

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of February 3, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of February 3, 2009 was convened by Chair Drummond at 5:04 p.m.

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

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

ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Ossiander led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – November 25, 2008.

Ms. Ossiander moved, to approve the Meeting Minutes of November 25, 2008.
Ms. Johnston seconded,
and the motion passed, 10-0.

5. MAYOR'S REPORT

Acting Mayor Claman reported the Superior Court had issued a decision on the fire and police medical retirement (*lawsuit*), in which Judge Mark Ridner had granted the summary judgment in favor of the Municipality.

6. ASSEMBLY CHAIR'S REPORT There was none.

7. COMMITTEE REPORTS

Mr. Gutierrez reported the Anchorage Police Department would present its Strategic Plan at the next Public Safety Committee Meeting on February 11th. There would also be discussion about closing hours of alcoholic beverage establishments and the bear issue.

Ms. Gray-Jackson reported that she had completed the 2009 Budget and Finance Committee Work Plan Draft, which was being reviewed by Committee members and the Administration. The next meeting was set for February 19th.

Dr. Selkregg reported the Community and Economic Development Committee had scheduled a public meeting on February 28th to discuss alternative energy. The next Committee meeting would be held on February 17th in City Hall.

Ms. Ossiander reported the Title 21 Committee would meet on February 5th at the Planning Department Conference Room to discuss steep slope development options. The public was welcome to attend.

Ms. Johnston reported the Alaska Municipal League had passed five resolutions, including maintaining the State retirement system formula, the education formula, Revenue Sharing and developing long term plans for energy and transportation.

8. ADDENDUM TO AGENDA

Chair Drummond called for a motion and read the Addendum items. AR 2009-25, AR 2009-26, AR 2009-27 and AIM 12-2009 were added and assigned Agenda numbers 9.A.3, 9.B.4, 9.B.5 and 9.E.4, respectively.

Mr. Coffey moved, to approve the inclusion of the Addendum items
Ms. Ossiander seconded, into the Consent Agenda.
and this motion was passed, 10-0.

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

Dr. Selkregg moved, to approve the Consent Agenda.
Mr. Coffey seconded,

Chair Drummond called for Assemblymembers to request items to be pulled for discussion on the Regular Agenda.

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

- 9.A.1. Resolution No. AR 2009-17, a resolution of the Anchorage Municipal Assembly to recognize Parks & Recreation Department staff members **Nancy Beardsley and Abbey Harding** for organizing the 50 Bikes/50 Kids event in honor of Dr. Martin Luther King, Jr. Day, Assemblymembers Selkegg, Drummond, Birch, Coffey, Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander and Starr.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.A.1)

- 9.A.2. Resolution No. AR 2009-23, a resolution of the Anchorage Municipal Assembly recognizing February 12, 2009, as the **100th Anniversary of the NAACP**, Assemblymembers Gray-Jackson, Gutierrez. (Addendum)

Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.A.2)

- 9.A.3. Resolution No. AR 2009-25, a resolution of the Anchorage Municipal Assembly recognizing February 7, 2009, as **Black Aids Awareness Day**. (Laid on the Table)

Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.A.3)

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2009-20, a resolution of the Anchorage Municipal Assembly in support of action by the Twenty-Sixth Legislature of the State of Alaska to create the postsecondary scholarship grant program introduced in **Senate Bill No. 33** to enhance access to the University of Alaska by Alaska Achievers, Assemblymembers Gray-Jackson and Johnston.

Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

- 9.B.2. Resolution No. AR 2009-21, a resolution of the Municipality of Anchorage providing for the appropriation of \$16,674 from the Friends of the Library, to the Office of Economic and Community Development, Miscellaneous Operational Grants Fund (261) for the **Mountain View Library**.
a. Assembly Memorandum No. AM 54-2009.

- 9.B.3. Resolution No. AR 2009-24, a resolution of the Municipality of Anchorage appropriating \$20,000 from the Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and contribution of \$775 from Anchorage Metropolitan Police Service Area Fund (151) Anchorage Police 2009 Operating Budget to the Areawide General CIP Fund (401) for **State Homeland Security Program (SHSP) grant activities** in the Municipal Manager Department, Office of Emergency Management. (Addendum)

- a. Assembly Memorandum No. AM 75-2009.
9.B.4. Resolution No. AR 2009-26, a resolution of the Anchorage Municipal Assembly in support of action by the Twenty-Sixth Legislature of the State of Alaska to make the sales of certain energy resources by a refiner at prices that are exorbitant or excessive an unlawful act or practice as introduced in **House Bill No. 68 and Senate Bill No. 54**; Assemblymembers Gutierrez and Gray-Jackson. (Laid on the Table)

Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.B.4)

- 9.B.5. Resolution No. 2009-27, a resolution of the Anchorage Municipal Assembly **requesting detailed financial information concerning both anticipated revenue and budgeted expenditures**; Assembly Vice Chair Coffey. (Laid on the Table)

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

9.C. BID AWARDS There were none.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 56-2009, **Police and Fire Retiree Medical Board** appointments (Andrew Provencio and Rick Shell), Mayor's Office.
9.D.2. Assembly Memorandum No. AM 57-2009, **True North Cellars #4851-New Wholesale, Malt, Beverage/Wine Liquor License** (Sand Lake Community Council), Clerk's Office.
9.D.3. Assembly Memorandum No. AM 58-2009, **Southern-Odom Wine and Spirits of Alaska #4861--** Application for a New General Wholesale Liquor License (Downtown Community Council), Clerk's Office.
9.D.4. Assembly Memorandum No. AM 59-2009, **2009/2010 Liquor License Renewals**: Fred Meyer #11-4179, Costco Wholesale #10-2020, Costco Wholesale #63-3149, George's Homestead Liquor Store #322, Oaken Keg #4167, Oaken Keg Spirit Shop #1806-#795, Oaken Keg Spirit Shop #1807-#1464, Oaken Keg Spirit Shop #1805-#793, Oaken Keg Spirit Shop #1802-792, Oaken Keg Spirit Shop #1809-#799, Oaken keg Spirit Shop #1812-#1397, Oaken Keg Spirit Shop #1813-#1799, Oaken Keg Spirit Shop #1817-#2094, 2 Go Mart #002-#2803, 2 Go Mart #007-2553, 2 Go Mart #003-#2278, 2 Go Mart #55-#1596, 2 Go Mart #62-#1568, 2 Go Mart #56-#1198, 2 Go Mart #54-#664, 2 Go Mart #15-#4054, 2 Go Mart #73-#3991, 2 Go Mart #071-#3732 - Package Store; Johann's #4717, Dish #4685, China Lights #2219, Peking Wok Restaurant #2813, The Golden Pond #2845, Kobe Teppayaki House #2958, El Rodeo Mexican Restaurant #3082, Campobello #3545, 3 Amigos Mexican Restaurant #3746, Sweet Basil Café #3897, Café Amsterdam #3961, Ding How Restaurant #4123, Home Town Restaurant #4150, Sicily's Pizza #4485, Gumbo House #4275, Peter's Sushi Spot #4517, Birch Tree Dining #4528, Samurai Sushi Garden #4529 - Restaurant Eating Place; Chilkoot Charlie's #225, Asia

1 Gardens/Brandy's #83, Henry's Great Alaskan Restaurant #4694, Glacier City Restaurant #4580,
2 Carousel Lounge #200, George's Homestead Lounge #321, Gwennie's Old Alaskan Restaurant
3 #1478, The Anchor #3607, Outback Steakhouse #3753, The Raven #4003, Applebee's II #4173,
4 Carlos' Fine Mexican Restaurant #3538, Las Margaritas #3363, Don Jose's Mexican Restaurant
5 #3311, Rumrunners Old Time Towne Bar #4157 - Beverage Dispensary; The Corsair #742, Fletcher's
6 #2290, Crow's Nest #290, Chilkoot Charlie's #3003, Chilkoot Charlie's #1724 - Beverage Dispensary-
7 Duplicate, Three Amigo's Mexican Restaurant #4350, Hawthorn Suites Hotel #3927, Black Angus
8 Steak House #2-#531 - Beverage Dispensary-Seasonal; Glacier Brewhouse #3985 - Brewpub;
9 AMVETS Post #2-#2943, Kulis ANG NCO Club #603, Petroleum Club of Anchorage #3586 - Club;
10 George Sullivan Arena #1842 - Recreational Site (Muldoon, Rogers Park, Downtown, Spenard, South
11 Addition, Bayshore/Klatt, Huffman/O'Malley, Sand Lake, Airport Heights, Fairview, Midtown, Eagle
12 River, Northeast Community Councils), Clerk's Office.

13 9.D.5. Assembly Memorandum No. AM 60-2009, Amendment No. 2 to **Indigent Defense Services** contract
14 with the Law Firm of Gorton Logue & Graper (\$346,830), Department of Law.

15
16 Ms. Johnston requested this item be pulled for review on the Regular Agenda. (See item 10.D.5)

17
18 9.D.6. Assembly Memorandum No. AM 61-2009, approval to extend and appropriate the grant agreement
19 with the Alaska Arts and Culture Foundation (AACF) for the purpose of administering the **2009**
20 **Municipal Arts Grants Program** for the Municipality of Anchorage, Office of Economic and
21 Community Development in the amount of \$274,330.

22
23 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.D.6)

24
25 9.D.7. Assembly Memorandum No. AM 62-2009, Change Order No. 1 to Purchase Order No. 281019 with
26 World Wide Roofing & Construction Inc. for the **Girdwood Fire Station Roof Replacement Project**
27 for the Municipality of Anchorage, Maintenance and Operations Department (\$26,533), Purchasing.

28 9.D.8. Assembly Memorandum No. AM 63-2009, Utility Relocation Agreement with Chugach Electric
29 Association, Inc. for Project No. 07-14, (\$58,841.22), **Fire Station 12, Anchorage Wide Area Radio**
30 **Network (AWARN) Building**, Maintenance and Operations Department.

31 9.D.9. Assembly Memorandum No. AM 64-2009, sole source award to Hammel Green and Abrahamson, Inc.
32 (Hammel) to provide consulting services for a feasibility study and grant application for a **Joint**
33 **Combined Heat and Power Plant Project** for the Municipality of Anchorage, Municipal Light and
34 Power Utility (ML&P) (\$100,000), Purchasing.

35
36 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.D.9)

37
38 9.D.10. Assembly Memorandum No. AM 65-2009, Amendment No. 2 to professional services contract with
39 DOWL Engineers for the **40th Avenue Extension/Upgrade, Lake Otis Parkway to Dale Street**,
40 Project No. 06-11 (\$630,000), Project Management & Engineering.

41 9.D.11. Assembly Memorandum No. AM 66-2009, Amendment No. 3 to professional engineering services
42 contract with Lounsbury & Associates, Inc., **Spenard Road Reconstruction/Safety Improvements,**
43 **Chester Creek to Benson Boulevard**, Project No. 03-22 (\$459,000), Project Management &
44 Engineering.

45
46 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.11)

47
48 9.D.12. Assembly Memorandum No. AM 67-2009, Contract Amendment No. 4 to professional services
49 contract with Lounsbury & Associates, Inc., for the **E. 6th Avenue Reconstruction, Patterson Street**
50 **to Muldoon Road**, Project No. 05-02 Contract No. 260030 (\$172,307), Project Management &
51 Engineering.

52
53 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.12)

54
55 9.D.13. Assembly Memorandum No. AM 68-2009, Change Order No. 3 to Purchase Order No. 280586 to
56 Neeser Construction Inc. (Neeser) for additional costs incurred during pile driving at **Creekside Town**
57 **Center Road Improvements Phase III, Creekside Center Drive**, for the Municipality of Anchorage,
58 Project No. 02-12b (\$101,272.56), Project Management & Engineering.

59 9.D.14. Assembly Memorandum No. AM 69-2009, Amendment No. 1 to Utility Relocation Agreement with
60 Chugach Electric Association, Inc. (CEA), for **76th Avenue/Spruce Street/72nd Avenue Upgrades**
61 **and 80th Avenue Upgrade**, Project Nos. 03-01 and 03-03 (\$130,000), Project Management &
62 Engineering.

63 9.D.15. Assembly Memorandum No. AM 70-2009, Amendment No. 1, Utility Relocation Agreement with
64 ENSTAR Natural Gas Company (ENSTAR) for the **40th Avenue Extension/Upgrade, Lake Otis**
65 **Parkway to Dale Street**, Project No. 06-11 (\$80,000), Project Management & Engineering.

66 9.D.16. Assembly Memorandum No. AM 71-2009, Amendment One (1) to the Utility Relocation Agreement
67 with Chugach Electric Association, Inc. (CEA), **Raspberry Road Improvements, Minnesota Drive to**
68 **Arctic Boulevard**, Project No. 02-13 (\$63,721.37), Project Management & Engineering.

69 9.D.17. Assembly Memorandum No. AM 72-2009, Amendment No. 3 to the Utility Relocation Agreement with
70 Chugach Electric Association, Inc. (CEA) for the design of an overhead-to-underground relocation
71 required to facilitate the **Arctic Boulevard Right Turn-Lane Project**, Project No. 02-10b (\$25,000),
72 Project Management & Engineering.

73
74 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.17)

75
76 **9.E. INFORMATION AND REPORTS**

77 9.E.1. Information Memorandum No. AIM 8-2009, **Annual Executive Salary Report**, Employee Relations
78 Department.

Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.E.1)

9.E.2. Information Memorandum No. AIM 9-2009, Executive Appointments (Deborah Redmond, Assistant Ombudsman; Linda Harriss, MuniMart Analyst-ACSA; Connie Ernst, Legal Investigator-Municipal Attorney; Kelly Meeker, Contractor-Parks & Rec; Andrea Archer-MuniMart Analyst-ACSA; Bruce Richards-Project Coordinator-Equal Rights; Jody Davis, Asst. Muni. Prosecutor-Municipal Attorney; Fred Valdez-Asst. Muni. Prosecutor-Municipal Attorney; Patti Judd, MuniMart Analyst-ACSA; Lora Merritt, Chief Accountant-ML&P; Kevin Spiller, OEM Director-Muni Manager, Allison Biastock, Meth Education Coord.-Mayor's Office; Robert Jones, Cemetery Director-DHHS; Tawny Klebesadel, Admin. Assistant-OECD; Deitra Ennis, Asst. Municipal Attorney-Municipal Attorney), Employee Relations Department.

9.E.3. Information Memorandum No. AIM 10-2009, 4th Quarter 2008 Financial Reports, Office of Management & Budget. (Addendum)

Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.E.3)

9.E.4. Informational Memorandum AIM No. 12-2009, Status of Municipal Light & Power (ML&P) and Chugach Electric Association (Chugach) Utility Restructuring. (Laid on the Table)

Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.E.4)

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

9.F.1. Ordinance No. AO 2009-16, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 8, Penal Code, by adding a new section in Chapter 8.75 addressing **unauthorized implementation of labor agreements**, Acting Vice-Chair Coffey and Assemblymember Starr. P.H. 2-24-09.

9.F.2. Resolution No. AR 2009-22, a resolution of the Anchorage Assembly to correct the **Anchorage Municipal Employees Association** Collective Bargaining Agreement as ratified on December 2, 2008, Assembly Resolution 2008-266, Employee Relations Department. P.H. 2-24-09.
a. Assembly Memorandum No. AM 55-2009.

9.F.3. Ordinance No. AO 2009-18, an ordinance amending Anchorage Municipal Code Section 21.40.060B., correcting an omission in AO 2007-121(S-1) relating to **administrative site plan review and approval of restaurant or eating place alcoholic beverage license use** in the R-4 (Multiple Family Residential) District, Planning Department. P.H. 2-24-09. (Addendum)
a. Assembly Memorandum No. AM 76-2009.

9.F.4. Ordinance No. AO 2009-19, an ordinance authorizing **disposal by ground lease of Heritage Land Bank Parcel 4-013** to Northern Lodging LLC, dba Ramada Anchorage Downtown, Heritage Land Bank. P.H. 2-24-09. (Addendum)
a. Assembly Memorandum No. AM 77-2009.

9.F.5. Ordinance No. AO 2009-20, an ordinance authorizing **withdrawal of portions of Parcels 3-030, 3-031, 3-032A, 3-032B, 3-033, and 3-065** totaling approximately 39 acres, from Heritage Land Bank Inventory for transfer to the Real Estate Services Division, and establishing a conservation easement on the withdrawn portions of the parcels, with mitigation credits to be managed by Heritage Land Bank. P.H. 2-24-09. (Addendum)
a. Assembly Memorandum No. AM 78-2009.

9.F.6. Ordinance No. AO 2009-21, an ordinance, pursuant to Anchorage Municipal Code Section 3.20.040, amending Sections 3.20.010 and 3.20.070 to **update the management responsibilities of the Municipal Manager and the Chief Fiscal Officer**, Department of Law. P.H. 2-24-09. (Addendum)
a. Memorandum No. 80-2009.

Chair Drummond called for a vote on the Consent Agenda.

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

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

END OF CONSENT AGENDA

10. REGULAR AGENDA

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.A.1. Resolution No. AR 2009-17, a resolution of the Anchorage Municipal Assembly to recognize Parks & Recreation Department staff members **Nancy Beardsley and Abbey Harding** for organizing the 50 Bikes/50 Kids event in honor of Dr. Martin Luther King, Jr. Day, Assemblymembers Selkregg, Drummond, Birch, Coffey, Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander and Starr.

Ms. Ossiander moved, to approve AR 2009-17.

Mr. Coffey seconded,
and the motion passed, 10-0.

Ms. Ossiander read and Dr. Selkregg presented the resolution recognizing Parks and Recreation Department staff members Nancy Beardsley and Abbey Harding for organizing the bicycle event on Dr. Martin Luther King, Jr. Day. Dr. Selkregg stated that this was a very worthwhile event, recognizing fifty deserving youth in the community.

10.A.2. Resolution No. AR 2009-23, a resolution of the Anchorage Municipal Assembly recognizing February 12, 2009, as the **100th Anniversary of the NAACP**; Assemblymembers Gray-Jackson, Gutierrez, Selkregg, Drummond, Birch, Coffey, Flynn, Johnston, Ossiander and Starr. (Addendum)

1 Ms. Gray-Jackson moved, to approve AR 2009-23.
2 Mr. Coffey seconded,
3 and the motion, as amended, passed, 10-0.
4

5 Ms. Ossiander requested that all Assemblymembers be added as cosponsors. Mr. Gutierrez read the resolution
6 recognizing February 12, 2009 as the 100th Anniversary of the NAACP. Ms. Gray-Jackson presented the resolution to
7 NAACP President Antonio Anderson, President-Elect James Ellsworth, Secretary-Elect Paulette Senegal Law,
8 Treasurer-Elect Darrell Hess and Virginia Lee-Anderson, Member at Large.

9
10 10.A.3. Resolution No. AR 2009-25, a resolution of the Anchorage Municipal Assembly recognizing February
11 7, 2009, as **Black Aids Awareness Day**; Assemblymembers Gray-Jackson and Selkregg. (*Laid on*
12 *the Table*)

13
14 Ms. Gray-Jackson moved, to approve AR 2009-5.
15 Mr. Gutierrez seconded,
16 and the motion, as amended, passed, 10-0.
17

18 Ms. Johnston read and Ms. Gray-Jackson presented the resolution to Mr. Hugh Brown, recognizing February 7, 2009,
19 as Black Aids Awareness Day. Dr. Selkregg requested to be added as a cosponsor.
20

21 **10.B. RESOLUTIONS FOR ACTION - OTHER**

22 10.B.1. Resolution No. AR 2009-20, a resolution of the Anchorage Municipal Assembly in support of action by
23 the Twenty-Sixth Legislature of the State of Alaska to create the postsecondary scholarship grant
24 program introduced in **Senate Bill No. 33** to enhance access to the University of Alaska by Alaska
25 Achievers, Assemblymembers Gray-Jackson and Johnston.
26

27 Ms. Gray-Jackson moved, to approve AR 2009-20.
28 Mr. Gutierrez seconded,
29

30 Ms. Gray-Jackson moved, to amend AR 2009-20 on Page 1, Lines 7-9, by adding to
31 Mr. Starr seconded, read: WHEREAS, legislation to create the Alaska Achievers'
32 and Incentive Scholarship Program, with both merit and
33 needs-based components, had been pre-filed for the 26th
34 Legislature – First Session as Senate Bill No. 33 and House
35 Bill Number 94 as attached; and
36

37 To Ms. Gray-Jackson, University of Alaska, Anchorage (UAA) Student Body President CARL WING and UAA Student
3 Senator RYAN BUCHHOLDT supported the Bills which would assist in securing student financial assistance. To Mr.
3 Birch, Mr. Buchholdt reported statistics of UA student enrollment and tuition costs.
40

41 Ms. Ossiander, Dr. Selkregg and Mr. Coffey commented on preferring to support an Assembly resolution dealing with
42 a concept rather than a House or Senate Bill.
43

44 and the motion to amend passed, 10-0.
45

46 and the main motion, as amended, passed, 8-2.
47

48 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Selkregg, Flynn and Johnston.
49 NAYS: Coffey and Ossiander.
50

51 10.B.4. Resolution No. AR 2009-26, a resolution of the Anchorage Municipal Assembly in support of action by
52 the Twenty-Sixth Legislature of the State of Alaska to make the sales of certain energy resources by a
53 refiner at prices that are exorbitant or excessive an unlawful act or practice as introduced in **House**
54 **Bill No. 68 and Senate Bill No. 54**; Assemblymembers Gutierrez, Gray-Jackson. (*Laid on the Table*)
55

56 Mr. Gutierrez moved, to approve AR 2009-26.
57 Ms. Gray-Jackson seconded,
58

59 Mr. Gutierrez, Mr. Birch, Ms. Johnston, Mr. Coffey, Ms. Ossiander and Dr. Selkregg commented about the intent of the
60 resolution, capping the price affecting the West Coast refinery, capping prices being tried elsewhere unsuccessfully,
61 reducing competition and increasing costs, making it difficult for a refinery to stay in business and creating a situation
62 where a refinery would no longer be interested in providing fuel to Anchorage.
63

64 Mr. Flynn declared a potential conflict of interest, due to his employer's association with one of the refineries. Mr.
65 Flynn responded to Mr. Coffey's questions concerning the possible conflict. Mr. Coffey stated there was likelihood that
66 Mr. Flynn's personal private interest would impede his ability to act in the public interest. Chair Drummond ruled that
67 Mr. Flynn did have a conflict of interest and ordered that he abstain from participating. There were no objections.
68

69 and the motion failed, 3-6.
70

71 AYES: Gutierrez, Gray-Jackson and Drummond.
72 NAYS: Starr, Birch, Coffey, Selkregg, Ossiander and Johnston.
73 ABSTAIN: Flynn, with a conflict of interest.
74

75 10.B.5. Resolution No. AR 2009-27, a resolution of the Anchorage Municipal Assembly **requesting detailed**
76 **financial information concerning both anticipated revenue and budgeted expenditures**,
77 Assembly Vice Chair Coffey and Assemblymembers Selkregg, Starr and Johnston. (*Laid on the*
78 *Table*)

Mr. Coffey moved, to approve AR 2009-27.
Ms. Ossiander seconded,

Mr. Coffey stated the resolution was requesting detailed information to deal with the deficit. He requested that Dr. Selkregg be added as a cosponsor. Mr. Starr and Ms. Johnston also requested to be added as cosponsors.

Ms. Ossiander moved, to amend AR 2009-27, Page 1 on Line 50, by adding a new
Ms. Johnston seconded, section to read: **Section 5. Status of reserve funds and**
and this passed unanimously. **fund balances shall be reported.**

Mr. Coffey requested financial information from each department, the Chief Fiscal Officer and the Municipal Manager.

and the main motion, as amended, passed, [9-4] 10-0.
[with Dr. Selkregg opposing.]
(Clerk's Note: Dr. Selkregg requested that her vote be corrected.)

10.C. BID AWARDS There were none.

10.D. NEW BUSINESS

10.D.5. Assembly Memorandum No. AM 60-2009, Amendment No. 2 to **Indigent Defense Services** contract with the Law Firm of Gorton Logue & Graper (\$346,830), Department of Law.

Ms. Johnston moved, to approve AM 60-2009.
Mr. Coffey seconded,

To Ms. Johnston, Municipal Attorney Jim Reeves responded this was an amendment to the contract for budgeted appropriations to pay for services provided in 2008. Ms. Johnston urged approval.

and the motion passed, 10-0.

10.D.6. Assembly Memorandum No. AM 61-2009, approval to extend and appropriate the grant agreement with the Alaska Arts and Culture Foundation (AACF) for the purpose of administering the **2009 Municipal Arts Grants Program** for the Municipality of Anchorage, Office of Economic and Community Development in the amount of \$274,330.

Mr. Flynn moved, to approve AM 61-2009.
Ms. Ossiander seconded,

To Mr. Birch and Mr. Starr, Acting Mayor Claman and Office of Economic and Community Development Director Mary Jane Michael responded to questions concerning administering grant funds.

and the motion passed, 10-0.

10.D.9. Assembly Memorandum No. AM 64-2009, sole source award to Hammel Green and Abrahamson, Inc. (Hammel) to provide consulting services for a feasibility study and grant application for a **Joint Combined Heat and Power Plant Project** for the Municipality of Anchorage, Municipal Light and Power Utility (ML&P) (\$100,000), Purchasing.

Dr. Selkregg moved, to approve AM 64-2009.
Ms. Johnston seconded,

Mr. Birch stated that this involved \$100,000 for work that could be completed by Municipal Light and Power (ML&P) staff. To Mr. Starr, ML&P General Manager Jim Posey responded ML&P did not perform this type of specialized work.

and the motion passed, 7-3.

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

10.D.11. Assembly Memorandum No. AM 66-2009, Amendment No. 3 to professional engineering services contract with Lounsbury & Associates, Inc., **Spenard Road Reconstruction/Safety Improvements, Chester Creek to Benson Boulevard**, Project No. 03-22 (\$459,000), Project Management & Engineering.

Ms. Ossiander moved, to take up AM 66-2009 with the road bonds, item 14.C.
Mr. Coffey seconded,
and the motion passed without objection.

(Clerk's Note: See item 14.I for details of AM 66-2009 being Postponed to February 24, 2009.)

10.D.12. Assembly Memorandum No. AM 67-2009, Contract Amendment No. 4 to professional services contract with Lounsbury & Associates, Inc., for the **E. 6th Avenue Reconstruction, Patterson Street to Muldoon Road**, Project No. 05-02 Contract No. 260030 (\$172,307), Project Management & Engineering.

Ms. Ossiander moved, to approve AM 67-2009.
Mr. Coffey seconded,

Ms. Ossiander stated the Design Criteria Manual was developed by different departments, but was never adopted.

Ms. Ossiander moved, to amend AM 67-2009 on Page 1, Lines 27-29, by deleting to
Mr. Coffey seconded, read: Proposed Amendment No. 4 will provide funding for
and the motion passed, 10-0. engineering services to incorporate applicable provisions of
the 2007 Design Criteria Manual [- adopted by Anchorage
on March 4, 2007].

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

10.D.17. Assembly Memorandum No. AM 72-2009, Amendment No. 3 to the Utility Relocation Agreement with
Chugach Electric Association, Inc. (CEA) for the design of an overhead-to-underground relocation
required to facilitate the **Arctic Boulevard Right Turn-Lane Project**, Project No. 02-10b (\$25,000),
Project Management & Engineering.

Mr. Coffey moved, to approve AM 72-2009.
Ms. Ossiander seconded,

Mr. Coffey moved, to take up AM 72-2009 with the road bonds, item 14.C.
Dr. Selkregg seconded,
and the motion passed, 10-0.

(Clerk's Note: See item 14.I for details of AM 72-2009 being Carried Over to February 24, 2009.)

10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 8-2009, **Annual Executive Salary Report**, Employee Relations
Department.

Mr. Starr moved, to accept AIM 8-2009.
Ms. Ossiander seconded,

To Mr. Starr, Municipal Manager Michael Abbott explained that the 2009 Budget included cost of living increases.

and the motion passed, 10-0.

10.E.3. Information Memorandum No. AIM 10-2009, **4th Quarter 2008 Financial Reports**, Office of
Management & Budget. *(Addendum)*

Mr. Birch moved, to accept AIM 10-2009.
Dr. Selkregg seconded,

Mr. Birch requested that charitable donations made with public money be addressed during the First Quarter Budget
Review process.

To Mr. Starr, Office of Economic and Community Development Director Mary Jane Michael responded that the city
forwarded on grant funds to various organizations.

To Dr. Selkregg, Chief Fiscal Officer Sharon Weddleton responded that a comprehensive report on the Anchorage Fire
Department's deficit would be included with the First Quarter Budget Review.

and the motion passed without objection, 10-0.

10.E.4. Informational Memorandum AIM No. 12-2009, **Status of Municipal Light & Power (ML&P) and
Chugach Electric Association (Chugach) Utility Restructuring**. *(Laid on the Table)*

Mr. Birch moved, to accept AIM 12-2009.
Mr. Coffey seconded,

Mr. Birch, Mr. Coffey and Dr. Selkregg discussed the proposed joint operation now appearing to have no potential
gains, \$1 million already invested to identify cost savings, there still being potential efficiencies and benefits, holding off
further funding and the state government's involvement.

and the motion passed, 10-0.

(Clerk's Note: Ms. Gray-Jackson requested a Point of Personal Privilege to recognize visiting students from Abbott
Loop Elementary School. See Agenda item 17 for details.)

10.F. **ORDINANCES AND RESOLUTIONS FOR INTRODUCTION** No items were pulled for review.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Ordinance No. AO 2008-124, an ordinance amending Chapter 25.35 to add a Mission Statement,
update the **Anchorage Community Development Authority organizational structure**, and other
related revisions; and amending Chapters 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 and 9.65 to implement the
ACDA organization and structure, Department of Law.

1. Assembly Memorandum No. AM 768-2008. *(Public Hearing was Closed 1-6-09; Amended
and Postponed from 1-6-09)*

Ms. Ossiander moved, *to postpone AO 2008-124 to May 26th.*
Ms. Johnston seconded,
and this was approved, 10-0.

11.B. Ordinance No. AO 2009-5, an ordinance authorizing Anchorage Community Development Authority to **acquire lots and tracts within Northpointe Bluff Subdivision**, and a leasehold interest on adjacent land owned by the Alaska Railroad Corporation, at foreclosure sale, Anchorage Community Development Authority. *(Public Hearing was Closed 1-20-09; Action was Postponed from 1-20-09)*
1. Assembly Memorandum No. AM 41-2009.

Mr. Coffey moved, *to approve AO 2009-5.*
Ms. Johnston seconded,

Mr. Coffey, Mr. Birch, Mr. Flynn, Dr. Selkregg and Ms. Ossiander addressed authorizing foreclosure to resolve the matter, the city being in the land development business, recouping the money invested and preserving the assets.

To Mr. Starr and Mr. Birch, Chief Fiscal Officer Sharon Weddleton, Anchorage Community Development Authority (ACDA) President Ron Pollock and Mr. Coffey responded to their questions concerning repaying the loan, the liability to taxpayers, the foreclosure process, the terms, deeds of trust and lien claims, the city buying back the property, the auction scheduled for March 12th and details of the lawsuit being kept confidential.

Mr. Flynn stated that the Assembly had previously discussed his association with the Alaska Railroad and had determined that he did not have a conflict of interest. He reiterated his responses to Mr. Coffey's questions on various aspects in the matter. Mr. Coffey reiterated his recommendation that Mr. Flynn be allowed to participate fully in the matter. Chair Drummond ordered Mr. Flynn to participate. There were no objections.

and the motion passed, 9-1.

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

11.C. **NOTICE OF RECONSIDERATION: Resolution No. AR 2008-334**, a resolution of the Anchorage Municipal Assembly in support of sound financial management by **postponement of new hires and certain municipal contracts until after first quarter budget review**, subject to monthly reporting on the state of municipal finances, Assemblymembers Selkregg, Ossiander and Drummond.
1. Assembly Memorandum No. AM 882-2008.
(Amended and Approved 1-20-09; Notice of Reconsideration was Given by Mr. Flynn 1-21-09)

Mr. Flynn moved, *to reconsider AR 2008-334.*
Mr. Gutierrez seconded,

Mr. Flynn stated the amendment would help clarify the intent and reflect the sentiment of the Assembly.

and the motion passed, 7-2.

AYES: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Selkregg and Flynn.
NAYS: Ossiander and Johnston.
(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)

Dr. Selkregg moved, *approve AR 2008-334.*
Ms. Ossiander seconded,

Dr. Selkregg moved, *to amend AR 2008-334 on Page 2, Lines 1-8, by adding to read: NOW, THEREFORE, in conjunction with [passage and approval] passing and approving [of] the 2009 Municipal Budget, [the Anchorage Assembly resolves: Section 1--New municipal hires shall be deferred until] and in support of sound financial management practices the Anchorage Assembly requests that hiring be deferred on all new municipal positions until after the 2009 First Quarter Budget Review, unless monthly reports on the state of municipal finances reflect adequate funding.*
Mr. Gutierrez seconded,

Ms. Ossiander stated the amendment significantly weakened the document and she would not support it.

and the motion failed, 4-6.

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

To Dr. Selkregg and Mr. Starr, Acting Mayor Claman responded the Administration managed the budget and spent funds consistent with the Charter, Code and the budget approved by the Assembly. The resolution was not binding.

and the motion passed, 10-0.

12. **APPEARANCE REQUESTS** There were none.

13. **CONTINUED PUBLIC HEARINGS**

- 13.A. Ordinance No. AO 2008-123, an ordinance of the Anchorage Municipal Assembly to provisionally adopt a new Chapter 21.03, **Review and Approval Procedures**, amending Anchorage Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of Title 21, Assemblymember Ossiander. *(Continued from 12-2-08, 1-6-09 and 1-20-09)*
1. Assembly Memorandum No. AM 753-2008.
 2. Ordinance No. AO 2008-123(S), an ordinance of the Anchorage Municipal Assembly to provisionally adopt a new Chapter 21.03, Review and Approval Procedures, amending Anchorage Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of Title 21, Assemblymember Ossiander. *(Continued from 12-2-08, 1-6-09 and 1-20-09) (Laid on the Table)*

Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

Ms. Ossiander moved, to approve AR 2008-123(S).
Mr. Coffey seconded,

Ms. Ossiander explained the history and that the Title 21 Committee unanimously urged adoption of Chapter 3.
and the motion passed, 10-0.

14. NEW PUBLIC HEARINGS

- 14.A. Ordinance No. AO 2009-8, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$69,880,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of capital improvements to **Service High School, Eagle River High School and Girdwood K-8 School** at the election to be held in the Municipality on April 7, 2009, Anchorage School District.
1. Assembly Memorandum No. AM 26-2009.
 2. Ordinance No. AO 2009-8(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$69,880,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of capital improvements to Service High School, Eagle River High School and Girdwood K-8 School at the election to be held in the Municipality on April 7, 2009, Anchorage School District. **(Addendum)**
 3. Assembly Memorandum No. AM 26-2009(A). **(Addendum)**

Mr. Coffey moved, to combine Public Hearing on AO 2009-8, AO 2009-8(S),
Mr. Gutierrez seconded, AO 2009-9 and AO 2009-9(S).
and the motion passed, 10-0.

Anchorage School District (ASD) Superintendent Carol Comeau explained the changes included in the S-versions.

Chair Drummond opened Combined Public Hearing.

ADAM TROMBLEY testified that it was irresponsible for the Assembly to allow all the bonds to be on the ballot. To Ms. Gray-Jackson, Mr. Trombley responded that passing the bonds would not create jobs in the community.

LOU PONDOLFINO, Principal of Service High School, testified in support of the capital improvements to Service. To Ms. Johnston, Mr. Pondolfino responded that Service had 1900 students and held 'open-campus' during lunch because the cafeteria was in very poor condition. Ms. Ossiander stated that Service was due for renovations.

CHAD SANT, Service High School theater teacher, testified in support of the bonds, which would be reimbursed by the State by 60%. To Ms. Johnston, he responded that Service used the Golden View Elementary School's lunch room and that theaters at East, Bartlett, West and Chugiak High Schools were booked a year in advance.

DAVID COLE, a Service Special Education teacher, testified in support of the bonds. Service High School was old and could not accommodate the increased numbers of disabled students and those with more significant needs.

CHRIS STEVENS testified in support of the Service High School bonds. He responded to questions from Ms. Ossiander, Mr. Coffey, Ms. Johnston and Dr. Selkegg concerning bonding, low interest rates, the economy, Anchorage's ability to support bonds and investing in the community.

CHELSEY MARLOWE, Service High School Student Body President, testified in support of the Service bonds. She requested that those in support of the Service bonds to stand. *(Clerk's Note: Over 45 people stood.)*

STEVE PIPER testified that he was a parent who lived in Chugiak-Eagle River, but he still supported the school bonds because all students deserved a good school.

JOHN BUOKAW testified in support of the school bonds, which would be reimbursed by the State. There was a need and now was the time with the cheaper interest rates and the State having the money.

SAMUEL DOEPKEN, Girdwood School Student Class President, testified in support of the school bonds and told about the small and crowded classrooms, the students having to move around and no common use area.

JULIE DOEPKEN, a teacher and a mother of students at Girdwood School, testified in support of the school bonds. Classrooms were small and there were no computer or science labs, no lunch room and the gym was too small.

HEATHER HOLLAND, a Service High School student involved in the theater pit orchestra, testified in support of the Service bonds for renovations needed for the theater and stage. It was not a very nice place.

1 MAX KOHLER, a Service High School senior and Eagle Scout, testified in support of the school bonds. He stated the
2 school was old and falling apart. There was an economic crisis, but improvements had been needed for years.

3
4 SOREN WUERTH, a Service High School teacher, testified the condition of the school was unacceptable, including
5 classrooms and the theater. He urged the Assembly to put the bond on the ballot.

6
7 PAYTON BURRELL, a Service High graduate and actor, testified that Service was in complete and utter disrepair. He
8 described the theater, the multi-purpose room, the cracked or missing floor tiles and other safety hazards.

9
10 STEVE WILL, President of *2009 School Bonds Yes!* testified in support of letting the people decide. He commented
11 on the ten-year capital improvement plan, the ASD retiring \$46 million of indebtedness, the 60% to 70% State
12 reimbursement and Governor Palin supporting community projects that were supported by the communities.

13
14 SAMMY KIEL, a Service High School sophomore, testified that Service was in disrepair. It was nasty. He described
15 the cafeteria and the theater and urged the Assembly to let the voters decide.

16
17 CHRISTY WICHERT, mother of a Service student, urged the Assembly to let the voters decide. To Ms. Ossiander and
18 Mr. Starr, Ms. Wichert responded that supporting education was an investment in her children and her grandchildren.
19 The football field was known as 'the mud pit' and was a safety hazard.

20
21 BOB BELL, a former Assemblymember, testified that Service High had been on the list for repairs for fifteen years, but
22 had continually been put off to do other projects. He urged the Assembly to put the bonds on the ballot.

23
24 JED WHITTAKER testified that with the financial uncertainty, now was the time to use caution and he supported Mr.
25 Flynn's idea of a bond moratorium. Mr. Flynn stated it would be difficult for him to stick with a bond moratorium.

26
27 JOY MURAKAMI, Service High theater student, testified the school was in bad shape. To Dr. Selkregg, Ms. Murakami
28 described the maintenance needed for the cafeteria, floor tiles, a destroyed mural and the ceilings.

29
30 JEFF FRIEDMAN, Anchorage School Board (ASB) President, testified that businesses invested in communities that
31 invested in their schools. He urged the Assembly to approve placing the bonds on the ballot. It was a good
32 investment and was the first step in the ASD's Ten-Year Capital (*Improvement*) Plan.

33
34 CAROL COMEAU, Superintendent, urged the Assembly to put the bonds on the ballot to let the people decide. The
35 ASD would educate the public. Ms. Comeau, Mr. Gutierrez, Ms. Johnston, Dr. Selkregg, Mr. Coffey and Chair
36 Drummond commented on the conditions of schools, substantial renovations needed, the maintenance budget,
37 Service being heavily used, paying off the debt, setting priorities, State reimbursement, predictions of the bonds
38 passing, fire and safety hazards, Chester Valley being overdue for a new elementary school and there being risk not
39 knowing whether debt reimbursement would continue and whether this would lead to the default of the city.

40
41 There was no additional public testimony and Chair Drummond closed Combined Public Hearing.

42
43 Mr. Coffey moved, to approve AO 2009-8(S).
44 Mr. Gutierrez seconded,

45
46 Ms. Johnston, Mr. Birch, Ms. Ossiander, Mr. Coffey, Mr. Flynn, Dr. Selkregg, Mr. Gutierrez and Chair Drummond
47 addressed Service High School needing repair, the bond failing would cause it to fail again, the state of the economy,
48 the ASD's willingness to take the risk, Service needing repair, letting the voters decide, the State's financial loss, the
49 increased costs of labor contracts, the city's deficit, expected cuts and layoffs, property taxes increasing, the Assembly
50 acting in the best interest of the community, Alaska heading for a steep decline, fixing classrooms and offices and
51 calling it good, spending money wisely, debt reimbursement, community projects creating jobs, taking courage and
52 calculated risk to do what was right and school bonds always passing.

53
54 and the motion passed, 7-3.

55
56 AYES: Gutierrez, Gray-Jackson, Birch, Drummond, Selkregg, Flynn and Johnston.
57 NAYS: Starr, Coffey and Ossiander.

58
59 Mr. Coffey recommended a vote to reconsider and urged a NO-vote.

60
61 Mr. Gutierrez moved, for immediate reconsideration of AO 2009-8(S).
62 Dr. Selkregg seconded,
63 and the motion failed, 1-9.

64
65 AYES: Ossiander.
66 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Coffey, Selkregg, Flynn and Johnston.

- 67
68 14.B. Ordinance No. AO 2009-9, an ordinance providing for the submission to the qualified voters of
69 Anchorage, Alaska, the question of the issuance of Not To Exceed \$27,480,000 of General Obligation
70 Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements for
71 **Districtwide Building Systems Renewals, Replacements, Renovations and Acquisitions** at the
72 election to be held in the Municipality on April 7, 2009, Anchorage School District.
73 1. Assembly Memorandum No. AM 26-2009.
74 2. Ordinance No. AO 2009-9(S), an ordinance providing for the submission to the qualified voters
75 of Anchorage, Alaska, the question of the issuance of Not To Exceed \$27,480,000 of General
76 Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital
77 improvements for Districtwide Building Systems Renewals, Replacements, Renovations and
78 Acquisitions at the election to be held in the Municipality on April 7, 2009. (*Addendum*)

3. Assembly Memorandum No. AM 26-2009(A). **(Addendum)**

(Clerk's Note: See 14.A for details of Combined Public Hearing.)

Mr. Coffey moved, to approve AO 2009-9(S).
Ms. Ossiander seconded,

Dr. Selkregg, Ms. Gray-Jackson, Ms. Johnston, Mr. Coffey, Ms. Ossiander and Mr. Gutierrez addressed putting off the repair list for a year, bonding for school maintenance not being prudent, the economic situation, putting the bonds before the people, putting two bonds on the ballot causing one not to pass and voters consistently supporting maintenance of facilities rather than new construction.

and the motion failed, 5-5.

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

Mr. Coffey moved for immediate reconsideration and urged a YES-vote.

Mr. Coffey moved for immediate reconsideration of AO 2009-9(S).
Mr. Gutierrez seconded,
and the motion passed, 7-3.

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

Mr. Coffey, Ms. Ossiander, Mr. Gutierrez, Dr. Selkregg and Chair Drummond commented on the Assembly's vote being divided, maintaining existing infrastructure, deciding priorities and learning to live with less, letting the community decide, needing the repairs and maintenance and the success of maintenance bonds passing.

Mr. Coffey moved, to approve AO 2009-9(S).
Mr. Gutierrez seconded,
and this motion passed, [7-3] 6-4.

(Clerk's Note: Dr. Selkregg requested the vote be corrected to reflect her NO-vote.)

AYES: Gutierrez, Gray-Jackson, Drummond, Coffey, [Selkregg,] Birch, Ossiander and Flynn.
NAYS: Starr, Birch, Selkregg and Johnston.

Ms. Ossiander moved, for immediate reconsideration of AO 2009-9(S).

14.C. Ordinance No. AO 2009-10, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$43,900,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of road, storm drainage and related capital improvements and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the **Anchorage Roads and Drainage Service Area** at the election to be held in the Municipality on April 7, 2009, Finance.
1. Assembly Memorandum No. AM 48-2009.

Mr. Flynn moved, to combine Public Hearing on AO 2009-10, AO 2009-11, AO 2009-12, AO 2009-13, AO 2009-14 and AO 2008-15 Agenda items 14.C, 14.D, 14.E, 14.F, 14.G and 14.H.
Mr. Coffey seconded,
and this passed without objection, 10-0.

Chair Drummond opened Combined Public Hearing.

JOE PERKINS, Anchorage Library Foundation President, testified in support of a Downtown Branch Library. Mr. Perkins, Ms. Ossiander, Mr. Birch and Dr. Selkregg commented on unfinished libraries, there not being money to staff a new library, additional costs for staffing, facility operations and maintenance, raising the tax cap and the site being next to the convention center.

BONNIE GODFRED testified the redesign of Spenard Road would not be effective. The same design was unsuccessful on Arctic Boulevard. It was important to remember that all children would be paying for the bonds.

LOTTIE MICHAEL, a developer of a new business facility on Spenard Road, testified the proposed improvements would financially hurt her development and tenants. Spenard business owners opposed the improvements, 80 to 3.

TOM McGRATH, a Spenard resident, testified that most residents and local business owners agreed with the needed improvements proposed for Hillcrest to Chester Creek. He proposed deleting all improvements.

BROOKS CHANDLER supported the Loussac Library improvements. He responded to questions from Dr. Selkregg and Mr. Birch, concerning the figures in the bond proposition and the increased use of the facility.

MAUREEN JOHNSON, mother of three and residing near Fireweed Lane, supported Spenard Road improvements. Spenard roads and walkways were unsafe for children and could not accommodate the elderly or the disabled.

JERRY POLLOCK, Anchorage Library Foundation Board member, testified there were private funds available and he urged the Assembly to approve putting the bond on the ballot. To Dr. Selkregg, he responded the site had access to Downtown and the bus center.

JED WHITTAKER, a resident on 26th and Spenard, opposed the Spenard Road Improvement Project which would harm his neighborhood. The road was fine as it was. The money could be used elsewhere.

MIKE MITCHELL, a 20-year resident of the area, testified in support of the Spenard Road improvements. There were safety concerns at the section between Fireweed and Hillcrest and the section where the bakery was located.

LARRY BRANDT, Sunrise Bakery General Manager, testified the bakery had over 100 employees and had contributed millions of dollars to the community, but would not survive with the proposed changes. He responded to questions from Dr. Selkregg and Mr. Coffey concerning the right-of-way, other properties owned by Sunrise and the proposed improvements.

MATT JOHNSON, North Star Community Council President, testified the new road designs were substandard and did not accommodate pedestrians, bicycles or snow removal.

MARK BUTLER, North Star Community Council member, testified the improvements to the hill were supported by both Spenard and North Star Community Councils. He hoped the Spenard businesses would continue working together.

Mr. Coffey moved, *to extend the meeting until midnight to complete the six*
Mr. Flynn seconded, *bonds propositions.*

and the motion failed, 7-3.

(Clerk's Note: *Eight affirmative votes were needed to approve.*)

AYES: Starr, Birch, Drummond, Coffey, Selkregg, Flynn and Johnston.

NAYS: Gutierrez, Gray-Jackson and Ossiander.

Ms. Ossiander moved, *to extend the meeting until 11:30 p.m. to complete the six*
Mr. Coffey seconded, *bond propositions.*
and this passed without objection, 10-0.

RENE HAAG, owner of Blaine's Arts Supply in Spenard, testified in support of the proposed improvements, making the road safer and slowing traffic. Improvements were needed to better accommodate pedestrians and bicyclists.

There was no additional public testimony and Chair Drummond closed Combined Public Hearing.

Mr. Coffey moved, *to approve AO 2009-10.*
Mr. Flynn seconded,

Mr. Coffey moved, *to amend AO 2009-10, 2009 ARDSA Bond Project List by*
Mr. Flynn seconded, *changing to read:*

- 9th Avenue Reconstruction – L Street to Cordova Street *by reducing O&M [~~\$137,000~~] \$96,000;*
- Arctic Boulevard Reconstruction Phase III – 36th Avenue to Tudor Road *by deleting (bond) [~~\$200,000~~];*
- Local Road RID Reconstruction and Upgrades *by deleting (bond) [~~\$200,000~~];*
- Spenard Road Reconstruction – Chester Creek (South) to ~~Fireweed~~ Hillcrest *by reducing (bond) [~~\$6,500,000~~] \$3,000,000 and by reducing (O&M) [~~\$93,000~~] \$51,000;*
- Anchorage Signal System, Signage and Safety Improvements, *by deleting (bond) [~~\$500,000~~] and by deleting (O&M) [~~\$20,000~~];*
- Traffic Calming and Safety Improvements *by reducing (bond) [~~\$950,000~~] \$475,000 and by reducing (O&M) [~~\$95,000~~] \$47,000;*
- Arctic Boulevard Right Turn Lane at Tudor Road *by deleting (bond) [~~\$250,000~~] and by deleting (O&M) [~~\$6,000~~];*
- Old Seward Highway/International Airport Road Storm Drain *by deleting (bond) [~~\$500,000~~] and by deleting (O&M) [~~\$5,000~~];*
- Water Quality and Creek Restoration Improvements *by deleting (bond) [~~\$350,000~~];*
- Street Maintenance Vehicle Maintenance Facility *by deleting (bond) [~~\$3,700,000~~] and by deleting (O&M) [~~\$45,000~~].*

To Ms. Gray-Jackson and Mr. Coffey, Project Management and Engineering Coordinator Jim Lamson responded to questions concerning design work for Cliffside East Ridge, bonds being reduced, operation and maintenance costs being reduced and reducing or delaying projects to increase the likelihood of the bond passing.

Chair Drummond stated that there was not full support for projects in her district and she would be willing to complete the improvements a little bit at a time.

Mr. Birch stated that new road improvements and street light upgrades should have reduced operation and maintenance costs and there should be no maintenance costs for a newly built road.

Mr. Birch moved, *to amend the Coffey Amendment, by further reducing the*

the motion failed for a lack of a second. total (O&M) costs ~~[\$735,000]~~ ~~[\$558,500]~~ \$200,000.

and the motion to approve the Coffey amendment passed, 10-0.

Ms. Gray-Jackson moved, to amend AO 2009-10, 2009 ARDSA Bond Project List,
Mr. Gutierrez seconded, Roadway Projects *by adding* to read:
• East 79th Avenue to Hartzell (bond) \$500,000.

Ms. Gray-Jackson stated the Abbott Loop Community Council had received State funding and the project was ready to go. It was not a good idea to wait until 2010. She urged the Assembly to support adding the project.

and the motion failed, 5-5.

AYES: Starr, Gutierrez, Gray-Jackson, Drummond and Flynn.

NAYS: Birch, Coffey, Selkregg, Ossiander and Johnston.

Mr. Coffey moved, to *grant authority* to Bond Council to make the ordinance
Mr. Flynn seconded, language reflect the approved amendments.
and this motion passed, 10-0.

and the main motion, as amended, passed, 9-1.

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

NAYS: Birch.

14.D. Ordinance No. AO 2009-11, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$2,600,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of constructing, renovating and equipping park and trail improvements and recreational facilities, and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the **Anchorage Bowl Parks and Recreation Service Area**, without cost to Chugiak, Eagle River, Girdwood and other taxpayers outside the service area, at the election to be held in the Municipality on April 7, 2009, Finance.
1. Assembly Memorandum No. AM 49-2009.

(Clerk's Note: See 14.C. for details of Combined Public Hearing.)

Ms. Ossiander moved, to approve AO 2009-11.
Mr. Flynn seconded,

Mr. Flynn explained the groups of proposed project deletions.

Mr. Flynn moved, to amend AO 2009-11, AM 49-2009, Page 2, Anchorage
Mr. Coffey seconded, Parks and Recreation Capital Improvement Projects, 2009
and this motion passed, 9-1. General Obligation Bonds, Category #3 Projects, *by deleting*:
[~~DELANEY PARK PHASE II (G.O. Bonds) \$500,000; (State) \$500,000; (Other) \$250,000; (Total) \$1,250,000; (O&M) \$17,000;~~ And *by deleting* [~~GOOSE LAKE PARK, PHASE II (G.O. Bonds) \$250,000; (State) \$650,000; (Other) \$250,000; (Total) \$1,250,000; (O&M) \$19,300.~~]

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

NAYS: Flynn.

Mr. Flynn moved, to amend AO 2009-11, AM 49-2009, Page 2, Anchorage
Mr. Coffey seconded, Parks and Recreation Capital Improvement Projects, 2009
and the motion failed, 3-7. General Obligation Bonds, Category #2 Projects, *by deleting*:
[~~FAR NORTH BICENTENNIAL PARK — PHASE II (G.O. Bonds) \$250,000; (State) \$250,000; (Other) \$100,000; (Total) \$600,000; (O&M) \$14,300;~~ And *by deleting* [~~MARGARET EAGAN SULLIVAN PARK (Westchester Lagoon) (G.O. Bonds) \$200,000; (State) \$200,000; (Other) \$200,000; (Total) \$600,000; (O&M) \$5,100;~~ And *by deleting* [~~RUTH ARCAND PARK (G.O. Bonds) \$100,000; (State) \$1,100,000; (Other) \$500,000; (Total) \$1,700,000; (O&M) \$00,00.~~]

AYES: Coffey, Ossiander and Johnston.

NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Selkregg and Flynn.

Mr. Coffey moved, to *grant authority* to Bond Council to make the ordinance
Mr. Flynn seconded, language reflect the approved amendments.
and this motion passed, 10-0.

Chair Drummond called for a vote on the main motion, reduced by two projects and \$750,000.

and the main motion, as amended passed, 8-2.

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

1 NAYS: Coffey and Ossiander.

2
3 14.E. Ordinance No. AO 2009-12, an ordinance providing for the submission to the qualified voters of
4 Anchorage, Alaska, the question of the issuance of Not To Exceed \$4,500,000 of General Obligation
5 Bonds of the Municipality of Anchorage to pay the costs of **Facilities Renovations and Related**
6 **Capital Improvements**, and the question of an increase in the municipal tax cap limitation to pay
7 associated operations and maintenance costs at the election to be held in the Municipality on April 7,
8 2009, Finance.

9 1. Assembly Memorandum No. AM 50-2009.

10
11 (Clerk's Note: See 14.C. for details of Combined Public Hearing.)

12 Mr. Flynn moved, to approve AO 2009-12.

13 Mr. Gutierrez seconded,

14
15
16 Mr. Flynn moved, to amend AO 2009-12, AM 50-2009, Page 2, Areawide
17 Mr. Coffey seconded, Facilities, 2009 General Obligation Bonds, *by deleting* Public
18 Health Facility Replacement/Remodel (G.O. Bonds)
19 [\$3,000,000]; And *by reducing* Loussac Library (G.O. Bonds)
20 [\$1,000,000] \$500,000.

21
22 Mr. Coffey, Maintenance and Operations Director Alan Czajkowski, Dr. Selkregg, Mr. Gutierrez, Economic and
23 Community Development Director Mary Jane Michael and Ms. Ossiander commented on supporting a portion of the
24 Loussac, building a Downtown library on the wrong site, the Loussac Library having matching funds in hand and the
25 Assembly being told a different amount was needed for the Loussac improvements.

26
27 and this motion failed, 5-5.

28
29 AYES: Birch, Drummond, Coffey, Flynn and Johnston.

30 NAYS: Starr, Gutierrez, Gray-Jackson, Selkregg and Ossiander.

31
32 Mr. Coffey moved, to amend AO 2009-12, AM 50-2009, Page 2, Areawide
33 Mr. Flynn seconded, Facilities, 2009 General Obligation Bonds, *by deleting* Public
34 and the motion passed, 6-4. Health Facility Replacement/Remodel (G.O. Bonds)
35 [\$3,000,000].

36
37 AYES: Birch, Drummond, Coffey, Selkregg, Flynn and Johnston.

38 NAYS: Starr, Gutierrez, Gray-Jackson and Ossiander.

39
40 Mr. Coffey moved, to *grant authority* to Bond Council to make the ordinance
41 Mr. Flynn seconded, language reflect the approved amendments.
42 and this motion passed, 10-0.

43
44 Ms. Ossiander moved, to amend AO 2009-12, AM 50-2009, Page 2, Areawide
45 Dr. Selkregg seconded, Facilities, 2009 General Obligation Bonds, *by deleting*
46 and the motion failed, 5-5. Downtown Library (New) [(G.O. Bonds) \$500,000] (State)
47 \$1,000,000; (Other) \$1,500,000; [(Q&M) \$325,000].

48
49 AYES: Starr, Birch, Selkregg, Ossiander and Johnston.

50 NAYS: Gutierrez, Gray-Jackson, Coffey, Drummond and Flynn.

51
52 and the main motion, as amended, was passed, 6-4.

53
54 AYES: Gutierrez, Birch, Drummond, Coffey, Selkregg and Flynn.

55 NAYS: Starr, Gray-Jackson, Ossiander and Johnston.

56
57 Mr. Coffey moved, to *extend* the meeting to 11:45 p.m. to complete the bond
58 Dr. Selkregg seconded, propositions.
59 and this was approved, 10-0.

60
61 14.F. Ordinance No. AO 2009-13, an ordinance providing for the submission to the qualified voters of
62 Anchorage, Alaska, the question of the issuance of Not To Exceed \$1,550,000 of General Obligation
63 Bonds of the Municipality of Anchorage to pay the costs of **Public Safety and Transportation**
64 **Improvements** and related capital improvements, and the question of an increase in the municipal tax
65 cap limitation to pay associated operations and maintenance costs at the election to be held in the
66 Municipality on April 7, 2009, Finance.

67 1. Assembly Memorandum No. AM 51-2009.

68
69 (Clerk's Note: See 14.C. for details of Combined Public Hearing.)

70
71 Mr. Coffey moved, to approve AO 2009-13.

72 Mr. Flynn seconded,

73
74 Mr. Coffey moved, to amend AO 2009-13, AM 51-2009, Page 2, Areawide
75 Ms. Johnston seconded, Public Safety and Transportation, 2009 General Obligation
76 Bonds, Emergency Medical Services, *by deleting* [Sand Lake
77 Ambulance (G.O. Bonds) \$250,000; (Total) \$250,000; (Q&M)
78 \$721,000].

Mr. Coffey, Mr. Gutierrez and Mr. Birch commented on dealing with the matter in October, 2009, there being human consequences by removing the Sand Lake ambulance, having discussed the matter with the Fire Chief to find alternatives and putting an ambulance under O&M being poor public policy.

and the motion passed, 6-4.

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

Mr. Coffey moved, *to grant authority* to Bond Council to make the ordinance
Mr. Flynn seconded, *language reflect the approved amendments.*
and this motion passed, 10-0.

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

14.G. Ordinance No. AO 2009-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$4,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of public safety facilities (police) and related capital improvements and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the **Anchorage Metropolitan Police Service Area** at the election to be held in the Municipality on April 7, 2009, Finance.
1. Assembly Memorandum No. AM 52-2009.

(Clerk's Note: See 14.C. for details of Combined Public Hearing.)

Mr. Coffey moved, *to approve AO 2009-14.*
Mr. Flynn seconded,

Mr. Flynn moved, *to amend AO 2009-14, AM 52-2009, Page 2, Anchorage*
Mr. Coffey seconded, *Metropolitan Police Bond Project, 2009 General Obligation*
Bonds, by reducing: Southcentral Law Enforcement Tactical
Range (G.O. Bonds) [~~\$2,000,000~~] \$1,000,000.

To Mr. Gutierrez, Municipal Manager Michael Abbott responded the Administration would seek to augment the project with funds from other sources. Mr. Starr stated that the reduction was sending the right message that this would be the regional training center for all of Alaska.

and the motion passed, 10-0.

Mr. Coffey moved, *to grant authority* to Bond Council to make the ordinance
Mr. Flynn seconded, *language reflect the approved amendments.*
and this motion passed, 10-0.

Mr. Coffey moved, *to amend AO 2009-14, Section 1, Page 2, beginning on Line*
Ms. Ossiander seconded, *4, by adding to read: The estimated cost of the Projects,*
and the motion passed, 10-0. *including incidental costs and costs related to issuing and*
selling the Bonds as provided in this ordinance, is estimated
to be \$4,000,000[-] , provided however that all or a portion of
such costs are anticipated to be paid for from state grants.

Mr. Coffey moved, *to amend AO 2009-14, Section 1, Page 3, beginning on Line*
Ms. Ossiander seconded, *10, by adding to read: The issuance of the bonds which may*
and the motion passed, 10-0. *be sold in one or more series is conditioned upon the*
appropriation of funds by the State of Alaska, provided that
the funds are not required to be one to one matching grants.

Mr. Coffey moved, *to approve AO 2009-14, Section 3, Page 4, beginning on Line*
Ms. Johnston seconded, *17, by adding to read: For the purpose of providing*
and the motion passed, 10-0. *improvements to public safety facilities and related police*
protection capital improvements in the Anchorage
Metropolitan Police Service Area, shall Anchorage borrow
money and issue up to \$4,000,000 in principal amount of
general obligation bonds contingent upon the appropriation of
funds from the State of Alaska and increase the municipal tax
cap by an annual amount not to exceed \$657,700 to pay the
associated annual operations and maintenance costs?

and the main motion, as amended, passed, 9-1.

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

14.H. Ordinance No. AO 2009-15, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$1,800,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection capital improvements and the question of an increase in the municipal tax cap limitation to pay associated operations and

1 maintenance costs in the **Anchorage Fire Service Area** at the election to be held in the Municipality
2 on April 7, 2009, Finance.

3 1. Assembly Memorandum No. AM 53-2009.

4
5 (Clerk's Note: See 14.C. for details of Combined Public Hearing.)

6
7 Mr. Coffey moved, to approve AO 2009-15.
8 Dr. Selkregg seconded,
9 and the motion passed, 10-0.

10
11 14.I. Resolution No. AR 2009-15, a resolution of the Municipality of Anchorage, Alaska, accepting a State of
12 Alaska Clean Water Fund loan agreement in the amount of \$1,000,000 for financing a portion of the
13 costs of the **Old Glenn Highway (Northern Communities) Sewer Interceptor Project**, Anchorage
14 Water and Wastewater Utility.

15 1. Assembly Memorandum No. AM 47-2009.

16
17 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

18
19 Dr. Selkregg moved, to approve AR 2009-15.
20 Mr. Coffey seconded,
21 and the motion passed, 10-0.

22
23 Chair Drummond stated that Assembly action was still needed on AM 66-2009 and AM 72-2009, Agenda items 10.D.
24 11 and 10.D.17. Municipal Manager Michael Abbott proposed to postpone both items until February 24, 2009.

25
26 15. **SPECIAL ORDERS** There were none.

27
28 16. **UNFINISHED AGENDA** There was none.

29
30 17. **AUDIENCE PARTICIPATION**

31
32 Abbott Loop Community Council President Al Tamagni introduced Lake Abbott Loop Elementary School teacher
33 Nancy Neal and her sixth grade students wanting to make a request for a safety project. Students Jenna Allen,
34 Rebekah Johnson, Jariel Bullecer, Matthew Wallender, Ronnie West-Howard, Chase Quinn and Eric Lacher each
35 addressed reducing the traffic speed and installing "blinking 20s" on Lake Otis and 84th Avenue. Chair Drummond, Dr.
36 Selkregg and Mr. Starr commented on the student's request and the project.

37
38 18. **ASSEMBLY COMMENTS** There were none.

39
40 19. **EXECUTIVE SESSIONS** There were none.

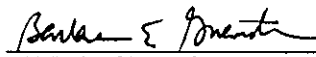
41
42 20. **ADJOURNMENT**

43
44 Chair Drummond adjourned the Regular Assembly Meeting at 11:38 p.m.

45
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52
53 ATTEST:



HARRIET DRUMMOND, Assembly Chair

54
55
56
57
58 
59
60 BARBARA GRUENSTEIN, Municipal Clerk
61 Date Minutes Approved: May 26, 2009
62 MC/BG
63

64 (View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or contact
65 the Minutes Clerk in Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505.)
66
67
68
69
70