, Inc. (VPSI) for **Vanpool Management and Administrative Services** for the Municipality of  
36 Anchorage, Public Transportation Department (\$349,665), Purchasing. (**Addendum**)  
37

38 **9.E. INFORMATION AND REPORTS**

- 39 9.E.1. Information Memorandum No. AIM 97-2008, Internal Audit Report 2008-13 - **Cash Controls, Solid**  
40 **Waste Services**.  
41

42 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.E.1*)  
43

- 44 9.E.2. Information Memorandum No. AIM 98-2008, **Anchorage Equal Rights Commission 2007 Annual**  
45 **Report**.  
46 9.E.3. Information Memorandum No. AIM 99-2008, **contracts awarded between \$50,000 and \$500,000**  
47 **through formal competitive processes** for the month of November 2008, Purchasing.  
48 9.E.4. Information Memorandum No. AIM 100-2008, **Sole Source Procurement Report** for the month of  
49 November 2008, Purchasing.  
50

51 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 52 9.F.1. Ordinance No. AO 2008-136, an ordinance amending Anchorage Municipal Code Sections 21.35.020  
53 Definitions and Rules of Construction, 21.40 Zoning Districts, 21.45 Supplementary District  
54 Regulations, and 21.50 Standards for Conditional Uses and Site Plans, to define **Wind Energy**  
55 **Conversion Systems (WECS)**, to allow WECS in certain zoning districts as accessory uses by  
56 administrative site plan review and as conditional uses, to set general standards and conditional use  
57 standards, Planning Department. P.H. 1-6-09.  
58 a. Assembly Memorandum No. AM 843-2008.  
59

60 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.F.1*)  
61

- 62 9.F.2. Resolution No. AR 2008-317, a resolution of the Municipality of Anchorage, Alaska, accepting a State  
63 of Alaska Clean Water Fund loan agreement in the amount of \$4,000,000 for financing a portion of the  
64 costs of the **Asplund WWTF Process Improvements Project**, Anchorage Water and Wastewater  
65 Utility. P.H. 1-6-09.  
66 a. Assembly Memorandum No. AM 844-2008.  
67 9.F.3. Resolution No. AR 2008-318, a resolution of the Municipality of Anchorage, Alaska, accepting a State  
68 of Alaska Drinking Water Fund loan agreement in the amount of \$440,000 for financing a portion of  
69 the costs of the **Eagle River Heights Water Upgrade, Phase I Project**, Anchorage Water and  
70 Wastewater Utility. P.H. 1-6-09.  
71 a. Assembly Memorandum No. AM 845-2008.  
72 9.F.4. Resolution No. AR 2008-319, a resolution of the Municipality of Anchorage appropriating \$199,000  
73 from the Southcentral Foundation to the State Categorical Grants Fund (231) to partially fund the  
74 **Emergency Alcohol Community Services Program, Community Services Patrol** contract  
75 administered by Anchorage Fire Department. P.H. 1-6-09.  
76 a. Assembly Memorandum No. AM 846-2008.

- 1 9.F.5. Resolution No. AR 2008-320, a resolution appropriating \$163,327 as a grant from the State of Alaska,  
2 Department of Military and Veterans Affairs, Division of Homeland Security and Emergency  
3 Management, to the Anchorage Areawide CIP Fund (401) for **gas shutoffs for the Seismic Retrofit**  
4 **Project**, Maintenance and Operations Department. P.H. 1-6-09.  
5 a. Assembly Memorandum No. AM 847-2008.
- 6 9.F.6. Resolution No. AR 2008-321, a resolution of the Anchorage Municipal Assembly naming a proposed  
7 pathway at the Anchorage Museum at Rasmuson Center as **'The Richard and Eunice Silberer**  
8 **Walk'**, Mayor's Office. P.H. 1-20-09.
- 9 9.F.7. Resolution No. AR 2008-322, a resolution of the Anchorage Municipal Assembly naming an unnamed  
10 park parcel (Lot 8A, Block 3V, Plat of Rabbit Creek View and Rabbit Creek Heights Subdivision  
11 Replat) as **'Bear Tracks Park'**, Mayor's Office. P.H. 1-20-09.
- 12 9.F.8. Resolution No. AR 2008-323, a resolution of the Municipality of Anchorage, Alaska, approving the  
13 additional scope of work to **Northern Communities Water Extension Phase I** and providing for  
14 assessment of benefited properties at time of service connection, Anchorage Water and Wastewater  
15 Utility. P.H. 1-20-09.  
16 a. Assembly Memorandum No. AM 848-2008.
- 17 9.F.9. Resolution No. AR 2008-325, a resolution amending the 2008 General Government Operating Budget  
18 by appropriating the sum of \$498,250 from the Areawide General Fund (101) Balance to the  
19 9.F. Department of Law for **Indigent Defense Contract costs**. P.H. 1-6-09.
- 20 9.F.10. Resolution No. AR 2008-326, a resolution of the Municipality of Anchorage appropriating \$41,050 in  
21 Reimbursed Cost Revenues to the Anchorage Fire Department, Anchorage Fire Department 2008  
22 Operating Budget, Areawide General Fund (101), and \$436,110 in **Reimbursed Cost Revenues** to  
23 the Anchorage Fire Department, Anchorage Fire Department 2008 Operating Budget, Anchorage Fire  
24 Service Area Fund (131). P.H. 1-6-09.  
25 a. Assembly Memorandum No. AM 878-2008.
- 26 9.F.11. Resolution No. AR 2008-327, a resolution appropriating of \$200,000 from the Girdwood Valley Service  
27 Area Operating Budget as a contribution to the Girdwood Valley Service Area Capital Improvement  
28 Project Fund (406) to pay towards the loan for development of the **Girdwood Community Center and**  
29 **Library**, Anchorage Parks and Recreation. P.H. 1-6-09.  
30 a. Assembly Memorandum No. AM 879-2008.
- 31 9.F.12. Resolution No. AR 2008-331, a resolution of the Municipality of Anchorage (MOA) appropriating  
32 \$599,626 as grants from the State of Alaska included in **Senate Bills 221/256** to various municipal  
33 funds, Office of Management & Budget. P.H. 1-6-09.  
34 a. Assembly Memorandum No. AM 880-2008. **(Addendum)**

35  
36 Chair Claman called for a vote on the remainder of the Consent Agenda.

37  
38 and the motion, as amended, was passed, 10-0.

39  
40 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
41 NAYS: None.  
42 ABSENT: Coffey, excused.

43  
44 The amended Consent Agenda was approved and Chair Claman led the body into discussion of the pulled items.

45  
46 **END OF CONSENT AGENDA**

47  
48 **10. REGULAR AGENDA**

49 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

50 10.A.1. Resolution No. AR 2008-330, a resolution of the Anchorage Municipal Assembly and Mayor Mark  
51 Begich **recognizing students, teachers, and administrators from the Anchorage School District**  
52 for their participation in the Inauguration of President-Elect Barack Obama. **(Addendum)**

53  
54 Mr. Gutierrez moved, to approve AR 2008-330.  
55 Dr. Selkregg seconded,  
56 and the motion passed without objection,  
57 with Mr. Coffey as an excused absence.

58  
59 Mr. Gutierrez read and Ms. Gray-Jackson presented the resolution, recognizing a large group of students, teachers  
60 and administrators from many schools for their participation in fundraisers to be able to travel to the Inauguration of  
61 President-Elect Barack Obama on January 20, 2009. Chair Claman and Mr. Gutierrez congratulated them for being  
62 involved and wished them a safe and memorable trip.

63  
64 **10.B. RESOLUTIONS FOR ACTION - OTHER**

65 10.B.4. Resolution No. AR 2008-324, a resolution of the anchorage Municipal Assembly urging State officials  
66 to act as quickly as possible to ensure that Anchorage and all of Southcentral Alaska has sufficient  
67 **natural gas resources** to support current needs and new economic development, Assemblymember  
68 Selkregg.

69  
70 Dr. Selkregg moved, to approve AR 2008-324.  
71 Mr. Birch seconded,

72  
73 Dr. Selkregg moved, to amend AR 2008-324 on Page 1, Lines 33-34, *by changing*  
74 Ms. Ossiander seconded, to read: WHEREAS ENSTAR has negotiated a two-year  
75 and this passed without objection. supply of natural gas with [a] two local producers at a cost  
76 less than the weighted cost of natural gas for all its gas

1 supply contracts and submitted that plan to the Regulatory  
2 Commission of Alaska; and  
3

4 and the motion, as amended, passed, 10-0,  
5 with Mr. Coffey as an excused absence.  
6

7 10.B.5. Resolution No. AR 2008-328, a resolution of the Anchorage Municipal Assembly **reappointing Kristi**  
8 **Cada as Ombudsman**, Assembly Chair Claman. (*Addendum*)  
9

10 Ms. Ossiander moved, to approve AR 2008-328.  
11 Ms. Johnston seconded,  
12

13 Ms. Ossiander stated that she had not had an opportunity to address her questions about the Ombudsman's Office.  
14 Municipal Clerk Barbara Gruenstein responded that the Ombudsman's term would expire on December 31<sup>st</sup>. Ms.  
15 Ossiander responded that she would support the reappointment, with the provision that the Assembly would have an  
16 opportunity to weigh in on the office.  
17

18 and this was approved without objection, 10-0,  
19 with Mr. Coffey as an excused absence.  
20

21 10.B.6. Resolution No. AR 2008-329, a resolution of the Anchorage Municipal Assembly relating to the  
22 **property tax status of Alaska Pacific University campus property** used to generate income to  
23 support Alaska Pacific University's educational programs, Assemblymember Coffey. (*Addendum*)  
24

25 Mr. Flynn moved, to approve AR 2008-329.  
26 Dr. Selkregg seconded,  
27

28 Ms. Ossiander stated that facilities needed to be directly related to education in order to get the exemption.  
29

30 Mr. Flynn stated that he had discussed the matter with the Alaska Pacific University (APU) Board of Trustees and it  
31 was APU policy that every structure on the campus have an educational purpose.  
32

33 Dr. Selkregg stated that Mr. Coffey had worked hard on this matter. Postponing until after dinner would give him an  
34 opportunity to respond to the questions, if he was able to attend the meeting that evening.  
35

36 Dr. Selkregg moved, to postpone AR 2008-329 until after the dinner break.  
37 Ms. Ossiander seconded,  
38

39 Ms. Drummond stated the Legislature did not convene until late January and there was time to address the matter at a  
40 later date.  
41

42 Mr. Flynn concurred and stated that it would be appropriate to allow APU officials additional time to get the proposal  
43 drafted and presented to the Legislature.  
44

45 and the motion passed, 9-1,  
46 with Mr. Flynn opposing, and  
47 with Mr. Coffey was an excused absence.  
48

49 (*Clerk's Note: Following the dinner break the Assembly returned to complete AR 2008-329.*)  
50

51 Ms. Ossiander moved, to amend AR 2008-329 on Page 2, Lines 26-29, by changing  
52 Mr. Starr seconded, to read: 4. The Alaska Legislature is encouraged to enact  
53 legislation authorizing municipal property tax exemption to  
54 Alaska Pacific University for all its [contiguous] "educational  
55 facilities" on Anchorage Campus, so that Alaska Pacific  
56 University would be taxed no more than University of Alaska  
57 Anchorage property.  
58

59 Ms. Ossiander stated that the United States Geological Survey facility on APU campus fit into the description for tax  
60 exempt status fairly well. She had not received information that she had requested on how the Spine Institute was  
61 linked with APU. If the link was there, a tax exemption was appropriate. She wanted confirmation because of her  
62 commitment of reducing the burden to taxpayers.  
63

64 To Mr. Flynn, APU President Dr. Douglas North responded that APU was seeking a level playing field compared with  
65 the University of Alaska. APU was seeking tax exempt status of the medical building that housed the Spine Institute  
66 and offered an academic program in Health Services Administration. It was a good environment for doctors, personnel  
67 and medical students.  
68

69 To Mr. Gutierrez, Dr. North responded that the property was originally tax exempt. The Spine Institute was now  
70 located in the building and was involved with APU medical programs.  
71

72 To Dr. Selkregg, Dr. North responded that building across the street on University of Alaska property was tax exempt.  
73 APU was asking for equal standards. APU's 170 employees spent their earnings of \$22 million in the community.  
74

75 To Ms. Johnston, Dr. North responded that a hotel and restaurant were leased on APU property, which would be used  
76 for training for hospitality degree programs.

1  
2 Ms. Ossiander stated that she had requested a list of students enrolled in Health Services Administration academic  
3 degree programs that involved the Spine Institute. Dr. North responded that he would provide the specific information.

4  
5 and the motion failed, 2-8.

6  
7 AYES: Starr and Ossiander.

8 NAYS: Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Flynn and Johnston.

9 ABSENT: Coffey, excused.

10  
11 and the main motion passed, 8-2.

12  
13 AYES: Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Flynn and Johnston.

14 NAYS: Starr and Ossiander.

15 ABSENT: Coffey, excused.

16  
17 (Clerk's Note: Chair Claman returned the body to complete Public Hearing on item 14.B, AR 2008-307.)

18  
19 10.B.8. Resolution No. AR 2008-333, a resolution of the Anchorage Municipal Assembly to address the  
20 current financial environment through **monthly evaluation and reporting to the Assembly on the**  
21 **state of municipal finances**, Assemblymembers Selkregg and Ossiander. (**Addendum**) (Postponed  
22 to 1-20-09.)

23  
24 Dr. Selkregg moved, to approve AR 2008-333.

25 Mr. Gutierrez seconded,

26  
27 Dr. Selkregg stated that the two resolutions (AR 2008-333 and AR 2008-334, items 9.B.8 and 9.B.9) would allow the  
28 Assembly to address the status of municipal finances and be good information for the Budget and Finance Committee.

29  
30 Ms. Gray-Jackson thanked the two sponsors for bringing these resolutions forward, which were prudent because of the  
31 (economic) situation Anchorage was facing. She had not had an opportunity to read the documents and she proposed  
32 to postpone both documents.

33  
34 Ms. Gray-Jackson moved, to postpone AR 2008-333 to January 20, 2009 and to refer

35 Mr. Gutierrez seconded, to the Budget and Finance Committee.

36  
37 Mayor Begich supported postponement, to allow the Chief Fiscal Officer and the Office of Management and Budget  
38 (OMB) Director to review the documents. He was proud that *Business Week* and *The Wall Street Journal* recognized  
39 Anchorage as one of the few cities in the nation that would be able to weather the upcoming economic crisis.

40  
41 Ms. Ossiander supported postponing AR 2008-334. AR 2008-333 addressed financial information that could be  
42 addressed that evening.

43  
44 To Ms. Johnston, Chief Fiscal Officer Sharon Weddleton responded that she could supply most of the information.

45  
46 Dr. Selkregg stated that this was intended to be a tool to help evaluate the budget and revenues. She would support  
47 referring to the Budget and Finance Committee and postponing to January 20<sup>th</sup>.

48  
49 Ms. Gray-Jackson encouraged all who needed budget information to contact her.

50  
51 and the motion passed, 9-1,  
52 with Mr. Birch opposing, and  
53 with Mr. Coffey as an excused absence.

54  
55 10.B.9. Resolution No. AR 2008-334, a resolution of the Anchorage Municipal Assembly in support of sound  
56 financial management by **postponement of new hires and certain municipal contracts until after**  
57 **first quarter budget review**, subject to monthly reporting on the state of municipal finances,  
58 Assemblymembers Selkregg, Ossiander. (**Addendum**) (Postponed to 1-20-09.)

59 a. Assembly Memorandum No. AM 882-2008.

60  
61 Dr. Selkregg moved, to approve AR 2008-334.

62 Ms. Drummond seconded,

63  
64 Dr. Selkregg moved, to postpone AR 2008-334 to January 20, 2009 and to refer

65 Mr. Gutierrez seconded, to the Budget and Finance Committee.

66 and this was approved, 10-0,  
67 with Mr. Coffey as an excused absence.

68  
69 Chair Claman stated that Ms. Gray-Jackson's Budget and Finance Committee was scheduled to meet January 15<sup>th</sup>.

70  
71 10.C. **BID AWARDS** None were pulled for review.

72  
73 10.D. **NEW BUSINESS** None were pulled for review.

74  
75 10.E. **INFORMATION AND REPORTS**

10.E.1. Information Memorandum No. AIM 97-2008, Internal Audit Report 2008-13 - **Cash Controls, Solid Waste Services.**

Ms. Ossiander moved, *to accept AIM 97-2008.*  
Mr. Flynn seconded.

Ms. Ossiander reported that one audit finding indicated there were outstanding late garbage (*pick up*) fees, particularly in the part of town with mandatory service. There were no penalty fees for not paying the bills.

Ms. Johnston stated that the memorandum also indicated that Solid Waste Services still used index cards to manually track accounts receivable.

Ms. Gray-Jackson stated that the Administration had made suggestions to remedy the audit issues.

and the motion was approved without objection.

**10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

10.F.1. Ordinance No. AO 2008-136, an ordinance amending Anchorage Municipal Code Sections 21.35.020 Definitions and Rules of Construction, 21.40 Zoning Districts, 21.45 Supplementary District Regulations, and 21.50 Standards for Conditional Uses and Site Plans, to define **Wind Energy Conversion Systems (WECS)**, to allow WECS in certain zoning districts as accessory uses by administrative site plan review and as conditional uses, to set general standards and conditional use standards, Planning Department. P.H. [1-6-09] March 3, 2009.

a. Assembly Memorandum No. AM 843-2008.

Ms. Ossiander moved, *to introduce AO 2008-136 and to refer to the Title 21*  
Dr. Selkregg seconded, *Committee, with Public Hearing set for [January 6,]*  
Mr. Flynn was the concurring third. *March 3, 2009.*

Ms. Ossiander requested that the Title 21 Committee hear this matter which involved wind towers of up to 100-feet in height and foundation requirements on lots of 20,000 square feet. Chair Claman postponed AO 2008-136 to March 3, 2009. There were no objections.

**11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

11.A. Assembly Memorandum No. AM 835-2008, **Anchorage Water and Wastewater Utility Board of Directors** appointment (Tom Chapple), Mayor's Office. (*Postponed from 12-2-08*)

Chair Claman read the resolution title and reported Public Hearing was closed. He called for a motion.

Mr. Flynn moved, *to approve AM 835-2008.*  
Ms. Ossiander seconded,  
and the motion passed, 10-0,  
with Mr. Coffey as an excused absence.

11.B. Resolution No. AR 2008-243, a resolution of the Municipality of Anchorage, Alaska, approving a water main extension identified as the **Knik View Intertie Water Extension** and providing for assessment of benefited properties at time of service connection, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 680-2008. (*Public Hearing was Closed 11-18-08; Action was Postponed from 11-18-08*)

Chair Claman read the resolution title and reported that Public Hearing was closed. There was a motion to approve on the floor from November 18, 2008.

Dr. Selkregg had moved, *to approve AR 2008-243.*  
Mr. Coffey had seconded for discussion,

Ms. Ossiander moved, *to postpone AR 2008-243 to January 6, 2009.*  
Dr. Selkregg seconded,

Ms. Ossiander stated that she had prepared an alternative resolution that redefined the intertie. A meeting to discuss the ramifications was scheduled for Monday, December 22<sup>nd</sup>, at 10:30 a.m. at the Anchorage Water and Wastewater Utility 3<sup>rd</sup> Floor Conference Room.

and the motion passed, 10-0,  
with Mr. Coffey as an excused absence.

11.C. Ordinance No. AO 2008-100, an ordinance amending Anchorage Municipal Code Sections 3.87.020, 3.87.050, 3.87.060 and 3.87.070, to provide a **Retiree Medical Funding Program** for certain police officers and fire fighters, Finance.  
1. Assembly Memorandum No. AM 560-2008. (*Public Hearing was Closed 10-28-08; Action was Postponed from 10-28-08 and 11-18-08 (Postponed to 1-20-09)*)

Chair Claman read the ordinance title and reported that Public Hearing was closed. He questioned whether there had been a ruling. Municipal Attorney Jim Reeves responded that, as of that day, the court had not yet ruled.

1 Dr. Selkregg stated the Assembly had been told that taking action on the ordinance would not affect the outcome of  
2 the court case. She supported acting on the matter that evening, which was the right thing to do.

3  
4 Mr. Gutierrez supported taking up the matter that evening.

5  
6 Ms. Ossiander moved, *to postpone* AO 2008-100 to January 20, 2009.  
7 Mr. Birch seconded,

8  
9 Ms. Gray-Jackson opposed postponement and urged her colleagues to vote YES on the ordinance that evening.

10  
11 To Chair Claman, Municipal Manager Michael Abbott responded the litigation may take years to settle. Mr. Reeves  
12 concurred. Mr. Abbott stated the court decision would not affect the ordinance.

13  
14 Ms. Johnston stated she was afraid that the Assembly could be antagonizing the court or dealing with a double  
15 indemnity. Mr. Reeves responded the decision would not ordain the outcome of the matter before the Assembly.  
16 Assembly action would not necessarily eliminate the litigation, either.

17  
18 Mr. Birch stated the city was being sued over related issues. Now the city was trying to reopen and renegotiate a  
19 contract that had been negotiated and settled in the 1990s. The Assembly was advised that the matter should be  
20 postponed until past the litigation settlement. It was inappropriate to push the ordinance forward that evening.

21  
22 Ms. Ossiander stated the court decision would not end the discussion. The problem needed to be addressed, but the  
23 judge needed to weigh in before the Assembly took action. She supported postponing the matter to save the city from  
24 a greater liability. Mayor Begich responded that after years of dedication and service, the employees deserved to be  
25 recognized. The Administration wanted the matter to be settled and this was a reasonable proposal.

26  
27 Mr. Flynn stated that he would support postponing, which did not mean this was not important or that he did not want  
28 to help members address their medical needs. The court decision may give guidance as to whether this was the  
29 correct approach. Some members who may benefit from the Assembly action were part of the court lawsuit. The  
30 litigation needed to be dropped.

31  
32 Mr. Gutierrez stated that in the past he had supported postponing the matter. But, since April, three employees had  
33 died due to lack of proper healthcare coverage. The right thing to do was to address the matter that evening.

34  
35 Dr. Selkregg stated that the city had had an obligation since 1995 to provide affordable healthcare for these members.  
36 The ordinance and the court issue were two different things. The Assembly should not wait for the court decision,  
37 which may take years. The city had an obligation to the employees involved.

38  
39 Ms. Drummond stated that the matter involved employees who risked their lives without considering whether they were  
40 medically covered by their employers. It was wrong for the Assembly to postpone the matter any further. The  
41 Assembly needed to act that evening.

42  
43 Mr. Birch stated this had been a negotiated agreement and the benefits and conditions were appropriate. This would  
44 be a \$2,000,000 gift that would be an additional burden to property taxpayers. He could not in good conscience  
45 support the matter, particularly with the litigation. He supported postponing and waiting for a court decision.

46  
47 Ms. Gray-Jackson stated this was not a gift, it was a promise. She had been a Municipal employee since 1982 and  
48 was promised a medical retirement. If anyone tried taking away her benefits there would be some issues.

49  
50 Chair Claman stated that this was a very good plan, but he would not vote for the ordinance until a judge released an  
51 opinion. If the city lost in court there would be far more money involved. He would vote YES on postponing.

52  
53 and the motion to postpone passed, 6-4.

54  
55 AYES: Starr, Birch, Claman, Ossiander, Flynn and Johnston.

56 NAYS: Gutierrez, Gray-Jackson, Selkregg and Drummond.

57 ABSENT: Coffey, excused.

58  
59 11.D. Resolution No. AR 2008-185, a resolution of the Anchorage Municipal Assembly supporting the  
60 approval of an increase in the employer contribution to the **Police and Fire Retirees Medical**  
61 **Benefits**, Finance. (*Public Hearing was closed 10-28-08; Action was Postponed from 10-28-08 and*  
62 *11-18-08) (Postponed to 1-20-09)*

63  
64 Chair Claman read the resolution title and reported that Public Hearing was closed. He called for a motion.

65  
66 Ms. Ossiander moved, *to postpone* AR 2008-185 to January 20, 2009.  
67 Ms. Johnston seconded,  
68 and the motion passed, 6-4.

69  
70 AYES: Starr, Birch, Claman, Ossiander, Flynn and Johnston.

71 NAYS: Gutierrez, Gray-Jackson, Selkregg and Drummond.

72 ABSENT: Coffey, excused.

73  
74 11.E. Resolution No. AR 2008-313, a resolution of the Anchorage Municipal Assembly relating to **Assembly**  
75 **ratification of contracts and amendments** in compliance with AMC 3.70.130, Assemblymembers  
76 Starr, Johnston, Coffey, Birch. (*Carried Over from 12-2-08) (Postponed to 1-20-09)*

1  
2 Chair Claman read the resolution title and called for a motion.

3  
4 Ms. Johnston moved, to postpone AR 2008-313 to January 20, 2009.  
5 Mr. Starr seconded,  
6 and this passed without objection, 10-0,  
7 with Mr. Coffey as an excused absence.  
8

9 **12. APPEARANCE REQUESTS**

10 12.A. **Bridge Builders of Anchorage**, to present their 2008 Annual Report and the 2009 direction.

11  
12 Elsa Sargento, President of Bridge Builders of Anchorage, presented the 2008 Annual Report of the local nonprofit  
13 organization which represented fifty-three cultures and supported unity, harmony and respect to one another. She  
14 urged the Assembly to approve the resolution, supporting Anchorage being a city without prejudice. She was joined by  
15 members Angelina Estrada-Burney, Madon Manneh, Arthur Yang and Paula Pawlowski. Dr. Selkregg thanked them  
16 for their hard work, creating an atmosphere and setting a model that would help define Anchorage in the future. Ms.  
17 Gray-Jackson and Chair Claman thanked them for their work.  
18

19 **13. CONTINUED PUBLIC HEARINGS**

20 13.A. Ordinance No. AO 2008-114, an ordinance of the Anchorage Municipal Assembly repealing  
21 Anchorage Municipal Code Chapter 7.80, **Anchorage Cooperative Services Authority**, and  
22 establishing an effective date, Assemblymember Starr. (Carried over from 11-18-08; Continued from  
23 11-25-08)  
24

25 Chair Claman read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public  
26 Hearing and called for a motion.

27  
28 Dr. Selkregg moved, to approve AO 2008-114.  
29 Mr. Starr seconded,

30  
31 Mr. Starr moved, amend AO 2008-114 on Page 1, Line 11, by adding to read:  
32 Dr. Selkregg seconded, WHEREAS, AMC 7.80.101 provides that termination of the  
33 and this passed, 10-0, Anchorage Cooperative Services Authority shall be by  
34 with Mr. Coffey as an excused absence. ordinance and upon termination, all of its rights, assets  
35 "liabilities" and properties shall pass to the municipality.  
36 And, on Line 16, by adding to read: **Section 1.** The  
37 Anchorage Services Authority is hereby terminated. All of  
38 its rights, assets, "liabilities" and properties shall pass to the  
39 municipality. And, on Line 24, by adding to read: **Section 4.**  
40 This ordinance shall become effective "December 31," 2008.  
41

42 and the main motion, as amended, was passed, 10-0.  
43

44 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.

45 NAYS: None.

46 ABSENT: Coffey, excused.  
47

48 **14. NEW PUBLIC HEARINGS**

49 14.A. Ordinance No. AO 2008-122, an ordinance amending Anchorage Municipal Code Sections 9.28.020  
50 and 9.28.022 to comply with State Law regarding **ignition interlock devices**, effective January 1,  
51 2009, Assemblymember Johnston.  
52 1. Assembly Memorandum No. AM 752-2008.  
53

54 Chair Claman read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public  
55 Hearing and called for a motion.

56  
57 Ms. Johnston moved, to approve AO 2008-122.  
58 Mr. Gutierrez seconded,  
59 and the motion passed, 10-0,  
60 with Mr. Coffey as an excused absence.  
61

62 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.

63 NAYS: None.

64 ABSENT: Coffey, excused.  
65

66 Mr. Gutierrez thanked Ms. Johnston for sponsoring the ordinance. Ms. Johnston thanked her constituents for bringing  
67 the matter to her attention.  
68

69 14.B. Resolution No. AR 2008-307, a resolution approving and ratifying a five year collective bargaining  
70 agreement between the Municipality of Anchorage and the **Anchorage Police Department**  
71 **Employees Association**, Employee Relations Department.  
72 1. Assembly Memorandum No. AM 830-2008.  
73

74 Chair Claman read the resolution title and opened Public Hearing.  
75

1 DEREK HSIEH, a 14-year Anchorage Police Department (APD) Officer and Anchorage Police Department Employees  
2 Association (APDEA) Representative, testified that this was a fair agreement, with both sides making concessions and  
3 receiving benefits. He urged the Assembly to vote YES. To Ms. Johnston, Mr. Birch, Dr. Selkregg, Mr. Gutierrez and  
4 Mr. Starr, Sergeant Hsieh responded to questions concerning employees reviewing the contract, the lawsuit, long term  
5 contracts offering stability to employees, the 2.9% per year increase and an increase based on the CPI, performance  
6 increases, APDEA's willingness to renegotiate during economic hardships, membership voting statistics, his  
7 responsibilities as a representative, a wage reopener and renegotiating in May to address a new medical plan.

8  
9 JUDY MORTON stated the contract was not due until June, 2009. People were not receiving wage increases or were  
10 losing their jobs during this economic crisis. It was wrong to pass contracts the city would not be able to pay for.

11  
12 BOB GRIFFIN testified the Assembly was passing labor contracts without considering taxpayers, in light of the future  
13 economic crisis. Unions would try to get as much as they could. Unions had contributed \$6,000,000 to the elections  
14 of six Assemblymembers and Mayor Begich, which may have caused their lack of responsibility to taxpayers. The  
15 Assembly was expected to understand the tax burden to working class families.

16  
17 KEVIN EHM, a 26-year police officer, testified that he and APD employees had taken an oath, were dedicated to the  
18 department and risked their lives to protect citizens and make the community a safe place. He urged the Assembly to  
19 approve the contract. To Mr. Starr, Officer Ehm responded that he had not received much overtime in 2008.

20  
21 *(Clerk's Note: Following the dinner break, the Assembly completed action on AR 2008-329, Agenda item 9.B.6, and*  
22 *then returned to continue Public Hearing on AO 2008-307.)*

23  
24 MARGARET BERGMAN, an APD School Resource Officer, testified that she was also an instructor, an E911 system  
25 operator and Coordinator of the Defibrillator Program. Calls at the end of a shift required overtime, which was well  
26 managed and was generally paid for by grant money. The contract provided long term stability and she urged support.

27  
28 BRETT SARBER, Detective with the Crimes Against Children Unit, testified that Anchorage had high statistics of child  
29 abuse crimes. His unit never missed responding to a call. Each detective investigated sixty to ninety abuse cases  
30 each year. APD wages did not keep up with the cost of living. He had been attracted by APD's pay and benefits  
31 package. He urged support for the contract.

32  
33 JOYCE CREED, an APD Dispatcher, testified that she loved her job, gave 110% to the community and worked  
34 overtime when necessary. The contract was fair and had been negotiated in good faith by both sides and she urged  
35 support. To Mr. Gutierrez, Ms. Creed responded that when she was first hired she worked much overtime because  
36 there were not enough trained dispatchers.

37  
38 KENNETH LORD, federal attorney, Hillside homeowner and a former Florida police officer, testified in support of the  
39 contract. He volunteered with local law enforcement officers. The APD protected the quality of life and kept children  
40 safe and deserved community support.

41  
42 PAUL HONEMAN, a retired APD Officer, testified that this was the second five-year contract in a row and was a good  
43 contract. The medical benefits were less than when he was first employed. The workforce needed a fair wage. He  
44 had wrestled and arrested an armed and violent man at a local restaurant while he was off duty. That man was serving  
45 nine years. To Mr. Gutierrez, Mr. Honeman responded that police officers were always on duty.

46  
47 ROB TIMMINS testified that police officers were valuable and needed to be commended for their service, but the  
48 contract was not good for the Municipality and he questioned where the money would come from. The cities of Los  
49 Angeles, San Francisco and Seattle had saved money by hiring civilians to do smaller jobs. Dr. Selkregg stated that  
50 the APDEA had negotiated a lesser increase than was proposed by the Assembly. To Ms. Gray-Jackson, he  
51 responded that he had participated in an APD ride-along. Ms. Ossiander stated that the Assembly had tried pursuing  
52 non-sworn officers to do smaller duties like ticketing, which had been difficult to sell to the community.

53  
54 DANI MYREN, an APD Records Clerk, explained her job responsibilities and stated that she was dedicated to her job  
55 and to the community. She was thankful for her job and what she had to offer her family. She was honored to work for  
56 an organization comprised of dedicated individuals making a difference in the community.

57  
58 RENEE OISTAD, a 12-year APD Community Service Officer, testified that she enforced parking regulations, directed  
59 traffic at accident scenes and collected found property. She had had a gun pulled on her. She was a sworn officer  
60 and wore a police uniform, a badge and a bullet-proof vest, but did not get the wages and benefits of sworn officers.  
61 She stayed because she believed in the police mission, job stability, wages and benefits.

62  
63 Chair Claman requested those present who were in support of the contract to stand. *(Clerk's Note: Over 200 people*  
64 *in Chambers stood, with additional uncounted people in the foyer and lobby.)* He requested those present who  
65 opposed to stand. *(Clerk's Note: Approximately 25 people in Chambers stood.)*

66  
67 PETER GOLDBERG, a retired Army Lieutenant living on a fixed income who had lost half of his retirement savings  
68 with the economic crisis, testified against increased taxes. Alaska's most senior military officer made \$80,000 a year.  
69 Only two U.S. five-star generals made over \$200,000. To Mr. Flynn, Lieutenant Goldberg responded that he paid over  
70 \$21,000 property tax each year and would support a city sales tax. Dr. Selkregg stated that the Municipality operated  
71 solely from property taxes, which were the lowest in the country. Lieutenant Goldberg responded that it needed to be  
72 determined whether some salaries and other expenses were out of line.

73  
74 JASON RAMPTON, a retired Air Force Lieutenant Colonel, testified the failing economy had substantially decreased  
75 the gross income of his small business, but his taxes continued to rise. He worried about laying off his employees.  
76 The Assembly needed to cut back and not increase taxes that he could not afford. To Ms. Gray-Jackson, he

1 responded that he had five sons at home. Mr. Gutierrez stated that if the Assembly did not pass this contract, it would  
2 go to binding arbitration, which could cost the city more. Mr. Rampton responded that he did not understand  
3 arbitration, but he did know that you could not get blood out of a turnip. He was responsible for his seven employees  
4 and their families who depended on his business for employment.  
5

6 CHRIS SIMMONS, a 6-year APD Officer, testified that he had served ten years of active duty as an Army Airborne  
7 Infantryman. Currently he served as a First Sergeant in the Air National Guard and had been deployed three times,  
8 including to Iraq. He supported the APD contract which supported leave time for soldiers who served.  
9

10 SLAV MARKIEWICZ, a 19-year APD Sergeant, testified that both sides had negotiated over several months in good  
11 faith and this was a good contract that allowed stability. Detectives in his unit were available all the time. Police  
12 officers reduced crime statistics and increased public safety in the city and were worth the wages.  
13

14 BOB GILL testified in support of the contract. The APD had quality people and he wanted it to stay that way. The  
15 APD had made concessions. It was not a Cadillac contract, but was fair and provided stability and the Municipality  
16 was not giving away the store.  
17

18 NEIL NICHOLS testified that cities the union used in their arguments for wage comparisons were going bankrupt. With  
19 the deepening recession, businesses needed to control labor costs. The contract was 40% more than five years ago.  
20 APD costs were the highest in the nation and would lead to the same dangers that had bankrupted other cities. To Mr.  
21 Gutierrez, Mr. Nichols responded the contract should be the next mayor's business. Binding arbitration could  
22 potentially lower wages. To Dr. Selkregg, Mr. Nichols responded that Buena Vista, Phoenix, Chicago, New York City,  
23 Las Vegas and San Francisco were in trouble. Dr. Selkregg stated the only city in trouble was Las Vegas.  
24

25 JIM BUCHART testified that approving the contract was irresponsible in this day and time. If the APD and AFD wage  
26 increases were a priority, he questioned what the city was willing to give up. He was retired and on a fixed budget and  
27 opposed increased property taxes. He urged the Assembly to vote NO on the contract and let it be renegotiated. Dr.  
28 Selkregg stated the APD had turned down all wage and benefit increases in 2004 when the city could not afford it and  
29 would do it again. To Ms. Gray-Jackson, Mr. Buchart responded that he had two people in his household and paid  
30 about \$11,000 for property tax a year. To Chair Claman, Mr. Buchart responded he would support the tax cap being  
31 adjusted annually by the cost of living index.  
32

33 ADAM CHROMLEY, speaking for TOM SCRIPPS, testified against the contract and opposed increased property  
34 taxes. Their ability to support their families was slowly eroding away. The government needed to work with less.  
35

36 MIKE COUTURIER, APD Sergeant with the APD Training Center, testified that recruiting was difficult because of  
37 competition from other cities. 4,000 applications were processed and 2,000 interviews conducted to recruit 90 new  
38 officers. Seattle and Honolulu were giving 24% hiring bonuses. He needed the Assembly's help to maintain the  
39 department that served 270,000 people. Ms. Ossiander stated that the APD had told her the department would absorb  
40 the \$388,000 budget shortfall and she questioned how recruitment would be affected. Sergeant Couturier responded  
41 that he was the wrong person to discuss a budget matter when he was having a recruitment problem. To Mr.  
42 Gutierrez, Sergeant Couturier responded that pay and benefits were needed to recruit officers. To Mr. Starr, he  
43 responded the city needed to offer long term security to recruit officers. To Chair Claman, Sergeant Couturier  
44 responded that in the last two years the APD had hired four Alaska State Troopers.  
45

46 KEN SPADAFORA, a 30-year APD Lieutenant, testified that he was responsible to make sure there were officers to fill  
47 a shift. He preferred having a senior officer rather than a draftee. Senior employees were in the minority and slowly  
48 earned the right to turn down overtime. He did not want new officers who did not want to work overtime.  
49

50 BRUCE GAZAWAY, homeowner and taxpayer, testified in support of the five-year APDEA contract, which offered  
51 stability to the workforce. The city would live through the financial trouble. The contract was an investment in  
52 policemen and in the community.  
53

54 JED WHITTAKER testified that he had witnessed three officers perform a field sobriety test on 26<sup>th</sup> Avenue. A union  
55 representative should not be paid by the city. The next mayor should negotiate the contract. It may be worth looking  
56 at binding arbitration. Mr. Whittaker questioned some officers making \$130,000. He supported a living wage.  
57

58 There was no additional public testimony and Chair Claman closed Public Hearing and called for a motion.  
59

60 Mr. Gutierrez moved, to approve AR 2008-307.  
61 Ms. Gray-Jackson seconded,  
62

63 Mr. Starr stated that he supported keeping Public Hearing open and delaying the decision until April. The contract did  
64 not comply with Municipal Code.  
65

66 Mr. Starr moved, to postpone AR 2008-307 to April 14, 2009.  
67 Mr. Birch seconded,  
68

69 Mayor Begich stated that both parties had agreed to reopen the agreement to allow a wage adjustment to be effective  
70 January 1, 2009. The Administration was following Code to finalize the contract negotiations.  
71

72 Mr. Starr stated that this did not comply with Municipal Code. He read Code requirements, which spoke to the policy  
73 for continued communications, which was not included in this contract. Municipal Attorney Jim Reeves responded the  
74 Code requirement applied, regardless whether the provision was included in the contract. Mr. Starr stated the  
75 language should be in the contract. He did not want to violate Code. He supported postponing.  
76

1 To Ms. Ossiander, Mr. Reeves responded that Code included a meet and confer obligation. Omission of the provision  
2 in the contract was not legally significant. Ms. Ossiander stated that she had always supported collective bargaining,  
3 but the Administration had offered little clarity on the contract side agreements that changed wages for training officers  
4 and would have a financial impact to the city. With a little work she had discovered the contract was \$388,000 over  
5 budget. If the Assembly opposed the agreement, it would go to binding arbitration. She supported postponing until  
6 there was a better understanding of the increased costs and how recruitment would be affected. APD Chief Rob Heun  
7 responded that he could make a concerted effort for the APD Budget to absorb the \$388,000.  
8

9 Dr. Selkregg stated that a contract that exceeded the city budget made all Assemblymembers nervous. The APD  
10 being able to absorb the \$388,000 needed to be included during budget discussions. The fat times were over. If there  
11 was money to be saved, it needed to be known.

12 Mr. Birch supported postponement. He had continually requested financial details on the contract and he had not  
13 received the information, which needed to be reviewed to determine whether the city could afford the contract.  
14 Everyone needed to be mindful of the impact of the contract to taxpayers.

15 Mr. Gutierrez opposed postponement. The opinion of the Municipal Attorney was that Code applied, regardless  
16 whether the language was written in the contract or not. There was no need to postpone.

17 Mayor Begich opposed the delay. It would cost the city hundreds of thousands of dollars if open enrollment did not  
18 happen in January.  
19

20 Mr. Starr stated that more financial information needed to be fleshed out, including accuracy of the pay schedules,  
21 which he had not received until that afternoon. There was no legal or financial oversight. A contract should not be  
22 hurried. He did not want any part of approving a contract that did not comply with Code.  
23

24 Ms. Ossiander moved, to amend the Starr motion by changing: to postpone  
25 Ms. Johnston seconded, AR 2008-307 to [April 14] January 20, 2009.  
26

27 To Ms. Johnston, Labor Relations Director Lisa Arnold responded that the police and fire (*unions*) had agreed to enroll  
28 into the new healthcare plan. If the contract was not approved, employees would be allowed to remain in the existing  
29 Premium Health Plan. Enrollment in a new healthcare plan could be negotiated, but could not be forced.  
30

31 To Ms. Ossiander, Ms. Arnold responded that if a new healthcare plan was approved, emergency open enrollment  
32 would be processed in January and February.  
33

34 Chair Claman called for a vote to amend the motion to January 20<sup>th</sup>.  
35

36 and the motion to amend to January 20<sup>th</sup> passed without objection, 10-0.  
37

38 Chair Claman called for a vote on the motion to postpone to January 20<sup>th</sup>.  
39

40 and the motion to postpone to January 20<sup>th</sup> failed, 4-6.  
41

42 AYES: Starr, Birch, Ossiander and Johnston.  
43 NAYS: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond and Flynn.  
44 ABSENT: Coffey, excused.  
45

46 To Ms. Johnston, Chief Fiscal Officer Sharon Weddleton responded that information on the PERS contribution was an  
47 estimate and different retirement levels needed to be determined. Annuity prices would vary among employees. Ms.  
48 Johnston stated she had determined some contract retirement pensions had high annuity costs based on wages.  
49

50 Mr. Starr stated the Assembly was restricted from discussion when collective bargaining was in process. He had  
51 thoroughly read the contract and had compared it with the previous contract and found areas that did not comply with  
52 Code. Provisions were not being met, including employees sharing in the rising costs of healthcare benefits; service  
53 recognition and longevity compensation programs being replaced by paper performance, which was not the same and  
54 was not the directive; the longevity statement still being in the contract, and; wage adjustments exceeding the CPT.  
55 Employee benefits were runaway and wage increases were a burden to the employer. It did not address a deflationary  
56 period. Officers were making more than twice their annual salaries in overtime. The APD had \$5.3 million in overtime  
57 in 2008. He would abstain from the final vote on the contract.  
58

59 Ms. Johnston stated that she believed in taxes which made all people individually responsible for the community. She  
60 was saddened that Alaska was in last place for entrepreneurship. There were things said by members of the body that  
61 showed there was disconnection. People who had testified were told that the CPI would be increasing and to come  
62 back at the First Quarter (*Budget Review*) to ask the Assembly for more money. It was stated on record that the  
63 wages in a labor contract were being paid for by the ratepayers and impact fees. The Administration and the  
64 Assembly were disassociating themselves from the responsibility. The mill rate would be set in April to match the  
65 budget and she felt that she needed to do something about it. Anchorage had a great police force, but these were not  
66 great times. All indicators showed Alaska was in deflation and the contracts had inflated costs. For those reasons she  
67 would be voting NO.  
68

69 and the motion passed, 6-[3]4.  
70 (Clerk's Note: This was later amended.)  
71

72 AYES: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond and Flynn.  
73 NAYS: Starr, Birch, Ossiander and Johnston.  
74

1 ABSENT: Coffey, excused.  
2 ABSTAIN: [Starr].  
3

4 Chair Claman stated that an Assemblymember present must vote. Mr. Starr's abstention from voting would be  
5 reflected on the record as a NO-vote. Mr. Starr responded that he refused to break Municipal Code by voting.  
6

7 Ms. Gray-Jackson moved for immediate reconsideration and urged a NO-vote.  
8

9 Ms. Gray-Jackson moved, for immediate reconsideration of AR 2008-307.  
10 Dr. Selkregg seconded,  
11 and the motion failed, 0-10.  
12

13 AYES: None.

14 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Ossiander, Drummond, Flynn and Johnston.

15 ABSENT: Coffey, excused.  
16

17 (Clerk's Note: Dr. Selkregg requested a point of Personal Privilege to render her resignation. See Special Orders,  
18 Agenda item 15.)  
19

20 14.C. Resolution No. AR 2008-306, a resolution ratifying a five year collective bargaining agreement  
21 between the Municipality of Anchorage and the **International Association of Fire Fighters, Local**  
22 **Union 1264**, Employee Relations Department.

23 1. Assembly Memorandum No. AM 829-2008.  
24

25 (Clerk's Note: There was no time left in the Meeting and AR 2008-306 was continued to December 17, 2008.)  
26

27 14.D. Resolution No. AR 2008-303, a resolution of the Municipality of Anchorage providing for **revisions to**  
28 **the 2008 General Government Operating Budget** to provide 2008 appropriations commensurate  
29 with 2008 expenditures for various departments and funds, Office of Management & Budget.

30 1. Assembly Memorandum No. AM 838-2008.  
31

32 (Clerk's Note: There was no time left in the Meeting and AR 2008-303 was continued to December 17, 2008.)  
33

34 14.E. Resolution No. AR 2008-305, a resolution of the Municipality of Anchorage **revising the approved**  
35 **2008 Merrill Field Airport Operating Budget** to reflect an increase in depreciation expense, Merrill  
36 Field Airport.

37 1. Assembly Memorandum No. AM 827-2008.  
38

39 (Clerk's Note: There was no time left in the Meeting and AR 2008-305 was continued to December 17, 2008.)  
40

41 14.F. Ordinance No. AO 2008-129, an ordinance amending Anchorage Municipal Code Section 17.25.060.  
42 regarding fee exemptions for rescue groups and Section 17.70.010 Animal Care and Control Fee  
43 Schedule regarding **Adoption Fees**, Health and Human Services.

44 1. Assembly Memorandum No. AM 833-2008.  
45

46 (Clerk's Note: There was no time left in the Meeting and AO 2008-129 was continued to December 17, 2008.)  
47

48 14.G. Ordinance No. AO 2008-134, an ordinance repealing and re-enacting Anchorage Municipal Code  
49 Chapters 23.10 and 23.30 to adopt the Anchorage Administrative Code, the **2008 version of the**  
50 **National Electrical Code (NEC)**, and **local amendments**, effective January 1, 2009, Development  
51 Services Department.

52 1. Assembly Memorandum No. AM 839-2008.  
53

54 (Clerk's Note: There was no time left in the Meeting and AO 2008-134 was continued to December 17, 2008.)  
55

56 14.H. Ordinance No. AO 2008-132, an ordinance authorizing **acquisition of a portion of Tract 9A,**  
57 **WestPark Subdivision School Addition**, at the request of and funded by the Anchorage School  
58 District, for \$6,250,000, and authorizing acquisition of the remainder of Tract 9A, WestPark Subdivision  
59 School Addition and Tract 10, Kincaid Estates by exchange for an exclusive license valued at  
60 \$3,000,000 to fill and contour municipally owned Parcel 7A, WestPark Subdivision School Addition, Real  
61 Estate Services.

62 1. Assembly Memorandum No. AM 837-2008.  
63

64 (Clerk's Note: There was no time left in the Meeting and AO 2008-132 was continued to December 17, 2008.)  
65

66 14.I. Resolution No. AR 2008-304, a resolution recommending **selection of a site in Southwest**  
67 **Anchorage for a middle school**, consisting of an approximate 25-acre portion of Tract 9A, WestPark  
68 Subdivision School Addition, located within the SE1/4 and SW1/4 of Section 9, T12N, R4W, S.M.,  
69 Alaska, Planning Department.

70 1. Assembly Memorandum No. AM 828-2008.  
71

72 (Clerk's Note: There was no time left in the Meeting and AR 2008-304 was continued to December 17, 2008.)  
73

74 14.J. Resolution No. AR 2008-287, a resolution of the Municipality of Anchorage, Alaska, accepting and  
75 appropriating three (3) State of Alaska Clean Water Fund loan offers in the aggregate amount of  
76 \$3,795,000 for financing a portion of the costs of the **C-5-A King Rovenna Sewer Upgrade, C-5-1**

**(North Campbell Lake) Sewer Trunk, and Asplund Disinfection Study and Upgrade Projects,**  
Anchorage Water and Wastewater Utility.

1. Assembly Memorandum No. AM 800-2008.

(Clerk's Note: There was no time left in the Meeting AR 2008-287 was continued to December 17, 2008.)

- 14.K. Resolution No. AR 2008-288, a resolution of the Municipality of Anchorage, Alaska, accepting and appropriating an Alaska Drinking Water Fund loan offer in the amount of \$1,000,000 for financing a portion of the costs of the **Hiland Road Water Intertie Project**, Anchorage Water and Wastewater Utility.

1. Assembly Memorandum No. AM 801-2008.

(Clerk's Note: There was no time left in the Meeting AR 2008-288 was continued to December 17, 2008.)

- 14.L. Resolution No. AR 2008-286, a resolution of the Municipality of Anchorage accepting a Federal Transit Administration grant funded by a transfer from Federal Highway Administration and appropriating \$727,760 to the Public Transportation Capital Fund (485) as funding for **Phase 1 construction of transit improvements** including passenger boarding pads, amenities, sidewalks and crosswalks in the University-Medical (U-Med) District, Public Transportation Department.

1. Assembly Memorandum No. AM 799-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-286 was continued to December 17, 2008.)

- 14.M. Resolution No. AR 2008-293, a resolution of the Municipality of Anchorage appropriating \$93,708 to the Federal Grants Fund (241) as a grant from U.S. Department of Transportation Section 5317 New Freedom Grant Program and \$5,428 of Transit Revenues to the Areawide General Fund (101) and contribution of this amount and the amount of \$23,427 to the Federal Grants Fund (241) to assist in the funding of **Coordinated Transportation Services** beyond ADA requirements within the Municipality of Anchorage, Public Transportation Department.

1. Assembly Memorandum No. AM 806-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-293 was continued to December 17, 2008.)

- 14.N. Resolution No. AR 2008-296, a resolution of the Municipality of Anchorage appropriating \$673,553 from the Anchorage Fire Department, Anchorage Fire Service Area Capital Improvement Fund (431), as a contribution to the Anchorage Fire Department, Anchorage Fire Service Area 2008 Operating Budget Fund (131), to pay off an existing, third-party emergency response fire apparatus lease/purchase obligation and properly account for all associated **debt service payments**.

1. Assembly Memorandum No. AM 820-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-296 was continued to December 17, 2008.)

- 14.O. Resolution No. AR 2008-297, a resolution of the Municipality of Anchorage appropriating \$2,124,295 from the Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and contribution of \$82,721 from Anchorage Areawide Operating Fund (101) Municipal Manager Department, Office of Emergency Management 2008 Operating Budget to the Areawide General CIP Fund (401) for support of **Public Safety Interoperable Communications grant (PSIC) activities** in the Municipal Manager Department, Office of Emergency Management.

1. Assembly Memorandum No. AM 821-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-297 was continued to December 17, 2008.)

- 14.P. Resolution No. AR 2008-298, a resolution appropriating \$350,421 as a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management, to the Areawide General CIP Fund (401) for **seismic sprinkler bracing** for the Seismic Retrofit Project, Maintenance and Operations Department.

1. Assembly Memorandum No. AM 822-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-298 was continued to December 17, 2008.)

- 14.Q. Resolution No. AR 2008-299, a resolution appropriating \$152,482 as a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management, to the Areawide General CIP Fund (401) for the **Sullivan Arena seismic sprinkler bracing** for the Seismic Retrofit Project, Maintenance and Operations Department.

1. Assembly Memorandum No. AM 823-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-299 was continued to December 17, 2008.)

- 14.R. Resolution No. AR 2008-300, a resolution appropriating \$207,724 as a grant from the Department of Homeland Security FEMA for implementation of equipment and infrastructure as part of the **2008 Port of Anchorage Security Program**.

1. Assembly Memorandum No. AM 824-2008.

(Clerk's Note: There was no time left in the Meeting and AR 2008-300 was continued to December 17, 2008.)

- 1 14.S. Resolution No. AR 2008-301, a resolution of the Municipality of Anchorage accepting and  
2 appropriating a Federal Health and Human Services grant award through the State of Alaska, the  
3 Department of Health and Social Services in the amount of \$572,250 to the State Categorical Grants  
4 Fund (231) for **Coordinated Senior Transportation Services** within the Municipality of Anchorage,  
5 Public Transportation Department.  
6 1. Assembly Memorandum No. AM 825-2008.

7  
8 *(Clerk's Note: There was no time left in the Meeting and AR 2008-301 was continued to December 17, 2008.)*  
9

- 10 14.T. Resolution No. AR 2008-302, a resolution of the Municipality of Anchorage appropriating \$172,461 to  
11 the Federal Grants Fund (241), from U.S. Department of Transportation and \$6,835 to the Areawide  
12 General Fund (101) and contribution of this amount to the Federal Grants Fund (241) to assist in the  
13 funding of employment related **Coordinated Transportation Services** for low income individuals  
14 within the Municipality of Anchorage, Public Transportation Department.  
15 1. Assembly Memorandum No. AM 826-2008.

16  
17 *(Clerk's Note: There was no time left in the Meeting and AR 2008-302 was continued to December 17, 2008.)*  
18

- 19 14.U. Resolution No. AR 2008-253, a resolution of the Anchorage Municipal Assembly adopting specific  
20 **wildlife public safety policies** for implementation by the administration and authorizing the allocation  
21 of municipal resources to ensure the safety of Anchorage citizens, Assemblymember Starr.  
22

23 *(Clerk's Note: There was no time left in the Meeting and AR 2008-253 was continued to December 17, 2008.)*  
24

- 25 14.V. Ordinance No. AO 2008-124, an ordinance amending Chapter 25.35 to add a Mission Statement,  
26 update the **Anchorage Community Development Authority organizational structure**, and other  
27 related revisions; and amending Chapters 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 and 9.65 to implement the  
28 ACDA organization and structure, Department of Law.  
29 1. Assembly Memorandum No. AM 768-2008.

30  
31 *(Clerk's Note: There was no time left in the Meeting and AO 2008-124 was continued to December 17, 2008.)*  
32

- 33 14.W. Ordinance No. AO 2008-131, an ordinance of the Anchorage Municipal Assembly amending  
34 Anchorage Municipal Code Section 2.30.010 regarding **Organization of the Assembly**,  
35 Assemblymembers Coffey, Johnston, Starr.  
36

37 *(Clerk's Note: There was no time left in the Meeting and AO 2008-131 was continued to December 17, 2008.)*  
38

- 39 14.X. Ordinance No. AO 2008-125, an ordinance of the Anchorage Municipal Assembly **changing the**  
40 **names of the Anchorage Parks and Recreation Service Area and the Anchorage Parks and**  
41 **Recreation Commission** for clarification and directing the Municipal Code Revisor to make code  
42 revisions to incorporate the name changes, Assemblymember Ossiander.  
43

44 *(Clerk's Note: There was no time left in the Meeting and AO 2008-125 was continued to December 17, 2008.)*  
45

- 46 14.Y. Ordinance No. AO 2008-126, an ordinance amending Anchorage Municipal Code Section 9.28.026C.  
47 to authorize **electronically signed police reports** for post-seizure probable cause hearings handled  
48 by the Administrative Hearing Office, Department of Law.  
49 1. Assembly Memorandum No. AM 797-2008.

50  
51 *(Clerk's Note: There was no time left in the Meeting and AO 2008-126 was continued to December 17, 2008.)*  
52

## 53 15. SPECIAL ORDERS

54  
55 Dr. Selkregg announced that she was running for Mayor and she rendered her resignation as Assembly Vice Chair.

56  
57 Chair Claman called for nominations.

58  
59 Dr. Selkregg moved, *to nominate Harriet Drummond for Assembly Vice Chair.*  
60 Mr. Gutierrez seconded,

61  
62 Chair Claman stated time sensitive Agenda items had been identified that needed to be taken up, including Assembly  
63 Reorganization and 14.D, 14.E, 14.G, 14.H, 14.I and 14.S.

64  
65 Ms. Drummond moved, *to extend the Assembly Meeting past 11:00 p.m. to take up*  
66 Ms. Johnston seconded, *additional Agenda items.*  
67

68 Chair Claman called for those who supported the motion to extend. There was no response.

69  
70 and the motion died.

71  
72 Mr. Gutierrez moved, *to continue the December 16<sup>th</sup> Meeting to December 17<sup>th</sup>.*  
73 there was no second, *at 5:00 p.m.*  
74 and there were no objections.

75  
76 Ms. Drummond moved, *to reorder the Agenda for December 17<sup>th</sup>, taking up*

1 Ms. Johnston seconded, Assembly Reorganization and Agenda items 14.C, 14.D,  
2 and this passed without objection. 14.E, 14.F, 14.G, 14.H, 14.I and 14.S.  
3

4 **16. UNFINISHED AGENDA** There was none.  
5

6 **17. AUDIENCE PARTICIPATION** There was none.  
7

8 **18. ASSEMBLY COMMENTS**  
9

10 Chair Claman welcomed former Assemblymembers Dick Traini and Dan Sullivan to the meeting that evening. Mr.  
11 Gutierrez stated former Assemblymember Allan Tesche was also present briefly that evening.  
12

13 **19. EXECUTIVE SESSIONS** There were none.  
14

15 **20. ADJOURNMENT**  
16

17 Chair Claman called for a motion.  
18

19 Mr. Gutierrez moved, *to recess the Regular Assembly Meeting of December 16,*  
20 Mr. Birch seconded, *2008 to December 17, 2008.*  
21 and there were no objections.  
22

23 The Assembly Meeting was recessed at 10:50 p.m.  
24  
25  
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**MUNICIPALITY OF ANCHORAGE  
ANCHORAGE ASSEMBLY**

**Assembly Chambers, Z. J. Loussac Library  
3600 Denali Street, Anchorage, Alaska**

**Minutes for the December 17, 2008 Continuation  
of the Regular Meeting of December 16, 2008**

**1. CALL TO ORDER**

The Continued Meeting was reconvened by Chair Claman at 5:04 p.m. on December 17<sup>th</sup> in Assembly Chambers.

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

**PRESENT:** William Starr, Mike Gutierrez, Elvi Gray-Jackson, Chris Birch, Matt Claman, Sheila Selkregg, Harriet Drummond, Debbie Ossiander, Patrick Flynn, Jennifer Johnston and Dan Coffey.

**ABSENT:** None.

*(Clerk's Note: The Assembly moved to Special Orders, item 15, to allow Ms. Drummond to make an announcement, to nominate a new Assembly Vice Chair and to reorder the December 17<sup>th</sup> Agenda.)*

**14. NEW PUBLIC HEARINGS**

14.C. Resolution No. AR 2008-306, a resolution ratifying a five year collective bargaining agreement between the Municipality of Anchorage and the **International Association of Fire Fighters, Local Union 1264**, Employee Relations Department.

1. Assembly Memorandum No. AM 829-2008.

Chair Claman read the resolution title and opened Public Hearing.

TOM WESCOTT, Captain at Station Five and International Association of Fire Fighters (IAFF) Local Union 1264 Representative, testified in support of the bargaining agreement. He explained the history of the negotiations, the contract changes and the concessions made from both sides to reach the final agreement. Mr. Coffey stated these were extraordinary times and he preferred an addendum to the contract, post-approval, to reopen wage negotiations if the CPI was negative. Mr. Wescott responded that the union would always work with the city. Ms. Ossiander stated that the Anchorage Fire Department (AFD) had exceeded its budget (*Fund 101*) by \$1.4 million. To Mr. Birch, Mr. Wescott responded the AFD had processed hundreds of applicants to pick the 32 new hires. Mr. Birch stated that the AFD had exceeded its budget (*including Fund 132*) by \$1.7 million, which would be paid by property taxpayers. The contract would cost taxpayers \$20-30 million. Dr. Selkregg supported the AFD recommendations to save money. Ms. Gray-Jackson stated that amending the contract was not necessary and a public commitment was enough. Mr. Starr stated that a written amendment was more appropriate. Mr. Wescott responded the union would rather renegotiate the entire contract, rather than just a wage reopener. To Ms. Johnston, Mr. Wescott responded the university offered fire fighter certificates, but AFD training was still required. To Ms. Drummond, he responded the AFD had fewer employees for staffing than the national standard. To Dr. Selkregg, Mr. Wescott responded that members donated hours for union representatives and extra costs came out of union dues. To Mr. Gutierrez, Mr. Wescott responded that AFD wages were not equal to West Coast IAFF wages and the AFD benefit plan had changed. To Chair Claman, Mr. Wescott responded that the AFD recruited fire fighters from Outside.

ROBERT GLORIOSO, an Anchorage resident whose family had lost their home in a fire 25 years ago, supported the AFD contract and had no complaints about taxes. He described how difficult it had been to fight the fire in the winter and that two of his sons were now fire fighters. The economy was facing some bad times, but fire fighters deserved to be paid for risking their lives to serve the community. He urged the Assembly to approve the AFD contract that provided security to fire fighters.

There was no additional public testimony and Chair Claman closed Public Hearing and called for a motion.

Mr. Gutierrez moved, to approve AR 2008-306.  
Ms. Gray-Jackson seconded,

To Dr. Selkregg, Mr. Wescott responded that AFD fire fighters were once the highest paid on the West Coast. Now there were changes to the State Public Employees Retirement System (PERS) benefits plan. People were openly looking for jobs Outside. Portland was openly recruiting and offering benefit packages to lateral hires with experience.

To Mr. Coffey, Mr. Wescott responded a defined benefit plan would be incentive for workers to stay. The IAFF would lobby the State of Alaska to develop a new plan. Mr. Coffey stated the national economic crisis would encourage fire fighters to stay. Mr. Wescott responded it depended on what other cities were offering.

1 Ms. Gray-Jackson stated that as Chair of the Budget and Finance Committee she was responsible for making sure the  
2 public was informed of the budget process. She and the Office of Management and Budget Director had met with  
3 department directors and their budget staffs and the Budget Advisory Commission to review spending and identify  
4 efficiencies which had resulted in savings of nearly \$1.2 million. Assemblymembers worked diligently to reduce the  
5 budget and property taxes. The ultimate challenge was to determine whether reductions would negatively impact the  
6 quality of life enjoyed by all residents, which was a result of municipal employees, including APD and AFD. Reducing  
7 the APD overtime budget made sense, but it took eight months before an officer was available to respond to calls for  
8 service. More sworn officers contributed to increases in overtime and technical support. APD had reduced overtime  
9 by \$1,000,000 from last year. Discretionary overtime was used to fund preventive strategies used to fight incidents of  
10 DUIs, violent crime and gang activity, all of which were down and the city was safer. She was pleased to have officers  
11 on the street and fire folks protecting her no matter what the cost. The AFD and APD needed to maintain the current  
12 force while new recruits were in training. There were additional ways to save dollars and the Assembly needed to  
13 continue to identify those areas and reduce the tax burden upon citizens. The city was not immune from the national  
14 economic downturn. It was prudent to consider possible future changes to State Revenue Sharing. She was honored  
15 to vote YES on this contract, like she had on the APD contract, and for the opportunity to review the budget more  
16 thoroughly than she had in her twenty-five years as a Municipal employee. She would continue to work hard to find  
17 operating efficiencies, riding along with police officers and visiting fire stations and other worksites to make this  
18 community one of America's greatest cities. She looked forward to continuing as an Assemblymember, making the  
19 right decisions for the citizens of Anchorage. Voting YES on this contract was the right decision.  
20

21 Mr. Starr stated that this was a financial issue. There was question of the city's cash flow and its ability to pay,  
22 considering the financial uncertainty of State Revenue Sharing, investment accounts and labor contract spending  
23 sprees that had recently occurred. Chief Fiscal Officer Sharon Weddleton responded that these were unprecedented  
24 economic times, but the city was more fortunate than most, which were experiencing steep declines in sales tax and  
25 income tax revenues. The city was more fortunate to have safe revenue sources from property taxes and State  
26 Revenue Sharing. Mr. Starr stated that more revenue would be needed as city expenses increased. Ms. Weddleton  
27 responded the Municipal Trust Fund dividend for 2009 was \$7,000,000. The Trust Fund had incurred a market decline  
28 and her recommendation to the Investment Advisory Commission was a proposed Code amendment to make sure the  
29 Trust Fund was protected and to reduce the dividend for about ten years, to regain the loss. She responded the city  
30 had been very successful pursuing all available grant revenues.  
31

32 Mr. Flynn requested information about the potential budget impacts from this contract. AFD Deputy Chief Doug  
33 Schrage responded the AFD intended to absorb the costs by aggressively managing overtime.  
34

35 Mr. Gutierrez stated that taxpayers supporting the contracts had been lost in debate. He thanked the police and fire  
36 fighters for all they did for the community. Labor Relation Director Lisa Arnold responded the savings for 2009 health  
37 costs would conservatively be \$224,000. She responded the city had not prevailed when the last contract had gone to  
38 binding arbitration. A top Anchorage fire fighter made \$22.34 per hour, compared to \$32.56 in San Jose and \$27.66 in  
39 Seattle. Binding arbitration would involve both parties coming to the table and either they would agree or the arbitrator  
40 would decide the issues, which was final for the life of the contract with no recourse. Mr. Gutierrez stated the cost  
41 could be higher if the Assembly failed to approve the contract. He was not willing to take a risk.  
42

43 Mr. Birch stated that Ms. Phillips and Ms. Weddleton had indicated the possibility of the city having to pay into the  
44 PERS and TRS retirement systems, which would be additional costs. Ms. Weddleton responded that there may be a  
45 statewide solution to resolve this matter. She responded the contract included a defined retirement plan which would  
46 cover the pension and healthcare. Mr. Birch stated that the agreement would not expire for another six months. It was  
47 a good idea to incorporate addendum language into the contract that would ensure that wages could be renegotiated if  
48 the CPI was reduced. There was a \$17 million hole in the budget and he would support postponement. He would not  
49 support the contract, as written.  
50

51 To Ms. Ossiander, Deputy Chief Schrage responded that AFD savings would come from less staffing, managing  
52 overtime, reducing training programs that were not grant funded and use of leave time. New academy hires would be  
53 delayed until the end of 2009. Uniforms would be issued based on need. Spending anomalies from 2008 would not  
54 be repeated. Ms. Ossiander stated that she would support the contract because Deputy Chief Schrage had offered  
55 assurances that the AFD would be aggressive to make sure the budget was in line. The contract included language  
56 that the Union would be willing to meet if the city had financial concerns.  
57

58 Dr. Selkregg stated that the city's biggest costs were for labor. The city could not function without these core services  
59 and valuable public employees, particularly the police and fire. Retaining employees was important and the AFD was  
60 losing new fire fighters after investing in their training. The AFD paid for their union representative. She appreciated  
61 their savings for healthcare. The global economy was serious and needed to be watched continually. The \$20 million  
62 cost of the contract was less than 1% of the overall budget. She would support the contract.  
63

64 Mr. Coffey stated that he would rather deal with the contract than binding arbitration. He liked many aspects of the  
65 contract, including healthcare benefits and training being paid for by the employee. But, with the minimum 2.9%  
66 increase per year and the five year duration when facing an economy crisis, he would be a reluctant NO. He thanked  
67 the AFD.  
68

69 Mr. Starr stated that he would not support the contract, but it was not a reflection on the workers, who were the best,  
70 had great attitudes and were dedicated and committed. He had thoroughly reviewed the five-year contract and the  
71 expenses totaled up to \$30 million, which would be a burden. Property tax revenues would be going down and there  
72 would be reduced State Revenue Sharing. He would support postponement to allow more time to resolve State  
73 Revenue Sharing. He would not ask property taxpayers for more money. His constituents were cautious and  
74 conservative. He would not be able to support the contract.  
75

1 Ms. Johnston stated that she looked at the contracts consistently with concern of the five-year duration and with the  
2 financial uncertainty of the future. The fire fighter group had her respect, with their entrepreneurship and cross  
3 training. She was concerned, like others, of the next two or three years. She would have supported a delay because  
4 a workable agreement could have been reached. She would be a very reluctant NO-vote.  
5

6 Ms. Drummond stated there was opposing debate over the union contracts and opposing visions of the city's future.  
7 One side believed that the future could be planned, that workforce stability was important and that the city held a future  
8 of growth and opportunity. The other side believed there was an uncertain future and feared deflation, recession and  
9 economic collapse. She was an optimist. While these were challenging times, the appropriate response was to invest  
10 and build, not to divest and retreat. Anchorage would have growth in areas like the Port of Anchorage. A stimulus  
11 would create a rise in the price of energy, which would mean continued energy development and exploration in Alaska.  
12 Worrying about the future was disingenuous. Citizens had approved \$70,000,000 for capital projects. The city's high  
13 bond rating belied any negative and uncertain vision. Failure to pass a five-year labor contract out of fear of future  
14 uncertainty would send the wrong message to municipal bond analysts, who viewed the political stability of a city's  
15 leadership and its capacity to fulfill obligations. City leaders carried Anchorage through the Depression and were not  
16 afraid of the future, nor did they shrink from levying and paying taxes. They prepared for the future, which they knew  
17 would be positive and filled with opportunity. Since Mayor Begich had taken office growth and capital projects had  
18 more than doubled, providing millions dollars of stimulus to the city economy. The city had a high transient population,  
19 which was a public safety burden. The budget growth did not achieve a level of sustainable recruitment and retirement  
20 that was needed for public safety. Growth of vital services in a dynamic community was a necessity. One side of the  
21 Assembly supported the future and the other side was saying, "No we can't." She was proud to say positively, "Yes,  
22 we can pass this contract and yes, to the future of the city."  
23

24 Chair Claman stated that binding arbitration in labor negotiation was a reality of bargaining. Both sides needed to  
25 weigh their odds of success. Most sides never wanted to get to binding arbitration. He had supported the contracts in  
26 large part because of his belief that labor stability was crucial to the future of the city. Five-year contract periods were  
27 fully appropriate for labor stability. Every fire fighter in the city was committed to the best interest of the city. It was  
28 about creating a stable public safety workforce, which was the city's first priority. He would be pleased to support the  
29 contract.  
30

31 and the motion passed, 7-4.  
32

33 AYES: Gutierrez, Gray-Jackson, Claman, Selkregg, Drummond, Ossiander and Flynn.  
34 NAYS: Starr, Birch, Johnston and Coffey.  
35

36 Mr. Gutierrez moved for immediate reconsideration of AR 2008-306 and urged a NO-vote.  
37

38 Mr. Gutierrez moved, *for immediate reconsideration of AR 2008-306.*  
39 Ms. Gray-Johnston seconded,  
40 and the motion failed, 0-11.  
41

42 AYES: None.  
43 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Drummond, Selkregg, Ossiander, Flynn, Johnston and  
44 Coffey.  
45

46 *(Clerk's Note: Mr. Starr commented about the Wildlife Public Safety issue. See Agenda item 14.U, AR 2009-253.)*  
47

48 14.D. Resolution No. AR 2008-303, a resolution of the Municipality of Anchorage providing for **revisions to**  
49 **the 2008 General Government Operating Budget** to provide 2008 appropriations commensurate  
50 with 2008 expenditures for various departments and funds, Office of Management & Budget.  
51 1. Assembly Memorandum No. AM 838-2008.  
52

53 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
54 Hearing and called for a motion.  
55

56 Ms. Ossiander moved, *to approve AR 2008-303.*  
57 Mr. Starr seconded,  
58

59 Mr. Starr urged approval. The Fire Chief had stepped up to the responsibility and was fixing the overspending. Wages  
60 were obligated and would continue to be paid. The department was doing what they could.  
61

62 Ms. Ossiander stated the Anchorage Fire Department (AFD) was over budget and money was being taken from the  
63 Fund 101 Account, which included taxes from areas outside the AFD Service Area. She needed to reassure Girdwood  
64 residents and her constituents in Chugach-Eagle River that they were not paying for fire service twice. Chief Fiscal  
65 Officer Sharon Weddleton invited Assemblymembers to review the calculations. Ms. Ossiander stated she would  
66 continue watching this matter.  
67

68 Mr. Gutierrez stated that business managers were generally optimistic that things would get better. There was a  
69 difference between prediction and reality. The economic performance needed to be continually tracked.  
70

71 To Mr. Birch, AFD Chief Craig Goodrich reported the AFD would soon be out of money because of the overspending.  
72 Office of Management and Budget Director Wanda Phillips responded that payroll would continue to be processed,  
73 which would exceed the AFD budget. Cost savings from other departments would apply to the deficit. Wages would  
74 continue, which would require Assembly approval.  
75

1 Dr. Selkregg requested that specific financial protocols be in place to ensure this would never happen again. She  
2 requested updated reporting. She thanked the Fire Chief for taking complete responsibility. The AFD could find  
3 efficiencies and save money in a variety of ways and she would support the resolution, which was the only solution.  
4

5 Ms. Gray-Jackson thanked the AFD Chief for taking responsibility. The Budget and Finance Committee had reviewed  
6 the matter and would continue working with departments to find additional ways to save money and make sure this  
7 would not happen again.  
8

9 To Mr. Coffey, Municipal Manager Michael Abbott responded money for the AFD shortfall would be from the areawide  
10 and fire fund balances. Mr. Coffey stated this would be included in the 2009 tax cap calculations.  
11

12 Ms. Ossiander stated that, by law, the city was restricted from using revenue from one service area for services  
13 provided in another area. Co-mingling of resources was very difficult to track and understand. She was continually  
14 reassuring her constituents. Ms. Drummond questioned how the AFD and the Chugach Volunteer Fire Department  
15 would charge for services when fire teams were called to help with a fire outside their service area. Ms. Ossiander  
16 responded there were mutual aid agreements and the departments worked cooperatively.  
17

18 and the motion passed, 11-0.  
19

20 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
21 Coffey.

22 NAYS: None.  
23

24 14.E. Resolution No. AR 2008-305, a resolution of the Municipality of Anchorage **revising the approved**  
25 **2008 Merrill Field Airport Operating Budget** to reflect an increase in depreciation expense, Merrill  
26 Field Airport.

27 1. Assembly Memorandum No. AM 827-2008.  
28

29 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
30 Hearing and called for a motion.  
31

32 Mr. Coffey moved, to approve AR 2008-305.  
33 Dr. Selkregg seconded,  
34 and the motion passed, 8-0.  
35

36 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Johnston and Coffey.  
37

38 NAYS: None.  
39

40 *(Clerk's Note: Ms. Ossiander, Ms. Drummond and Mr. Flynn were temporarily out of Chambers.)*  
41

42 14.F. Ordinance No. AO 2008-129, an ordinance amending Anchorage Municipal Code Section 17.25.060.  
43 regarding fee exemptions for rescue groups and Section 17.70.010 Animal Care and Control Fee  
44 Schedule regarding **Adoption Fees, Health and Human Services.**

45 1. Assembly Memorandum No. AM 833-2008.  
46

47 Chair Claman read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public  
48 Hearing and called for a motion.  
49

50 Mr. Coffey moved, to approve AO 2008-129.  
51 Ms. Gray-Jackson seconded,  
52

53 Ms. Ossiander stated that this was a significant increase and families on tight budgets would not be so apt to rescue  
54 animals. She urged a NO-vote.  
55

56 Mr. Gutierrez stated that this did not apply to all animals. Fee increases were for the cute, young animals. Fees had  
57 not increased for older animals that were harder to find homes for.  
58

59 To Ms. Gray-Jackson, Health and Human Services Director Diane Ingle responded that it was good practice to have  
60 increased fees to cover expenses for provided care to animals. There were only increases for very adoptable animals.  
61

62 Mr. Birch stated that the Animal Control Advisory Board had reviewed and supported the matter. He would support  
63 trying it for a year, to see the results.  
64

65 Chair Claman stated that charging a nominal fee for puppies created more dedication and being responsible.  
66

67 To Dr. Selkregg, Ms. Ingle responded that the new fee was about \$125.00, which was lower than fees in other cities.  
68 The city's goal was not to destroy animals.  
69

70 Ms. Ossiander stated that an increase from \$100 to \$150 for a kitten was ridiculous. She would be a NO-vote.  
71

72 To Mr. Gutierrez, Ms. Ingle responded that the microchip fee would not be changed.  
73

74 and the motion passed, 10-1.  
75

76 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Drummond, Selkregg, Flynn, Johnston and Coffey.

NAYS: Ossiander.

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- 14.G. Ordinance No. AO 2008-134, an ordinance repealing and re-enacting Anchorage Municipal Code Chapters 23.10 and 23.30 to adopt the Anchorage Administrative Code, the **2008 version of the National Electrical Code (NEC), and local amendments**, effective January 1, 2009, Development Services Department.
1. Assembly Memorandum No. AM 839-2008.
  2. Ordinance No. AO 2008-134(S), an ordinance repealing and re-enacting Anchorage Municipal Code Chapters 23.10 and 23.30 to adopt the Anchorage Administrative Code, the 2008 version of the National Electrical Code (NEC), and local amendments, effective January 1, 2009, Development Services Department. (*Laid on the Table*)

Chair Claman read the ordinance title and reported there was a Substitute Version (*S-version*). He opened Public Hearing. There was no one to testify and he closed Public Hearing and called for a motion.

Mr. Coffey moved, to approve AO 2008-134(S).  
Ms. Ossiander seconded,

To Ms. Ossiander, Journeyman Bob Thompson responded that all tables in the S-version matched the fee schedules.

To Mr. Flynn, Mr. Thompson responded that his department was reducing staff. The S-version reflected a downturn in residential service.

Mr. Coffey stated that he had received positive responses from businesses and the Anchorage Home Builders Association. He urged a YES-vote.

and the motion passed, 11-0.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Drummond, Selkregg, Ossiander, Flynn, Johnston and Coffey.  
NAYS: None.

Mr. Flynn moved for immediate reconsideration of AO 2008-134(S) and urged a NO-vote.

Mr. Flynn moved, for immediate reconsideration of AO 2008-134(S).  
Mr. Coffey seconded,  
and this motion failed, 0-11.

AYES: None.  
NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Drummond, Selkregg, Ossiander, Flynn, Johnston and Coffey.

- 14.H. Ordinance No. AO 2008-132, an ordinance authorizing **acquisition of a portion of Tract 9A, WestPark Subdivision School Addition**, at the request of and funded by the Anchorage School District, for \$6,250,000, and authorizing acquisition of the remainder of Tract 9A, WestPark Subdivision School Addition and Tract 10, Kincaid Estates by exchange for an exclusive license valued at \$3,000,000 to fill and contour municipally owned Parcel 7A, WestPark Subdivision School Addition, Real Estate Services.
1. Assembly Memorandum No. AM 837-2008.

Mr. Coffey disclosed a possible conflict of interest because he had previously owned this property and had sold it in 2003. He stated he had no financial interest in the matter. Chair Claman stated that because Mr. Coffey had no financial interest he ruled that there was no conflict and ordered him to participate. There were no objections.

Mr. Coffey moved, to combined Public Hearing for 14.H and 14.I, AO 2008-132 and AR 2008-304.  
Ms. Drummond seconded,  
and there were no objections.

Chair Claman read the resolution and ordinance titles and opened Combined Public Hearing.

TOM BURGESS, Sand Lake Community Council President, testified that the council had known about the matter for three weeks. The community did not support the acquisition of the pond, which was a liability. The Lucy Pit was also a liability. Sand Lake residents were very concerned about water quality and the environment.

BEVERLY CHURCHILL, a five-year resident of the Sand Lake area, testified she owned two properties and was concerned about the water quality. The community council report stated the local aquifer needed protection. The developer had not developed in the best interest of the aquifer. Track 10 should not be platted. The city should not take on the liability. To Mr. Coffey, she responded that she had studied many reports which described the aquifer as very complex. There were also concerns about filling Lucy Pit. The Assembly needed to be aware of the situation. To Mr. Flynn, she responded the council would support filling Lucy Pit, if done correctly. The city would have to be responsible for many things if the property was to be acquired.

LARRY ALBERT, with the Sand Lake Community Council, testified there had not been enough time for the council to create a resolution and he summarized the council's views. He had 25 years of experience and degrees in land use planning and environmental law. He was familiar with the matter and reported there was not adequate notice for the land use matters or disclosure of purchase for these two properties. The city had taken no fiscal responsibility and had ignored the policy of the Comprehensive Plan. Property appraisals were outdated and contained errors and

1 transactions may be illegal. The proposed costs to fill the pond were unrealistic. Purchasing the lots would total \$15  
2 million. The position of the council was to support the school site but to refuse the other lots.

3  
4 FRANK BOX, homeowner on Sea View Drive and President of Sea View Homeowners Association, testified that he  
5 had not been told of the history of the property. The Supreme Court had ruled that no development could take place  
6 until the pit was reclaimed and allowed to sit for ten years. That ruling had been overturned. His house was not built  
7 to Code and the developer would not make repairs. There would be liability concerns if that developer was allowed to  
8 fill the pit. The sale appeared to be a transfer of liability to the Anchorage School District (ASD) and the Municipality.  
9 He urged that the Assembly not purchase the land and he made recommendations of other sound properties available  
10 in the area. Mr. Coffey stated that restoration of the pits was required under existing Code. Mr. Box responded that  
11 Lucy Pit could be responsibility filled and used as a recreation park, but was not a good school site. Mr. Coffey stated  
12 there were reports, including from the University of Alaska and the Alaska Department of Environmental Conservation  
13 (ADEC) that indicated the aquifer would be best protected if the property remained undeveloped and surrounded by a  
14 50-foot greenbelt. To Ms. Drummond, Mr. Box responded their subdivision had 22 homes and septic systems and four  
15 community wells. To Dr. Selkregg, Mr. Box responded this particular developer would not fill the pit correctly. The city  
16 would be liable and it would be on the shoulders of the taxpayers. To Mr. Birch, he responded if something happened  
17 to the water everyone in the area would be affected.

18  
19 ROBERT PAULSON, a 26-year resident of the area, testified that the developer was untrustworthy. He used large  
20 photographs to show the damage caused by the developer. Gravel extraction in the area had tripled the level of  
21 arsenic in local wells and other wells had gone dry. To Chair Claman, he responded he had trust and faith in AS&G,  
22 which developed responsibly.

23  
24 JIM MUNTER testified that he was a hydro-geologist and a consultant to the South Anchorage Concerned Coalition  
25 and involved with the Sand Lake Community Council and the Municipality. The studies on the water cycle did not  
26 accurately account the ground water flow. He explained the water in the Lucy Pit, the aquifer and the risk of potential  
27 contamination to the surrounding residential wells. To Mr. Coffey, Mr. Munter responded that there was no planning  
28 process to determine a solution. ADEC had not presented the needed information. The 50-foot setback was  
29 inadequate to protect the aquifer. UAA had determined the data on the aquifer was incomplete. Mr. Coffey stated that  
30 professional studies recommended methods to protect the pond. Dr. Selkregg stated that the pond's water quality had  
31 improved over time. Heritage Land Bank (HLB) Director Bill Mehner responded that HLB would be responsible. Mr.  
32 Munter recommended finding a reputable developer who had demonstrated a quality level of service to the community.

33  
34 DAN YOUNG, a professional hydrologist who had worked with this property for the past eight years, testified about the  
35 past developer's records. The water quality in the pond had improved over the years. The water came from the  
36 Hillside and there was no correlation between a heavy rainfall and sand collecting in wells, which had been reported in  
37 some of the studies. He supported wide buffers around the ponds. To Mr. Birch, Mr. Young responded this pond was  
38 man-made, but was still part of the aquifer. The city and the EPA had restrictions and standards. It would be safe. If  
39 the pond was filled irresponsibly, contaminants could leach into the water and affect the water quality.

40  
41 RAY NICHOLS, contractor and resident in the development, testified that the development would be an asset to the  
42 community. He and his neighbors were excited about a school within walking distance. To Mr. Flynn, Mr. Nichols  
43 responded he lived on Yukon Charley. To Mr. Birch, Mr. Nichols responded the property values of homes varied  
44 dramatically. Ms. Drummond stated this was a long term acquisition for the ASD. There may not be a need for a  
45 middle school for a long time, but land was becoming hard to get and this was a responsible acquisition. To Chair  
46 Claman, Mr. Nichols responded that he still served on the HLB Advisory Commission.

47  
48 BILL WATSON, an 18-year Sand Lake area resident, testified the community supported having a school. The issues  
49 were about the pond and the Lucy Pit. He and state legislators had requested a legal opinion concerning the  
50 obligation of the developer to fill the pond, which should be determined before the Assembly weighed in. He had  
51 requested additional water samples be taken. He did not support a sole source developer, particularly the current  
52 developer. The pond was contentious and reacted to a heavy rainfall. To Mr. Flynn, Mr. Watson responded the  
53 studies were incomplete and there would be litigation if this was not handled correctly. To Ms. Drummond, Mr. Watson  
54 responded there was a legislative grant for the Anchorage Waterways Council to drill additional holes to collect  
55 additional data, but access to the property was not allowed.

56  
57 KIMBERLY SIMPSON, mother of three, testified that she and her husband had chosen the area for the schools and  
58 playgrounds nearby and what the community had to offer. When West Park was completed there would be an  
59 additional 750 families and she supported new schools. She urged the Assembly to support the proposed schools.

60  
61 JASON LEMACH, resident living next to the pond, professional architect and Alaska Representative for the United  
62 States Green Building Council, testified in support of the school site selection. Development would bring tremendous  
63 value to the neighborhood.

64  
65 CAROL COMEAU, ASD Superintendent, testified in support of the acquisition of the property to build a middle school,  
66 which would be a tremendous asset to the community. Surrounding schools were at or overcapacity. To Ms.  
67 Drummond, Superintendent Comeau responded the cost of the middle school site acquisition was \$6,250,000. Ms.  
68 Drummond stated the price was a bargain.

69  
70 BOB BUCH, State Legislator representing Sand Lake and 20-year member of the local Community Council, testified  
71 that the dilemma could be resolved by bifurcating Tract 10, which was the problematic property. To Mr. Flynn,  
72 Representative Buch responded the citizens wanted the school, but did not want the city to have the liability, which  
73 would be a liability to taxpayers. To Mr. Coffey, Representative Buch responded that if separating the two properties  
74 could not be negotiated, there should not be a deal. Mr. Coffey stated there was question whether the aquifer would  
75 be better protected if it were in public hands. To Ms. Ossiander, Representative Buch responded that the money for  
76 city operations came from the taxpayers and State Revenue Sharing. Dr. Selkregg stated that this was an opportunity

1 for a school site and a park that would be an asset to the community. Representative Buch responded this was one of  
2 the nicest developments in the state. But, this matter may impact all citizens with additional costs and litigation. Dr.  
3 Selkregg stated that the HLB would set standards for the pond and Lucy Pit and ensure the public health. Additional  
4 criteria and standards could also accompany the conditional use permit. Representative Buch responded that the  
5 problems would become the city's responsibility and liability, but he still supported the matter.  
6

7 TALBOT CHANG, member of Sand Lake Community Council, read a letter from State Senator Lesil McGuire,  
8 concerning the aquifer and associated health problems in the Sand Lank gravel pit. The studies were inconclusive and  
9 additional research was needed. The acquisition of the property should be delayed until more studies were completed.  
10

11 PATSY BURGESS, Sand Lake area resident, testified that more study was needed on the Lucy Pit. The \$6 million  
12 price was two years old. Questions remained unanswered concerning additional costs and why the properties were  
13 lumped together.  
14

15 There was no additional public testimony and Chair Claman closed Combined Public Hearing and called for a motion.  
16

17 Mr. Coffey moved, to approve AO 2008-132.  
18 Ms. Johnston seconded,  
19

20 Mayor Begich stated that this had been studied for years. The city had the opportunity to manage the future of what  
21 happened to the pond. This was the right location for a school, ball fields and soccer fields and it would be a municipal  
22 asset. HLB would be the manager. Pauline's Pond would be preserved for the long term benefit of the community.  
23 There was no liability for filling the pond unless it was developed. The Administration felt this was a very good deal.  
24

25 To Mr. Flynn, HLB Director Bill Mehner responded the contract would be funded by the ASD for \$6,250,000 for  
26 acquisition of Tract 9A, for a school site. Purchasing the land came with the right to fill Lucy Pit, which had enormous  
27 liabilities. The pit needed to be filled, but there were no funds to fill the pit, which may cost \$3.6 million. Mr. Flynn  
28 stated the city had the right to fill the pit with the purchase. The developer would use the pit to dispose of material from  
29 other developments. Mr. Mehner responded the terms of the conditional use permit for filling the pit were already  
30 included in the purchase and sale agreement.  
31

32 To Mr. Coffey, Mr. Mehner explained the history of the wells and water testing. Anchorage Water and Wastewater  
33 Utility (AWWU) On-Site Supervisor Dan Roth responded there was no benefit for additional water testing. Samplings  
34 from different depths were collected and compared over a five-year period, beginning from before the gravel pit was  
35 developed. The samples showed a decrease of nitrates. Mr. Roth responded that HLB would be responsible for the  
36 outcome. Mr. Coffey stated the site was ideal for a school and public ownership was the best possible way to protect  
37 the property and the aquifer. The Lucy Pit would be filled with clean and acceptable fill. It would be a park and would  
38 never be developed. The remaining concerns were with the Sea View Pit and the pond, which he would support being  
39 a park and never being developed.  
40

41 To Mr. Starr, Mr. Roth responded that it was probable that there were two unrelated zones of water, which did not  
42 mingle with each other. Mr. Mehner responded that a geotechnical and groundwater study indicated that no additional  
43 protection was needed for the groundwater resource if Lucy Pit was filled and a park was developed. Mr. Starr stated  
44 the Mayor's Office had told the Sand Lake Community Council that the city had no plans to fill Pauline's Pond. The  
45 ASD and the Municipality had stepped up to address similar water problems in his Eagle River District. The city  
46 needed to be trusted and he encouraged the purchase.  
47

48 Dr. Selkregg stated this could be a win-win for the Municipality, the ASD and the community. Mr. Mehner responded  
49 the agreement with the developer described the quality of the fill, which would be clean and comply with all Municipal  
50 requirements. To Dr. Selkregg, Parks and Recreation Director Tom Nelson responded the development would require  
51 a conditional use permit, which would be publicly noticed and the community council would be notified.  
52

53 To Mr. Flynn, Assistant Municipal Attorney Ralph Duerre responded that it was his opinion that there was no liability to  
54 fill the Tract 10 pond unless it was developed as a residential development. Mr. Flynn stated it was best that this  
55 matter be moved forward. The city would ensure the public process with any development of Tract 10. He gave his  
56 word that the Assembly would be vigilant on the issue.  
57

58 Ms. Drummond requested that citizens who had the state grant be allowed to test water for their own benefit. Mayor  
59 Begich responded the city did not own the property and did not have the right to authorize drilling holes.  
60

61 Chair Claman stated that he heard unanimous support for purchasing the school sites. The Lucy Pit was a hazard and  
62 would be filled, following all regulations. Tract 10 had an aquifer that needed to be protected. Filling the pond to  
63 protect the aquifer did not make scientific or logical sense, and would be a topic for future discussion. Purchasing this  
64 property was a good deal for the city and the ASD. He was confident that state, federal and local regulations would  
65 protect the affected water bodies to the maximum extent.  
66

67 and the motion passed, 11-0.  
68

69 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
70 Coffey.  
71 NAYS: None.  
72

73 Mr. Coffey moved for immediate reconsideration of AO 2008-132 and urged a NO-vote.  
74

75 Mr. Coffey moved, for immediate reconsideration of AO 2008-132.  
76 Ms. Johnston seconded,

1 and this failed unanimously, 0-11.

2  
3 AYES: None.  
4 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
5 Coffey.

6  
7 14.I. Resolution No. AR 2008-304, a resolution recommending **selection of a site in Southwest Anchorage**  
8 **for a middle school**, consisting of an approximate 25-acre portion of Tract 9A, WestPark Subdivision  
9 School Addition, located within the SE1/4 and SW1/4 of Section 9, T12N, R4W, S.M., Alaska, Planning  
10 Department.

11 1. Assembly Memorandum No. AM 828-2008.

12  
13 (Clerk's Note: See Agenda item 14.H, for Combined Public Hearing of AO 2008-132 and AR 2008-304 and related  
14 discussion and action.)

15  
16 Chair Claman called for a motion.

17  
18 Mr. Coffey moved, to approve AR 2008-304.  
19 Ms. Johnston seconded,  
20 and the motion passed, 11-0.

21  
22 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
23 Coffey.

24 NAYS: None.

25  
26 Mr. Coffey moved, for immediate reconsideration of AR 2008-304.  
27 Ms. Johnston seconded,  
28 and this motion failed, 0-11.

29  
30 AYES: None.

31 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
32 Coffey.

33  
34 14.J. Resolution No. AR 2008-287, a resolution of the Municipality of Anchorage, Alaska, accepting and  
35 appropriating three (3) State of Alaska Clean Water Fund loan offers in the aggregate amount of  
36 \$3,795,000 for financing a portion of the costs of the **C-5-A King Rovenna Sewer Upgrade, C-5-1**  
37 **(North Campbell Lake) Sewer Trunk, and Asplund Disinfection Study and Upgrade Projects**,  
38 Anchorage Water and Wastewater Utility.

39 1. Assembly Memorandum No. AM 800-2008.

40  
41 (Clerk's Note: AR 2008-287 was not addressed and was Carried Over to January 6, 2009.)

42  
43 14.K. Resolution No. AR 2008-288, a resolution of the Municipality of Anchorage, Alaska, accepting and  
44 appropriating an Alaska Drinking Water Fund loan offer in the amount of \$1,000,000 for financing a  
45 portion of the costs of the **Hiland Road Water Intertie Project**, Anchorage Water and Wastewater  
46 Utility.

47 1. Assembly Memorandum No. AM 801-2008.

48  
49 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
50 Hearing and called for a motion.

51  
52 Mr. Starr moved, to approve AR 2008-288.  
53 Ms. Drummond seconded,  
54 and the motion passed, 10-0.

55  
56 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
57 NAYS: None.

58 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)

59  
60 14.L. Resolution No. AR 2008-286, a resolution of the Municipality of Anchorage accepting a Federal Transit  
61 Administration grant funded by a transfer from Federal Highway Administration and appropriating  
62 \$727,760 to the Public Transportation Capital Fund (485) as funding for **Phase 1 construction of**  
63 **transit improvements** including passenger boarding pads, amenities, sidewalks and crosswalks in  
64 the University-Medical (U-Med) District, Public Transportation Department.

65 1. Assembly Memorandum No. AM 799-2008.

66  
67 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
68 Hearing and called for a motion.

69  
70 Dr. Selkregg moved, to approve AR 2008-286.  
71 Ms. Ossiander seconded,  
72 and the motion passed, 11-0.

73  
74 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
75 Coffey.

76 NAYS: None.

- 1  
2 14.M. Resolution No. AR 2008-293, a resolution of the Municipality of Anchorage appropriating \$93,708 to  
3 the Federal Grants Fund (241) as a grant from U.S. Department of Transportation Section 5317 New  
4 Freedom Grant Program and \$5,428 of Transit Revenues to the Areawide General Fund (101) and  
5 contribution of this amount and the amount of \$23,427 to the Federal Grants Fund (241) to assist in  
6 the funding of **Coordinated Transportation Services** beyond ADA requirements within the  
7 Municipality of Anchorage, Public Transportation Department.  
8 1. Assembly Memorandum No. AM 806-2008.  
9

10 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
11 Hearing and called for a motion.

12  
13 Dr. Selkregg moved, to approve AR 2008-293.  
14 Ms. Ossiander seconded,  
15 and the motion passed, 10-0.  
16

17 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
18 NAYS: None.  
19 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
20

- 21 14.N. Resolution No. AR 2008-296, a resolution of the Municipality of Anchorage appropriating \$673,553  
22 from the Anchorage Fire Department, Anchorage Fire Service Area Capital Improvement Fund (431),  
23 as a contribution to the Anchorage Fire Department, Anchorage Fire Service Area 2008 Operating  
24 Budget Fund (131), to pay off an existing, third-party emergency response fire apparatus  
25 lease/purchase obligation and properly account for all associated **debt service payments**.  
26 1. Assembly Memorandum No. AM 820-2008.  
27

28 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
29 Hearing and called for a motion.

30  
31 Dr. Selkregg moved, to approve AR 2008-296.  
32 Ms. Ossiander seconded,  
33 and the motion passed, 10-0.  
34

35 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
36 NAYS: None.  
37 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
38

- 39 14.O. Resolution No. AR 2008-297, a resolution of the Municipality of Anchorage appropriating \$2,124,295  
40 from the Department of Military and Veterans Affairs, Division of Homeland Security and Emergency  
41 Management and contribution of \$82,721 from Anchorage Areawide Operating Fund (101) Municipal  
42 Manager Department, Office of Emergency Management 2008 Operating Budget to the Areawide  
43 General CIP Fund (401) for support of **Public Safety Interoperable Communications grant (PSIC)**  
44 **activities** in the Municipal Manager Department, Office of Emergency Management.  
45 1. Assembly Memorandum No. AM 821-2008.  
46

47 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
48 Hearing and called for a motion.

49  
50 Dr. Selkregg moved, to approve AR 2008-297.  
51 Ms. Gray-Jackson seconded,  
52 and the motion passed, 10-0.  
53

54 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
55 NAYS: None.  
56 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
57

- 58 14.P. Resolution No. AR 2008-298, a resolution appropriating \$350,421 as a grant from the State of Alaska,  
59 Department of Military and Veterans Affairs, Division of Homeland Security and Emergency  
60 Management, to the Areawide General CIP Fund (401) for **seismic sprinkler bracing** for the Seismic  
61 Retrofit Project, Maintenance and Operations Department.  
62 1. Assembly Memorandum No. AM 822-2008.  
63

64 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
65 Hearing and called for a motion.

66  
67 Dr. Selkregg moved, to approve AR 2008-298.  
68 Ms. Ossiander seconded,  
69 and the motion passed, 10-0.  
70

71 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
72 NAYS: None.  
73 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
74

- 75 14.Q. Resolution No. AR 2008-299, a resolution appropriating \$152,482 as a grant from the State of Alaska,  
76 Department of Military and Veterans Affairs, Division of Homeland Security and Emergency

1 Management, to the Areawide General CIP Fund (401) for the **Sullivan Arena seismic sprinkler**  
2 **bracing** for the Seismic Retrofit Project, Maintenance and Operations Department.  
3 1. Assembly Memorandum No. AM 823-2008.

4  
5 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
6 Hearing and called for a motion.

7  
8 Dr. Selkregg moved, to approve AR 2008-299.  
9 Ms. Ossiander seconded,  
10 and the motion passed, 10-0.

11 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
12 NAYS: None.

13 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
14

15  
16 14.R. Resolution No. AR 2008-300, a resolution appropriating \$207,724 as a grant from the Department of  
17 Homeland Security FEMA for implementation of equipment and infrastructure as part of the **2008 Port**  
18 **of Anchorage Security Program**.  
19 1. Assembly Memorandum No. AM 824-2008.

20  
21 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
22 Hearing and called for a motion.

23  
24 Ms. Ossiander moved, to approve AR 2008-300.  
25 Dr. Selkregg seconded,  
26 and the motion passed, 10-0.

27  
28 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
29 NAYS: None.

30 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
31

32 14.S. Resolution No. AR 2008-301, a resolution of the Municipality of Anchorage accepting and  
33 appropriating a Federal Health and Human Services grant award through the State of Alaska, the  
34 Department of Health and Social Services in the amount of \$572,250 to the State Categorical Grants  
35 Fund (231) for **Coordinated Senior Transportation Services** within the Municipality of Anchorage,  
36 Public Transportation Department.  
37 1. Assembly Memorandum No. AM 825-2008.

38  
39 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and Chair Claman  
40 closed Public Hearing and called for a motion.

41  
42 Ms. Ossiander moved, to approve AR 2008-301.  
43 Dr. Selkregg seconded,  
44 and the motion passed, 10-0.

45  
46 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
47 NAYS: None.

48 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
49

50 14.T. Resolution No. AR 2008-302, a resolution of the Municipality of Anchorage appropriating \$172,461 to  
51 the Federal Grants Fund (241), from U.S. Department of Transportation and \$6,835 to the Areawide  
52 General Fund (101) and contribution of this amount to the Federal Grants Fund (241) to assist in the  
53 funding of employment related **Coordinated Transportation Services** for low income individuals  
54 within the Municipality of Anchorage, Public Transportation Department.  
55 1. Assembly Memorandum No. AM 826-2008.

56  
57 Chair Claman read the resolution title and opened Public Hearing. There was no one to testify and he closed Public  
58 Hearing and called for a motion.

59  
60 Ms. Ossiander moved, to approve AR 2008-302.  
61 Dr. Selkregg seconded,  
62 and the motion passed, 10-0.

63  
64 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn and Johnston.  
65 NAYS: None.

66 (Clerk's Note: Mr. Coffey was temporarily out of Chambers.)  
67

68 14.U. Resolution No. AR 2008-253, a resolution of the Anchorage Municipal Assembly adopting specific  
69 **wildlife public safety policies** for implementation by the administration and authorizing the allocation  
70 of municipal resources to ensure the safety of Anchorage citizens, Assemblymember Starr.

71  
72 Mr. Starr requested that Public Hearing be opened and continued to March 3<sup>rd</sup>. Chair Claman read the resolution title  
73 and opened Public Hearing. There was no one to testify and he called for a motion.

74  
75 Mr. Starr moved, to continue AR 2008-253 Public Hearing to March 3, 2009.  
76 Mr. Gutierrez seconded,

1 and the motion passed, 11-0.

2  
3 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Claman, Selkregg, Drummond, Ossiander, Flynn, Johnston and  
4 Coffey.

5 NAYS: None.

6  
7 14.V. Ordinance No. AO 2008-124, an ordinance amending Chapter 25.35 to add a Mission Statement,  
8 update the **Anchorage Community Development Authority organizational structure**, and other  
9 related revisions; and amending Chapters 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 and 9.65 to implement the  
10 ACDA organization and structure, Department of Law.  
11 1. Assembly Memorandum No. AM 768-2008.

12  
13 *(Clerk's Note: AO 2008-124 was not addressed at this meeting and was Carried Over to January 6, 2009.)*

14  
15 14.W. Ordinance No. AO 2008-131, an ordinance of the Anchorage Municipal Assembly amending  
16 Anchorage Municipal Code Section 2.30.010 regarding **Organization of the Assembly**,  
17 Assemblymembers Coffey, Johnston, Starr.

18  
19 *(Clerk's Note: AO 2008-131 was not addressed at this meeting and was Carried Over to January 6, 2009.)*

20  
21 14.X. Ordinance No. AO 2008-125, an ordinance of the Anchorage Municipal Assembly **changing the**  
22 **names of the Anchorage Parks and Recreation Service Area and the Anchorage Parks and**  
23 **Recreation Commission** for clarification and directing the Municipal Code Revisor to make code  
24 revisions to incorporate the name changes, Assemblymember Ossiander.

25  
26 *(Clerk's Note: AO 2008-125 was not addressed at this meeting and was Carried Over to January 6, 2009.)*

27  
28 14.Y. Ordinance No. AO 2008-126, an ordinance amending Anchorage Municipal Code Section 9.28.026C.  
29 to authorize **electronically signed police reports** for post-seizure probable cause hearings handled  
30 by the Administrative Hearing Office, Department of Law.  
31 1. Assembly Memorandum No. AM 797-2008.

32  
33 *(Clerk's Note: AO 2008-126 was not addressed at this meeting and was Carried Over to January 6, 2009.)*

### 34 35 15. SPECIAL ORDERS

36  
37 *(Clerk's Note: Following Roll Call, the Assembly addressed the nomination of a new Assembly Vice Chair and the*  
38 *Order of the Day.)*

39  
40 To Chair Claman, Deputy Municipal Manager Heather Handyside requested additional time sensitive Agenda items be  
41 added to the Order of the Day. Chair Claman reordered the Agenda for December 17<sup>th</sup>, to include nomination of an  
42 Assembly Vice Chair and Agenda items 14.C, 14.D, 14.E, 14.F, 14.G, 14.H, 14.I, 14.L, 14.M, 14.N, 14.O, 14.P, 14.Q,  
43 14.R, 14.S. and 14.T.

44  
45 Chair Claman reported that the Assembly would take up the nomination of a new Assembly Vice Chair. He reported  
46 that Ms. Drummond had been nominated on December 16<sup>th</sup>. He called for additional nominations.

47  
48 Dr. Selkregg had moved, *to nominate* Harriet Drummond for Assembly Vice Chair.  
49 Mr. Gutierrez had seconded,

50  
51 Ms. Johnston moved, *to nominate* Debbie Ossiander for Assembly Vice Chair.  
52 Mr. Coffey seconded,

53  
54 Chair Claman called for additional nominations and there were none.

55  
56 *(Clerk's Note: Vote cards were distributed and the votes were secretly tallied.)*

57  
58 Municipal Clerk Barbara Gruenstein announced that Ms. Drummond had received six votes and Ms. Ossiander  
59 received five votes. Chair Claman requested Ms. Drummond be seated as Assembly Vice Chair.

60  
61 *(Clerk's Note: The Assembly returned to the beginning of the Continued Meeting Agenda and took up item 14.C.)*

62  
63 16. UNFINISHED AGENDA There was none.

64  
65 17. AUDIENCE PARTICIPATION

66  
67 18. ASSEMBLY COMMENTS

68  
69 Ms. Drummond announced the Spenard Community Council would hold a Public Safety Meeting to discuss the  
70 increased gun play and public disturbances in the Spenard area. The council, in conjunction with the Anchorage  
71 Police Department (APD) was seeking public input on problems in the area. Landlords, residents and business  
72 owners were urged to attend and get involved. The meeting was scheduled to meet on Saturday, December 20<sup>th</sup>, from  
73 1:00 to 3:00 p.m. at the Spenard Recreation Center. The APD Community Action Policing Team would describe their  
74 activities in Spenard.

75  
76 19. EXECUTIVE SESSIONS There were none.

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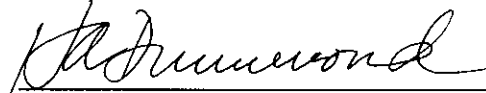
**20. ADJOURNMENT**

Chair Claman called for a motion to adjourn.

Mr. Gutierrez moved.  
Mr. Coffey seconded,  
and there was no opposition.

to adjourn the Regular Meeting of December 16, 2008,  
Continued to December 17, 2008.

The Meeting was adjourned at 10:50 p.m.



MATT GLAMAN, Assembly Chair

ATTEST:

HARRIET DRUMMOND, Acting



BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: March 24, 2009.  
MC/BG

(View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, [www.muni.org](http://www.muni.org) or call the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505)

