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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of February 24, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of February 24, 2009 was convened by Chair Drummond at 5:05 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 Starr led the pledge.

4. MINUTES OF PREVIOUS MEETINGS There were none.

5. MAYOR'S REPORT There was none.

6. ASSEMBLY CHAIR'S REPORT

Chair Drummond reported the National League of Cities had congratulated Anchorage for winning the 2009 Alaska Municipal League Community Award for Excellence in Land Use. She recognized all newly appointed or reappointed members to boards and commissions and recognized those members present, including Russ Howell to the Sister Cities Commission, Jennifer Collins to the Animal Control Advisory Board, Simon Lisiecki to the Port Commission and Brewster Jamieson to the Transportation Commission. She thanked them for their service.

7. COMMITTEE REPORTS

Mr. Gutierrez reported the Public Safety Committee met on February 11th to hear the Anchorage Police Department (APD) present its Strategic Plan and to address budget cuts, closing hours of alcoholic beverage establishments and wildlife management. The next Committee meeting on March 11th would include a tour of the State Crime Lab.

Ms. Gray-Jackson reported the National League of Cities had recognized Anchorage for receiving the 2009 Alaska Municipal League Award for Excellence in Education and Local Government. The Budget and Finance Committee met on February 19th to approve the (Committee) Work Plan and would begin reviewing monthly financial reports submitted by the Administration. The next Committee meeting would be on March 19th. She publicly thanked Anun Quadir, a South Anchorage High School student, for helping the Committee.

To Mr. Starr, Acting Mayor Claman responded the Administration's proposed budget cuts would be distributed the following day.

Mr. Coffey reported that he and Mr. Flynn would be in Juneau on March 11th and 12th to address the Legislative Package.

Dr. Selkregg reported the Community and Economic Development Committee would hold a public forum at Begich Middle School on February 28th to discuss energy in Southcentral, with local officials participating. Mr. Coffey urged all members to attend. Chair Drummond stated that an invitation would be sent to all municipal employees.

Ms. Ossiander reported the Title 21 Committee would meet on February 26th to discuss drainage requirements for land clearing and development, undergrounding utility lines and steep slope development.

Mr. Flynn reported the Anchorage Convention and Visitors Bureau had passed a resolution supporting a change to the Cruise Ship discharge requirement. That document would be before the Assembly in the near future.

8. ADDENDUM TO AGENDA

Chair Drummond called for a motion and read the Addendum items. AR 2009-59 and AIM 23-2009 were added and assigned Agenda numbers 9.B.8 and 9.E.10, respectively.

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

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

3
4 Chair Drummond called for a motion on the Consent Agenda.

5
6 Mr. Coffey moved, to approve the Consent Agenda.
7 Ms. Johnston seconded,

8
9 Chair Drummond called for Assemblymembers to request items to be pulled for discussion on the Regular Agenda.

10
11 **9. CONSENT AGENDA**

12
13 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

14 9.A.1. Resolution No. AR 2009-35, a resolution of the Anchorage Municipal Assembly recognizing and
15 celebrating February 2009 as **Black History Month**, Assemblymembers Gray-Jackson, Gutierrez and
16 Selkregg.

17
18 Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.A.1)

19
20 9.A.2. Resolution No. AR 2009-43, a resolution of the Anchorage Municipal Assembly establishing April 20-
21 26, 2009 as **Anchorage Turnoff the Screen Week**.

22
23 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.A.2)

24
25 **9.B. RESOLUTIONS FOR ACTION - OTHER**

26 9.B.1. Resolution No. AR 2009-36, a resolution of the Anchorage Municipal Assembly to **achieve cost**
27 **savings to municipal taxpayers for Assembly Member meals**, Assemblymembers Gutierrez and
28 Gray-Jackson.

29
30 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

31
32 9.B.2. Resolution No. AR 2009-44, a resolution of the Anchorage Municipal Assembly relating to **potential**
33 **revenue sharing by the State of Alaska in 2009**, Assemblymember Starr and Vice Chair Coffey.

34
35 Mr. Coffey requested to be added as a cosponsor.

36
37 9.B.3. Resolution No. AR 2009-41, a resolution of the Municipality of Anchorage providing for the
38 appropriation of a donation of \$11,000, \$6,000 from the Friends of the Library and \$5,000 from the
39 Alaska Community Foundation, to the Office of Economic and Community Development,
40 Miscellaneous Operational Grants Fund (261) in support of the **Community Read Program**.
41 a. Assembly Memorandum No. AM 104-2009.

42 9.B.4. Resolution No. AR 2009-42, a resolution of the Municipality of Anchorage providing for the
43 appropriation of donations of \$8,303, from Public Donations, to the Office of Economic and Community
44 Development, Miscellaneous Operational Grants Fund (261) for the purchase of **library materials**.
45 a. Assembly Memorandum No. AM 105-2009.

46 9.B.5. Resolution No. AR 2009-45, a resolution of the Municipality of Anchorage providing for the
47 appropriation of a grant of \$1,000 from the Alaska State Library, Library Services and Technology Acts
48 Funds, to the Office of Economic and Community Development, Special Revenue Fund (231) for
49 **continuing education tuition**. (*Laid on the Table*)
50 a. Assembly Memorandum No. AM 113-2009.

51 9.B.6. Resolution No. AR 2009-55, a resolution of the Anchorage Municipal Assembly in **opposition to**
52 **instituting the death penalty in Alaska**, Assemblymember Gray-Jackson and Assembly Chair
53 Drummond. (*Laid on the Table*)

54
55 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.B.6)

56
57 9.B.7. Resolution No. AR 2009-56, a resolution of the Anchorage Municipal Assembly to **ensure that public**
58 **transportation continues at no less than the service levels available as of January 1, 2009**,
59 Assemblymembers Selkregg and Gutierrez. (*Laid on the Table*)

60
61 Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.B.7)

62
63 9.B.8. Assembly Resolution No. AR 2009-59, a resolution of the Anchorage Municipal Assembly requesting
64 inclusion of updated cost estimates in the Municipality of Anchorage **2009 Alaska Legislative**
65 **Program Capital Request** for Flooding in Eagle River; Assemblymember Starr. (*Laid on the Table*)

66
67 **9.C. BID AWARDS** There were none.

68
69 **9.D. NEW BUSINESS**

70 9.D.1. Assembly Memorandum No. AM 82-2009, **Sister Cities Commission** appointments (Russ Howell and
71 Benjamin Ward), Mayor's Office.

72 9.D.2. Assembly Memorandum No. AM 96-2009, **Animal Control Advisory Board** appointment (Jennifer
73 Collins), Mayor's Office.

74 9.D.3. Assembly Memorandum No. AM 97-2009, **Mountain View Community Recreation Center Advisory**
75 **Commission** appointment (Angelique Oliveira), Mayor's Office.

76 9.D.4. Assembly Memorandum No. AM 98-2009, **Port Commission** appointment (Simon Lisiecki), Mayor's
77 Office.

- 1 9.D.5. Assembly Memorandum No. AM 99-2009, Transportation Commission appointment (Brewster
2 Jamieson), Mayor's Office.
3 9.D.6. Assembly Memorandum No. AM 110-2009, Building Board of Examiners and Appeals appointment
4 (Rob Merchant), Mayor's Office.
5 9.D.7. Assembly Memorandum No. AM 74-2009, 2009/2010 Liquor License Renewals: Party
6 Time/Boniface Liquor #834, Sam's Club #6601, Sam's Club #6602 – Package Store; Twin Dragon
7 #733, Muldoon Pizza #761, Sorrento's #1064, VIP-Yong Bin Restaurant #2908 – Restaurant/Eating
8 Place; Reilly's #216, Simon and Seafort's Saloon & Grill #1050, Whale's Tale #1224, The Woodshed
9 #1244, O'Malley on the Green #2696, William A Egan Civic & Convention Center #3234 – Beverage
10 Dispensary; The Quarterdeck #932 – Beverage Dispensary-Duplicate; Millennium Hotel-Anchorage
11 #2486 – Beverage Dispensary-Tourism (Muldoon, Rogers Park, Downtown, Spenard, South Addition,
12 Bayshore/Klatt, Huffman/O'Malley, Sand Lake, Airport Heights, Fairview, Midtown, Eagle River,
13 Northeast Community Councils), Clerk's Office.

14
15 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.7)

16
17 Mr. Birch requested that Social Security numbers still used in applications and licenses be inked out to protect
18 business owners. Mr. Coffey stated the Alcohol Beverage Control Board could help eliminate the problem.

- 19
20 9.D.8. Assembly Memorandum No. AM 79-2009, Internal Audit Department, 2009 Audit Plan.
21 9.D.9. Assembly Memorandum No. AM 93-2009, 2009 grant to **Greater Anchorage, Inc.** (GAI) in support of
22 the Fur Rendezvous Winter Festival in the amount of \$76,480, Office of Economic & Community
23 Development.

24
25 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.9)

- 26
27 9.D.10. Assembly Memorandum No. AM 106-2009, 2009 grant to Campfire USA, Alaska Council for the
28 purpose of operation and administration of the **Fairview Campfire Program** in the amount of \$75,000,
29 Office of Economic & Community Development.

30
31 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.10)

- 32
33 9.D.11. Assembly Memorandum No. AM 107-2009, recommendation for grant award to **Federation of**
34 **Community Councils** from the Municipality of Anchorage, Department of Neighborhoods (\$108,000),
35 Purchasing.

36
37 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.11)

- 38
39 9.D.12. Assembly Memorandum No. AM 108-2009, proprietary purchase of **tape services** from Midwest Tape
40 LLC for the Municipality of Anchorage, Office of Economic & Community Development, Anchorage
41 Public Libraries (APL) (\$65,925), Purchasing.

42
43 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.12)

- 44
45 9.D.13. Assembly Memorandum No. AM 94-2009, approval of Amendment No. 3 to Western Construction and
46 Equipment contract (26M&O215) to increase the contract by \$25,000 for the contract period ending
47 August 31, 2009 for an amount Not To Exceed (NTE) \$105,000 to fund year round road maintenance
48 services on an "as required" basis within the **Skyranch Estates LRSA** (Fund 114), Maintenance and
49 Operations Department.
50 9.D.14. Assembly Memorandum No. AM 109-2009, Statutory Second Injury Fund and State
51 Administrative Service Fee for Workers' Compensation, Risk Management Division (\$244,548).
52 9.D.15. Assembly Memorandum No. AM 111-2009, proprietary purchase with Applied Microsystems, Inc.
53 (AMI) to provide **web site hosting and application support services** for the Municipality of
54 Anchorage, Information Technology Department (\$78,114), Purchasing.

55
56 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (See item 10.D.15)

57
58 **9.E. INFORMATION AND REPORTS**

- 59 9.E.1. Information Memorandum No. AIM 11-2009, Internal Audit Department 2008 Annual Report.
60 9.E.2. Information Memorandum No. AIM 17-2009, Internal Audit Report 2009-01 - 2008 Parts, Tires and
61 Lubricants Inventory, Fleet Maintenance, Facility and Fleet Maintenance, Maintenance and
62 Operations.
63 9.E.3. Information Memorandum No. AIM 18-2009, Internal Audit Report 2009-03 – 2008 Parts, Fuel and
64 Lubricants Inventory, Public Transportation.
65 9.E.4. Information Memorandum No. AIM 13-2009, 2008 Fourth Quarter Summary Report of AWWU
66 Awards.
67 9.E.5. Information Memorandum No. AIM 19-2009, AWWU Regulatory Report – Outstanding Regulatory
68 Matters.
69 9.E.6. Information Memorandum No. AIM 14-2009, MOA Scofflaw Ordinance – 2008 Year in Review,
70 Finance.
71 9.E.7. Information Memorandum No. AIM 20-2009, Monthly Investment Report to the Assembly, Finance.

72
73 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.E.7)

- 74
75 9.E.8. Information Memorandum No. AIM 15-2009, contracts awarded between \$50,000 and \$500,000
76 through formal competitive processes for the month of January 2009, Purchasing.
77 9.E.9. Information Memorandum No. AIM 16-2009, Sole Source Procurement Report for the month of
78 January 2009, Purchasing.

- 1 9.E.10. **Informational Memorandum No. AIM 23-2009**, MOA/ML&P/IBEW Collective Bargaining Agreement &
2 **Classification Committee Action pertaining to wages decoupled from the Journeyman Lineman rate**
3 **of pay, Municipal Light & Power. (Laid on the Table)**
4

5 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.E.10)
6

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

- 8 9.F.1. **Ordinance No. AO 2009-22**, an ordinance amending Anchorage Municipal Code Sections 21.35.020,
9 21.45.080, 21.50.170, and sections in Chapter 21.40, to replace Computer Aided Learning and Family
10 Self Sufficiency uses with **Social Service Facility use**, allow social service facilities in various zoning
11 districts, and adopting conditional use and parking standards for these uses (Case 2008-157),
12 Planning Department. *P.H. 3-24-09*.
13 a. Assembly Memorandum No. AM 81-2009.
14 9.F.2. **Ordinance No. AO 2009-23**, an ordinance amending Anchorage Municipal Code Section
15 21.40.130B.10, correcting an omission in AO 2005-124(S-1A), relating to **adult care use** in the R-O
16 (Residential-Office) District, Planning Department. *P.H. 3-24-09*.
17 a. Assembly Memorandum No. AM 90-2009.
18 9.F.3. **Ordinance No. AO 2009-24**, an ordinance of the Anchorage Assembly amending the zoning map and
19 providing for the rezoning from I-2 SL (Heavy Industrial District) with Special Limitations per AO 85-
20 125 AA to I-2 SL (Heavy Industrial District) with Special Limitations for **Tract 38, lying within Section**
21 **5, Section 7, and Section 8, T15N, R1W, Seward Meridian, AK** per BLM Plat dated November 21,
22 1991, except all that portion lying within said Section 7; and all that portion lying within the West ½ and
23 Southwest ¼ of the Northwest ¼ of Section 8, generally located east of Birchwood Spur Road and
24 north and east of South Birchwood Loop Road in Chugiak (Birchwood Community Council) (Planning
25 and Zoning Commission Case 2008-130), Planning Department. *P.H. 3-24-09*.
26 a. Assembly Memorandum No. AM 91-2009.
27

28 Mr. Flynn requested this item be pulled for review on the Regular Agenda. (See item 9.F.3)
29

- 30 9.F.4. **Ordinance No. AO 2009-25**, an ordinance authorizing **retention of six tax foreclosed properties in**
31 **Laurel Acres Subdivision** for public purposes pursuant to Anchorage Municipal Code Section
32 25.30.035B., Heritage Land Bank/Real Estate Services. *P.H. 3-24-09*.
33 a. Assembly Memorandum No. AM 92-2009.
34 9.F.5. **Ordinance No. AO 2009-26**, an ordinance of the Anchorage Municipal Assembly to amend Anchorage
35 Municipal Code and the zoning map of the Municipality of Anchorage by enacting a new Chapter
36 21.66, establishing the **Downtown Eagle River Overlay District**, Assemblymember Ossiander. a.
37 Assembly Memorandum No. AM 95-2009.
38

39 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.F.5)
40

- 41 9.F.6. **Ordinance No. AO 2009-27**, an ordinance of the Anchorage Municipal Assembly amending Anchorage
42 Municipal Code Section 3.70.090, **Collective Bargaining**, relating to representatives authorized to
43 negotiate on behalf of the Municipality and notice to the Assembly of initiation of collective bargaining,
44 Assemblymember Ossiander. *P.H. 3-24-09*.
45 9.F.7. **Ordinance No. AO 2009-28**, an ordinance of the Anchorage Municipal Assembly amending Anchorage
46 Municipal Code Section 21.90.060 to include areas with significant risk exposure to wildfire, high
47 winds, or other natural disaster in the target areas and factors considered in review of an electric
48 utility's five-year program for placing existing **overhead lines underground**, Assemblymember
49 Johnston.
50

51 Ms. Johnston requested this item be pulled for review on the Regular Agenda. (See item 10.F.7)
52

- 53 9.F.8. **Resolution No. AR 2009-32**, a resolution of the Municipality of Anchorage, Alaska, accepting six **State**
54 **of Alaska Drinking Water Fund loan agreements** in the aggregate amount of \$8,100,000 for
55 financing a portion of the costs of the Anchorage Loop Water Transmission Main Phase IV, South
56 Anchorage Water Extension, Hiland Road Water Intertie, DeBarr-Klevin-Hoyt Water Upgrade,
57 Christensen Drive Water Upgrade, and Well 7 and Well 12 Upgrade Projects, Anchorage Water and
58 Wastewater Utility. *P.H. 3-24-09*.
59 a. Assembly Memorandum No. AM 87-2009.
60 9.F.9. **Resolution No. AR 2009-37**, a resolution of the Municipality of Anchorage, Alaska, accepting three (3)
61 **State of Alaska Clean Water Fund loan agreements** in the aggregate amount of \$3,225,000 for
62 financing a portion of the costs of the SCADA Sewer, Operations Facility Phase III, and Minnesota-
63 Benson Sewer Upgrade Projects, Anchorage Water and Wastewater Utility. *P.H. 3-24-09*.
64 a. Assembly Memorandum No. AM 100-2009.
65 9.F.10. **Resolution No. AR 2009-38**, a resolution of the Municipality of Anchorage, Alaska, confirming and
66 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**
67 **08-S-3**, setting date of payment and providing for penalties and interest in the event of delinquency,
68 Anchorage Water and Wastewater Utility. *P.H. 3-24-09*.
69 a. Assembly Memorandum No. AM 101-2009.
70 9.F.11. **Resolution No. AR 2009-39**, a resolution of the Municipality of Anchorage, Alaska, confirming and
71 levying assessments for the water special improvements within **MacLaren Water Improvement**
72 **District WID 2076**, setting date of payment and providing for penalties and interest in the event of
73 delinquency, Anchorage Water and Wastewater Utility. *P.H. 3-24-09*.
74 a. Assembly Memorandum No. AM 102-2009.
75 9.F.12. **Resolution No. AR 2009-33**, a resolution of the Municipality of Anchorage appropriating \$4,966,435
76 from the Equipment Maintenance Internal Service Operating Fund (Fund 601), Unrestricted Net
77 Assets Account, to the Equipment Maintenance Internal Service Capital Fund (Fund 606) to purchase
78 **replacement vehicles and equipment**, Maintenance and Operations Department. *P.H. 3-24-09*.

1 a. Assembly Memorandum No. AM 88-2009.

2
3 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.F.12)

4
5 9.F.13. Resolution No. AR 2009-40, a resolution of the Municipality of Anchorage appropriating a \$3,037,350
6 contribution of BP2009 Tax Revenues approved in the BP2009 General Government Operating Budget
7 from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund 119 to the
8 CBERRRSA Capital Improvement Program Fund 419 for **road and drainage capital improvement**
9 **projects within the CBERRRSA**, Maintenance and Operations Department. P.H. 3-24-09.

10 a. Assembly Memorandum No. AM 103-2009.

11 9.F.14. Resolution No. AR 2009-34, a resolution of the Municipality of Anchorage appropriating a U.S.
12 Department of Transportation, Federal Transit Administration (FTA) Section 5311 grant of \$114,000
13 awarded to the Matanuska Susitna (Mat-Su) Borough and passed through to the Municipality of
14 Anchorage for the **purchase of four vanpool vehicles** and appropriating \$44,466 to be provided by
15 Mat-Su as matching funds to the Public Transportation Capital Improvement Fund (485), Public
16 Transportation Department, and \$15,000 for the maintenance of the vans to the Miscellaneous
17 Operational Grants Fund (261), Public Transportation Department. P.H. 3-24-09.

18 a. Assembly Memorandum No. AM 89-2009.

19
20 Chair Drummond called for a vote on the amended Consent Agenda.

21
22 and the motion, as amended, was passed, 10-0.

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

25 NAYS: None.

26
27 The amended Consent Agenda was approved and Chair Drummond led the body into discussion of the pulled items.

28
29 **END OF CONSENT AGENDA**

30
31 **10. REGULAR AGENDA**

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

33 10.A.1. Resolution No. AR 2009-35, a resolution of the Anchorage Municipal Assembly recognizing and
34 celebrating February 2009 as **Black History Month**, Assemblymembers Gray-Jackson, Gutierrez and
35 Selkregg.

36
37 Ms. Gray-Jackson moved, to approve AR 2009-35.

38 Dr. Selkregg seconded,
39 and the motion passed, 10-0.

40
41 Dr. Selkregg requested to be added cosponsor.

42
43 Ms. Gray-Jackson read and Mr. Gutierrez presented the resolution recognizing February 2009 as Black History Month.
44 Office of Equal Opportunity Director Celeste Hodge announced the city would host a celebration on February 28th. Cal
45 Williams accepted the resolution on behalf of the National Association and Advancement of Colored People.

46
47 10.A.2. Resolution No. AR 2009-43, a resolution of the Anchorage Municipal Assembly establishing April 20-
48 26, 2009 as **Anchorage Turnoff the Screen Week**, Mayor's Office.

49
50 Mr. Gutierrez moved, to approve AR 2009-43.

51 Ms. Gray-Jackson seconded,

52
53 Mr. Birch stated that there would be a conflict with turning off screens during a predicted runoff election in April.

54
55 and the motion passed, 8-2.

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

58 NAYS: Starr and Coffey.

59
60 **10.B. RESOLUTIONS FOR ACTION - OTHER**

61 10.B.1. Resolution No. AR 2009-36, a resolution of the Anchorage Municipal Assembly to **achieve cost**
62 **savings to municipal taxpayers for Assembly Member meals**, Assemblymembers Gutierrez and
63 Gray-Jackson.

64
65 Mr. Gutierrez moved, to approve AR 2009-36.

66 Ms. Gray-Jackson seconded,

67
68 Mr. Birch stated that this was counterproductive. The focus needed to be on larger expenditures.

69
70 Ms. Johnston stated the city was facing a large deficit and the idea was to make cuts to save millions of dollars. She
71 supported bringing a sack lunch and hoped to have support from the two sponsors when larger cuts were proposed.

72
73 Ms. Ossiander move, to postpone indefinitely AR 2009-36.

74 Mr. Coffey seconded,

75
76 Ms. Ossiander, Mr. Coffey, Mr. Birch, Mr. Gutierrez, Ms. Gray-Jackson, Dr. Selkregg and Chair Drummond addressed
77 being included in the discussion, recommended budget cuts being made to the Municipal Clerk, Assemblymembers
78 bringing their own lunch, needing to review the entire budget, there being a serious budget crisis, meals being a luxury

1 item, meals and refreshments costing \$13,200, there being other issues that needed to be addressed and addressing
2 meals in the future.

3
4 and the motion passed, 10-0.

5
6 10.B.6. Resolution No. AR 2009-55, a resolution of the Anchorage Municipal Assembly in **opposition to**
7 **instituting the death penalty in Alaska**, Assemblymember Gray-Jackson, Assembly Chair
8 Drummond. (*Laid on the Table*)

9
10 Ms. Gray-Jackson moved, to approve AR 2009-55.
11 Mr. Gutierrez seconded,

12
13 Mr. Birch, Ms. Ossiander, Mr. Coffey, Dr. Selkregg, Ms. Gray-Jackson, Mr. Flynn and Mr. Starr addressed the
14 Assembly not having anything to do with the matter, preferring to not address the death penalty and letting the State
15 Legislature deal with it, sending the resolution to Juneau making a difference, the city not wanting the expense right
16 now and having an opportunity to poll constituents on the matter.

17
18 Mr. Birch moved, to postpone indefinitely AR 2009-55.
19 Mr. Coffey seconded,

20
21 Mr. Coffey, Mr. Birch, Mr. Gutierrez and Dr. Selkregg addressed this matter being a divisive issue, not wanting to
22 divide the body, having the courage to do the things that needed to be done and postponing the matter indefinitely.

23
24 and the motion failed, 4-6.

25
26 AYES: Birch, Coffey, Ossiander and Johnston.

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

28
29 and the main motion passed, 8-2.

30
31 AYES: Gutierrez, Gray-Jackson, Drummond, Coffey, Selkregg, Ossiander, Flynn and Johnston.

32 NAYS: Starr and Birch.

33
34 10.B.7. Resolution No. AR 2009-56, a resolution of the Anchorage Municipal Assembly to **ensure that public**
35 **transportation continues at no less than the service levels available as of January 1, 2009**,
36 Assemblymembers Selkregg and Gutierrez. (*Laid on the Table*)

37
38 Ms. Ossiander moved, to approve AR 2009-56.
39 Mr. Coffey seconded,

40
41 Ms. Gray-Jackson moved, to amend AR 2009-56 by *deleting* Section 3 to read: [~~3-~~
42 ~~Information Technology (IT) projects should be deferred and~~
43 ~~the IT administrative budget should be reduced in lieu of~~
44 ~~deleting bus routes, laying off bus drivers, and eliminating~~
45 ~~transit services.] And, by *renumbering* the remaining items.~~

46
47 Ms. Gray-Jackson, Ms. Ossiander, Dr. Selkregg, Mr. Gutierrez, Mr. Coffey and Chair Drummond commented on
48 supporting the reduction to the Information Technology (IT) Budget, finding other ways to save money, the city's
49 website interface project being almost completed, sending a message to the Administration that public transportation
50 was a basic priority, not receiving the requested information about department cuts, slowing down the webpage project
51 being more appropriate than eliminating bus service, expressing an opinion on priorities, the working population being
52 dependent upon public transportation, cancelling transit service costing the city more money, seeking alternatives and
53 deferring the five-year computer replacement cycle for one year.

54
55 and the motion passed, 9-1.

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

58 NAYS: Birch.

59
60 Dr. Selkregg, Mr. Gutierrez, Mr. Birch, Dr. Selkregg, Acting Mayor Claman and Chair Drummond commented on
61 supporting the resolution, showing the Assembly was standing together, computers being treated as importantly as fire
62 fighters, people needing public transportation, approving budgets and labor contracts the city could not afford, needing
63 revisions from all departments, reviewing every aspect of the budget, introducing additional considerations, increasing
64 bus service on the heavily used routes and decreasing bus service in the areas with low ridership, the Administration
65 needing to involve the Assembly and cancelling routes being the wrong decision.

66
67 and the main motion, as amended, passed, 9-1.

68
69 AYES: Starr, Gutierrez, Gray-Jackson, Drummond, Coffey, Selkregg, Ossiander, Flynn and Johnston.

70 NAYS: Birch.

71
72 **10.C. BID AWARDS** There were none.

73
74 **10.D. NEW BUSINESS**

75 10.D.7. Assembly Memorandum No. AM 74-2009, 2009/2010 Liquor License Renewals: Party
76 Time/Boniface Liquor #834, Sam's Club #6601, Sam's Club #6602 – Package Store; Twin Dragon
77 #733, Muldoon Pizza #761, Sorrento's #1064, VIP-Yong Bin Restaurant #2908 – Restaurant/Eating
78 Place; Reilly's #216, Simon and Seafort's Saloon & Grill #1050, Whale's Tale #1224, The Woodshed

1 #1244, O'Malley on the Green #2696, William A Egan Civic & Convention Center #3234 – Beverage
2 Dispensary; The Quarterdeck #932 – Beverage Dispensary-Duplicate; Millennium Hotel-Anchorage
3 #2486 – Beverage Dispensary-Tourism (Muldoon, Rogers Park, Downtown, Spenard, South Addition,
4 Bayshore/Klatt, Huffman/O'Malley, Sand Lake, Airport Heights, Fairview, Midtown, Eagle River,
5 Northeast Community Councils), Clerk's Office.

6
7 Ms. Ossiander moved, to approve AM 74-2009.
8 Ms. Johnston seconded,

9
10 Mr. Coffey disclosed a potential conflict of interest because the building owners were his clients and leased space to
11 the Woodshed Lounge. Mr. Coffey responded to Chair Drummond's questions concerning a potential conflict. Chair
12 Drummond ruled that Mr. Coffey did not have a conflict of interest and ordered that he participate in the matter. There
13 were no objections.

14 and the motion passed, 10-0.

15
16
17 10.D.9. Assembly Memorandum No. AM 93-2009, 2009 grant to **Greater Anchorage, Inc.** (GAI) in support of
18 the Fur Rendezvous Winter Festival in the amount of \$76,480, Office of Economic & Community
19 Development.

20
21 Ms. Ossiander moved, to approve AM 93-2009.
22 Mr. Coffey seconded,

23
24 Ms. Ossiander stated there was a reduction to Fur Rendezvous (*Fur Rondy*), but there was a contribution from
25 Municipal Light & Power (*ML&P*). To Mr. Coffey, Ms. Ossiander responded that the ML&P donation was \$10,000.

26
27 Ms. Ossiander moved, to amend AM 93-2009 by *reducing* the Fur Rendezvous
28 Mr. Starr seconded, grant by 5% (\$3,824) [~~\$76,480~~] \$72,656.

29
30 To Ms. Ossiander, Municipal Manager Michael Abbott responded the annual contributions from the city and ML&P
31 were already reduced by 10%. Ms. Ossiander stated that she would support a continued small reduction.

32
33 Mr. Flynn urged a NO-vote on the amendment.

34
35 To Ms. Johnston, Mr. Abbott responded there were also in-kind contributions from Street Maintenance and Traffic.

36
37 and the motion failed, 4-6.

38
39 AYES: Starr, Birch, Ossiander and Johnston.
40 NAYS: Gutierrez, Gray-Jackson Drummond, Coffey, Selkregg and Flynn.

41
42 and the main motion passed, 9-1.

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

46
47 10.D.10. Assembly Memorandum No. AM 106-2009, 2009 grant to Campfire USA, Alaska Council for the
48 purpose of operation and administration of the **Fairview Campfire Program** in the amount of \$75,000,
49 Office of Economic & Community Development.

50
51 Ms. Ossiander moved, to approve AM 106-2009.
52 Mr. Birch seconded,

53
54 Ms. Ossiander moved, to amend AM 106-2009 by *reducing* the Fairview Campfire
55 Mr. Birch seconded, Program grant by (3%) \$2,250 [~~\$75,000~~] \$72,750.

56
57 Dr. Selkregg, Mr. Flynn, Mr. Coffey, Ms. Ossiander, Dr. Selkregg, Ms. Gray-Jackson and Mr. Gutierrez commented on
58 Campfire being a core service relating directly to family needs, the before and after school program being located in
59 Central Lutheran Church and involving private sector matching funds, cutting one program because the hours were
60 6:00 to 10:00 p.m., Campfire being an excellent program, the budget deficit and bus services being cut, cutting youth
61 programs costing the city more money, resolving the deficit by cutting other things, families depending on afterschool
62 programs, not supporting even a small cut and the program needing to remain a priority.

63
64 and the motion failed, 4-6.

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

68
69 and the main motion passed, 10-0.

70
71 10.D.11. Assembly Memorandum No. AM 107-2009, recommendation for grant award to **Federation of**
72 **Community Councils** from the Municipality of Anchorage, Department of Neighborhoods (\$108,000),
73 Purchasing.

74
75 Mr. Coffey moved, to approve AM 107-2009.
76 Dr. Selkregg seconded,

77

1 To Mr. Gutierrez, Federation of Community Councils (FCC) Chair Jason Bergerson, Finance Committee Member Ryan
2 Stencil and Office Manager Mark Butler responded to questions about the FCC Budget, reducing costs, distributing
3 information, receiving a national award and hosting an upcoming conference. Mr. Gutierrez stated that he would
4 support FCC.

5
6 Chair Drummond stated that FCC had had a flat budget for years.

7
8 Mr. Coffey moved, to amend AM 107-2009 by *reducing* the FCC appropriation
9 Ms. Johnston seconded, by 10% (\$10,800) [~~\$108,000~~] \$97,200.

10
11 Mr. Coffey, Ms. Ossiander, Dr. Selkregg, Ms. Gray-Jackson and Mr. Gutierrez commented on preferring to hear
12 directly from the community councils, recommending small cuts to everything, saving dollars, supporting an FCC
13 fundraiser, FCC being listed in the Charter, FCC providing direct services to the community councils and cuts being
14 needed and considering a lesser amount.

15
16 and the motion failed, 5-5.

17
18 AYES: Starr, Coffey, Ossiander, Flynn and Johnston.
19 NAYS: Gutierrez, Gray-Jackson, Birch, Drummond and Selkregg.

20
21 Ms. Ossiander moved, to amend AM 107-2009 by *reducing* the FCC appropriation
22 Mr. Starr seconded, by 5% (\$5,400) [~~\$408,000~~] \$102,600.
23 and the motion passed, 7-3.

24
25 AYES: Starr, Gutierrez, Coffey, Selkregg, Ossiander, Flynn and Johnston.
26 NAYS: Gray-Jackson, Birch and Drummond.

27
28 and the main motion, as amended, was passed, 9-1.

29
30 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Selkregg, Ossiander, Flynn and Johnston.
31 NAYS: Coffey.

32
33 10.D.12. Assembly Memorandum No. AM 108-2009, proprietary purchase of tape services from Midwest Tape
34 LLC for the Municipality of Anchorage, Office of Economic & Community Development, Anchorage
35 Public Libraries (APL) (\$65,925), Purchasing.

36
37 Ms. Ossiander moved, to approve AM 108-2009.
38 Dr. Selkregg seconded,

39
40 Ms. Ossiander stated that public libraries had already taken a 5% cut and she urged support for the full appropriation.

41
42 and the motion passed, 10-0.

43
44 10.D.15. Assembly Memorandum No. AM 111-2009, proprietary purchase with Applied Microsystems, Inc.
45 (AMI) to provide **web site hosting and application support services** for the Municipality of
46 Anchorage, Information Technology Department (\$78,114), Purchasing.

47
48 Dr. Selkregg moved, to approve AM 111-2009.
49 Ms. Ossiander seconded,

50
51 Dr. Selkregg moved, to amend AM 111-2009 by *reducing* the contract for support
52 Ms. Ossiander seconded, services by 5% (\$3,905.70) [~~\$78,114~~] \$74,208.30.

53
54 To Dr. Selkregg, Information Technology (IT) Director Fred Carpenter responded that IT would support the reduction.

55
56 and the motion to amend was passed without objection.

57
58 and the main motion, as amended, passed, 10-0.

59
60 **10.E. INFORMATION AND REPORTS**

61 10.E.7. Information Memorandum No. AIM 20-2009, **Monthly Investment Report to the Assembly**, Finance.

62
63 Mr. Starr moved, to accept AIM 20-2009.
64 Ms. Ossiander seconded,

65
66 To Mr. Starr, Chief Fiscal Officer Sharon Weddleton responded the monthly summary reports were being prepared,
67 showing day-to-day revenue information. Mr. Starr requested the reports also include revenue loss summaries.

68
69 and the motion passed, 10-0.

70
71 10.E.10. Informational Memorandum No. AIM 23-2009, MOA/ML&P/IBEW Collective Bargaining Agreement &
72 Classification Committee Action pertaining to wages decoupled from the **Journeyman Lineman rate**
73 **of pay**, Municipal Light & Power. (*Laid on the Table*)

74
75 Mr. Starr moved, to postpone AIM 23-2009 to March 3, 2009.
76 Mr. Coffey seconded,
77 and the motion passed, 10-0.

78

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.3. Ordinance No. AO 2009-24, an ordinance of the Anchorage Assembly amending the zoning map and providing for the rezoning from I-2 SL (Heavy Industrial District) with Special Limitations per AO 85-125 AA to I-2 SL (Heavy Industrial District) with Special Limitations for **Tract 38, lying within Section 5, Section 7, and Section 8, T15N, R1W, Seward Meridian, AK** per BLM Plat dated November 21, 1991, except all that portion lying within said Section 7; and all that portion lying within the West ½ and Southwest ¼ of the Northwest ¼ of Section 8, generally located east of Birchwood Spur Road and north and east of South Birchwood Loop Road in Chugiak (Birchwood Community Council) (Planning and Zoning Commission Case 2008-130), Planning Department. P.H. 3-24-09.
a. Assembly Memorandum No. AM 91-2009.

Mr. Coffey moved, to introduce AO 2009-24, with Public Hearing set for
Ms. Ossiander seconded, March 24, 2009.
Dr. Selkregg was the concurring third.

Mr. Flynn stated that he personally had been involved in negotiations between the Eklutna and the Alaska Railroad with this excavation and development. He declared a potential conflict of interest and stated he would abstain from participating. He responded to Chair Drummond's questions concerning the potential conflict. Chair Drummond ruled that Mr. Flynn did have a conflict of interest and ordered him to not participate. There were no objections.

10.F.5. Ordinance No. AO 2009-26, an ordinance of the Anchorage Municipal Assembly to amend Anchorage Municipal Code and the zoning map of the Municipality of Anchorage by enacting a new Chapter 21.66, establishing the **Downtown Eagle River Overlay District**, Assemblymembers Ossiander and Starr. Refer To The Planning And Zoning Commission.
a. Assembly Memorandum No. AM 95-2009.

Ms. Ossiander moved, to introduce AO 2009-26 and to refer to the Planning and
Mr. Coffey seconded, Zoning Commission, with Public Hearing set for June 23,
Mr. Starr was the concurring third. 2009.

Ms. Ossiander requested that Mr. Starr be added as a cosponsor.

10.F.7. Ordinance No. AO 2009-28, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.90.060 to include areas with significant risk exposure to wildfire, high winds, or other natural disaster in the target areas and factors considered in review of an electric utility's five-year program for placing existing **overhead lines underground**, Assemblymembers Johnston, Selkregg, Coffey and Gutierrez. Refer To The Planning And Zoning Commission.

Ms. Johnston moved, to introduce AO 2009-28 and refer to the Planning and
Mr. Coffey seconded, Zoning Commission, with Public Hearing set for July 7, 2009.
Ms. Ossiander was the concurring third.

Dr. Selkregg, Mr. Coffey and Mr. Gutierrez requested to be added as cosponsors.

10.F.12. Resolution No. AR 2009-33, a resolution of the Municipality of Anchorage appropriating \$4,966,435 from the Equipment Maintenance Internal Service Operating Fund (Fund 601), **Unrestricted Net Assets Account**, to the Equipment Maintenance Internal Service Capital Fund (Fund 606) to purchase **replacement vehicles and equipment**, Maintenance and Operations Department. P.H. 3-24-09.
a. Assembly Memorandum No. AM 88-2009.

Ms. Ossiander moved, to introduce AR 2009-33, with Public Hearing set for March
Mr. Coffey seconded, 24th, with a one-hour worksession scheduled for March 20th.
Mr. Birch was the concurring third.

Mr. Birch stated this involved \$5 million for new equipment and he questioned whether there were leasing alternatives to save money. Dr. Selkregg supported Mr. Birch's comments about deferring costs and saving some money.

To Mr. Coffey, Municipal Manager Michael Abbott responded the Administration would provide requested information.

Mr. Coffey moved, to Change the Order of the Day to take up Special Orders,
Mr. Starr seconded, Agenda items 15.A, 15.B, 15.C and 15.D.
and there was no objection.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. 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. (Carried Over From 2-3-09)

Dr. Selkregg moved, to approve AM 66-2009.
Mr. Gutierrez seconded,

Ms. Ossiander stated the Assembly approved the bond being on the ballot, with a change to Spenard Road. Municipal Manager Michael Abbott responded the bond also included funding for Hillcrest. Ms. Ossiander stated more review and public response were necessary and the project may need to be revised. Project Management and Engineering (PM&E) Director Jerry Hansen responded the project needed to be reviewed by the Planning and Zoning Commission (P&Z) and the Urban Design Commission (UDC).

1 Mr. Birch stated that many Assemblymembers agreed that there would not be proposed improvements to Spenard as
2 had been to Arctic. The Assembly had supported the improvements for Hillcrest. People wanted to keep a four-lane
3 road configuration. Mr. Hansen responded the hill and the Spenard intersection were set as a priority.
4

5 Mr. Coffey stated he supported keeping the project moving forward, continuing the planning process and
6 communicating with local residents.
7

8 Dr. Selkregg stated she supported completing the Hillcrest section. She proposed delaying the P&Z and UDC reviews
9 until things were resolved with the public.
10

11 Mr. Birch moved, to amend AM 66-2009 by *deleting* \$200,000 and by *directing*
12 there was no second the motion was lost. the Administration to instruct the designer to utilize a four lane
13 road configuration.
14

15 To Chair Drummond, Mr. Coffey responded that he wanted to learn what the property owners had to say, but Public
16 Hearing needed to be properly noticed and reopened. Mr. Hansen responded that the Administration would continue
17 working with the businesses.
18

19 Mr. Flynn stated that he would support the amendment. The Assembly wanted a consensus-based project.
20

21 Dr. Selkregg stated the Spenard Road issue was not resolved and should not proceed without more public process.
22

23 Ms. Ossiander summarized all options to resolve the issues of public meetings, P&Z and UDC reviews, completing
24 portions of the plan, the costs and reaching public consensus.
25

26 Ms. Ossiander moved, to amend AM 66-2009 by *reducing* the contract to \$259,000
27 Mr. Birch seconded, and *recommending* the Administration concurrently request
28 additional amendments to the contract that were warranted.
29

30 To Ms. Gray-Jackson, Mr. Hansen responded that this would allow the first phase of construction.
31

32 Chair Drummond stated it was important to complete the portion included in the bond that would be on the April ballot.
33

34 and the motion passed, 9-1.
35

36 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Coffey, Selkregg, Ossiander, Flynn and Johnston.
37 NAYS: Drummond.
38

39 and the main motion, as amended, passed, 10-0.
40

41 11.B. Assembly Memorandum No. AM 72-2009, Amendment No. 3 to the Utility Relocation Agreement with
42 Chugach Electric Association, Inc. (CEA) for the design of an overhead-to-underground relocation
43 required to facilitate the **Arctic Boulevard Right Turn-Lane Project**, Project No. 02-10b (\$25,000),
44 Project Management & Engineering. (*Carried Over From 2-3-09*)
45

46 To Chair Drummond, Municipal Manager Michael Abbott requested this item be postponed indefinitely.
47

48 Mr. Coffey moved, *postpone indefinitely* AM 72-2009.
49 Ms. Johnston seconded,
50 and the motion passed, 10-0.
51

52 11.C. Ordinance No. AO 2008-135(S), an ordinance amending Anchorage Municipal Code Chapter 3.70
53 regarding **Assembly Approval of Collective Bargaining Agreements, Amendments and**
54 **Administrative Letters** retroactive to December 1, 2008, Assembly Vice-Chair Coffey.
55 (*Public Hearing was Closed 1-20-09; Action was Postponed From 1-20-09*)
56

57 Chair Drummond reported Public Hearing was closed. There was a motion to approve on the floor from January 20th.
58

59 Mr. Coffey moved, *to take up* AO 2008-135(S) concurrently with 14.A.
60 Ms. Johnston seconded,
61 and this was approved without objection.
62

63 12. **APPEARANCE REQUESTS** There were none.
64

65 13. **CONTINUED PUBLIC HEARINGS**

66 13.A. Resolution No. AR 2008-323, a resolution of the Municipality of Anchorage, Alaska, approving the
67 additional scope of work to **Northern Communities Water Extension Phase I** and providing for
68 assessment of benefited properties at time of service connection, Anchorage Water and Wastewater
69 Utility.
70 1. Assembly Memorandum No. AM 848-2008. (*Continued From 1-20-09*)
71

72 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.
73

74 Ms. Ossiander moved, *to postpone indefinitely* AR 2008-323.
75 Mr. Coffey seconded,
76

77 To Mr. Birch, Ms. Ossiander responded that an alternative route was being used to truck in water and Anchorage Water
78 and Wastewater Utility (AWWU) supported the change.

1
2 and the motion passed, 10-0.

- 3
4 13.B. Ordinance No. AO 2008-107, an ordinance of the Anchorage Assembly amending the zoning map and
5 providing for the rezoning of approximately 16.54 acres, from R-3 (Multiple-Family Residential) to B-3
6 SL (General Business) with Special Limitations for **Tract A, Block 2, Doubletree Center Subdivision**
7 **#1**; generally located on the east side of Arctic Boulevard and north of West International Airport Road
8 (Midtown and Spenard Community Councils) (Planning and Zoning Commission Case 2008-083),
9 Planning Department. (*Carried Over From 11-18-08; Continued From 11-25-08, 12-2-08 and 1-20-09*)
10 1. Assembly Memorandum No. AM 672-2008.
11 2. Ordinance No. AO 2008-107(S), an ordinance of the Anchorage Assembly amending the
12 zoning map and providing for the rezoning of approximately 16.54 acres, from R-3 (Multiple-
13 Family Residential) to B-3 SL (General Business) with Special Limitations for Tract A, Block 2,
14 Doubletree Center Subdivision #1; generally located on the east side of Arctic Boulevard and
15 north of West International Airport Road (Midtown and Spenard Community Councils)
16 (Planning and Zoning Commission Case 2008-083), Planning Department. (*Laid on the Table*)
17

18 Chair Drummond opened Public Hearing.

19
20 DUANE ADAMS, representing the petitioner, testified the S-version met all concerns outlined by staff and the Spenard
21 and Midtown Community Councils. To Ms. Ossiander and Mr. Starr, Mr. Adams responded to questions concerning
22 proposed changes to the development. Planning Administrator Jerry Weaver responded Building Safety would
23 monitor the provisions for each project being developed.
24

25 MATT BURKHOLDER, Spenard Community Council Chair, testified the council had supported the original phasing, but
26 now understood that it would be too restrictive. He responded to questions from Mr. Coffey and Dr. Selkregg.
27

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

29
30 Mr. Coffey moved, to approve AO 2008-107.
31 Ms. Gray-Jackson seconded,
32

33 To Mr. Coffey, Mr. Burkholder responded that it was predicted that delays would not allow construction until 2010.

34
35 To Ms. Ossiander, Mr. Weaver responded that he supported the changes.
36

37 Mr. Coffey stated for the record that the S-version eliminated requiring residential development to be completed before
38 commercial development, the less restrictive requirement was imposed by the P&Z, not the Assembly, this was more
39 restrictive and the original application had had no sequential requirements. Mr. Weaver concurred.
40

41 Mr. Coffey moved, to approve AO 2008-107(S).
42 Dr. Selkregg seconded,
43 and the motion passed, 10-0.
44

45 **14. NEW PUBLIC HEARINGS**

- 46 14.A. Ordinance No. AO 2009-16, an ordinance of the Anchorage Municipal Assembly amending Anchorage
47 Municipal Code Title 8, Penal Code, by adding a new section in Chapter 8.75 addressing
48 **unauthorized implementation of labor agreements**, Vice-Chair Coffey and Assemblymember Starr.
49 11.C. Ordinance No. AO 2008-135(S), an ordinance amending Anchorage Municipal Code Chapter
50 3.70 regarding Assembly Approval of Collective Bargaining Agreements, Amendments and
51 Administrative Letters retroactive to December 1, 2008, Assembly Vice-Chair Coffey and
52 Assemblymember Starr. (*Public Hearing was Closed 1-20-09; Action was Postponed from 1-*
53 *20-09*)
54

55 Chair Drummond opened Public Hearing.

56
57 FRANK IRAUSQUIN testified that when the Assembly approved a labor agreement there should not be an opportunity
58 to renegotiate. Mr. Coffey and Dr. Selkregg stated the ordinances pertained to side agreements to contracts.
59

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

61
62 Mr. Coffey moved, to continue AO 2009-16 to March 24, 2009.
63 Mr. Flynn seconded,
64

65 Mr. Coffey, Mr. Starr, Ms. Gray-Jackson, Mr. Birch, Mr. Gutierrez, Dr. Selkregg and Mr. Starr commented on
66 addressing changes to existing labor agreements, addressing AO 2008-135(S), AO 2009-16 and the Municipal
67 Attorney's comments, postponing both documents to allow time to create one document, not receiving the requested
68 information, a letter of understanding involving a \$1.9 million increase, agreeing there would be no more side
69 agreements, taking up 9.E.10, which was not viewed as a side agreement, approving the contract would roll in all
70 previously approved side agreements and actions having a penalty of fine and fees.
71

72 and the motion passed, 10-0.

73
74 (*Clerk's Note: Item 11.C, AO 2008-135(S) was Carried Over to March 24th.*)
75

- 76 14.B. Resolution No. AR 2009-22, a resolution of the Anchorage Assembly to correct the **Anchorage**
77 **Municipal Employees Association** Collective Bargaining Agreement as ratified on December 2,
78 2008, Assembly Resolution 2008-266, Employee Relations Department.

1 1. Assembly Memorandum No. AM 55-2009.

2
3 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

4
5 Mr. Flynn moved, to approve AR 2009-22.
6 Ms. Gray-Jackson seconded,

7
8 To Mr. Coffey, Labor Relations Director Lisa Arnold responded that both parties had agreed to the changes, which
9 were inadvertently omitted in the original contract. Mr. Coffey stated that the employees should not be punished for a
10 mistake made by the Administration.

11
12 Mr. Starr stated that landscape architects were to have been addressed in the original pay schedule. He questioned
13 reference to Appendix #3. Ms. Arnold responded that there were additional omissions and there was no Appendix #3.

14
15 Ms. Ossiander stated she was disappointed that the final document was so incomplete and included major mistakes.

16
17 Mr. Coffey stated that everyone made mistakes. He recommended extending the review period to ensure that
18 contracts were corrected.

19
20 Dr. Selkregg stated that she appreciated Labor Relations acknowledging and correcting the mistakes. There needed
21 to be protocols in place to ensure this did not happen again.

22
23 and the motion passed, 10-0.

24
25 14.C. Ordinance No. AO 2009-21, an ordinance, pursuant to Anchorage Municipal Code Section 3.20.040,
26 amending Sections 3.20.010 and 3.20.070 to **update the management responsibilities of the**
27 **Municipal Manager and the Chief Fiscal Officer**, Department of Law.

28 1. Assembly Memorandum No. AM 80-2009.

29
30 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

31
32 Mr. Coffey moved, to approve AO 2009-21.
33 Ms. Johnston seconded,

34
35 Mr. Starr stated that Employee Relations Director Dave Otto was involved in the contacts and it was appropriate for
36 him to be present. Chief Fiscal Officer Sharon Weddleton responded that Mr. Otto had taken the week off.

37
38 and the motion passed, 9-0.

39
40 *(Clerk's Note: Mr. Gutierrez was temporarily out of Chambers at the time of the vote.)*

41
42 14.D. Ordinance No. AO 2009-7, an ordinance amending Anchorage Municipal Code Section 23.45.105.6
43 **Required Operational Permit**, to establish fees, Anchorage Fire Department.

44 1. Assembly Memorandum No. AM 46-2009.

45
46 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

47
48 Ms. Ossiander moved, to approve AO 2009-7.
49 Ms. Johnston seconded,

50
51 Ms. Ossiander stated the operational permits pertained to the Anchorage Fire Service area only. Fire Chief Craig
52 Goodrich responded the State of Alaska took care of Chugiak and Girdwood. Ms. Ossiander stated the tables from the
53 National Fire Code were not available and she wanted to know what was being deleted and what she was voting for.

54
55 To Mr. Starr and Mr. Coffey, Chief Goodrich responded there had been a reduction of costs for monitoring fire alarm
56 systems that connected directly to dispatch. He explained the types of fees and costs and stated the schedule was the
57 same that had been used for years.

58
59 Ms. Gray-Jackson, Dr. Selkregg and Ms. Ossiander commented on this involving the National Fire Code, the
60 document included the relevant Code and information and it being important for the Assembly to know what would
61 affect the Municipality.

62
63 and the motion passed, 10-0.

64
65 14.E. Ordinance No. AO 2009-18, an ordinance amending Anchorage Municipal Code Section 21.40.060B.,
66 correcting an omission in AO 2007-121(S-1) relating to **administrative site plan review and**
67 **approval of restaurant or eating place alcoholic beverage license use** in the R-4 (Multiple Family
68 Residential) District, Planning Department.

69 1. Assembly Memorandum No. AM 76-2009.

70
71 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

72
73 Mr. Coffey moved, to approve AO 2009-18.
74 Ms. Gray-Jackson,

75
76 Mr. Coffey stated this corrected a simple reference to the zoning district. He urged approval.

77
78 and the motion passed, 10-0.

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14.F. Resolution No. AR 2009-28, a resolution of the Anchorage Municipal Assembly approving an alcohol beverages conditional use permit in the W (Watershed) District for a recreational site use and license (beer and wine) per AMC 21.50.160, for the **Alaska Ski Club, Inc.**, located within Unsurveyed Lease Parcel ADL No. 32018, SW ¼, NW ¼, Section 5 and S 1/2 and N ½, N1/2 SW 1/4, NW1/4, SE ¼, Section 6, T13N, R1W, S.M. Alaska, generally located at 18800 (Mile 7) Arctic Valley Road (South Fork, Eagle River and Northeast Community Councils) (Case 2009-020), Planning Department.
1. Assembly Memorandum No. AM 83-2009.

Chair Drummond opened Public Hearing. There was no one to testify. Mr. Flynn reported the applicant wished to postpone the matter to late March or early April.

Mr. Flynn moved, to continue AR 2009-28 Public Hearing to April 14, 2009.
Dr. Selkregg seconded,

Mr. Starr stated the military bases could weigh in on the matter and needed to be notified. He, Ms. Ossiander and Mr. Coffey requested clarity on reference to both the Alaska Ski Club and the Anchorage Ski Club.

and the motion passed, 10-0.

14.G. Resolution No. AR 2009-29, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use for a beverage dispensary tourism use and license, and duplicate beverage dispensary tourism use and license in the I-1 SL (Light Industrial) District with Special Limitations (A.O. 98-96AA) per AMC 21.40.200.B.1.k, for Anchorage Hospitality LLC, dba **Crowne Plaza Midtown Hotel - Anchorage, Alaska**; located at 109 West International Airport Road, within Tract A, Haxby Subdivision, located within the NW ¼ of Section 31, T13N, R3W, S.M.; generally located north of West International Airport Road and east of C Street (Midtown Community Council) (Case 2009-021), Planning Department.
1. Assembly Memorandum No. AM 84-2009.

Chair Drummond opened Public Hearing.

JOE MERRILL, representing Anchorage Hospitality LLC, urged approval of the conditional use. To Mr. Birch, Mr. Merrill responded that the business also owned Motel 6 and Fairfield Inn, located together off of International Airport Road. Crowne Plaza, which would open in May, would have full service accommodations, including a restaurant, lounge, bar and banquet meeting place.

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

Mr. Coffey moved, to approve AR 2009-29.
Dr. Selkregg seconded,

To Mr. Coffey, Planning Administrator Jerry Weaver responded that the specific seating number had been requested by the developer and applied directly to the amount of parking provided for the facility.

and the motion passed, 10-0.

14.H. Resolution No. AR 2009-30, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the I-1 (Light Industrial District) for a package store use and license per AMC 21.40.200 B.1. (k), and AMC 21.50.160 A for **Wal-Mart Super Store Number 2071**, located at 8900 Old Seward Highway, Lot 6A, Block 2, Dimond Industrial Subdivision, generally located south of Dimond Boulevard on the west side of the Old Seward Highway between East 88th Avenue and East 92nd Avenue (Taku/Campbell Community Council) (Case 09-022), Planning Department.
1. Assembly Memorandum No. AM 85-2009.

Chair Drummond opened Public Hearing.

JED WHITTAKER testified that Wal-Mart treated their employees unjustly and was a poor corporate citizen. He questioned whether taxes from this Wal-Mart would justify the damage that would result from the sale of alcohol there.

FERNANDO DOMINIC, Diamond Center Wal-Mart Co-Manager, testified that the only concern addressed by local community councils was the travel size (*bottled alcohol*) which Wal-Mart would not be selling. Mr. Birch welcomed Wal-Mart to his district in South Anchorage.

TOM McGRATH, with the Spenard Community Council, testified about the alcohol problem in that area and recommended the license be conditional upon not selling gallon jugs of Listerine, which had high alcohol content.

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

Ms. Ossiander moved, to approve AR 2009-30.
Ms. Johnston seconded,

Mr. Dominic responded to questions from Ms. Ossiander, Mr. Flynn, Mr. Coffey and Mr. Gutierrez concerning restricting jugs of mouthwash with high alcohol content, Carrs, Safeway and Fred Meyer having a voluntary restriction in the area, and the alcohol problem in the area. To Ms. Ossiander, Planning Administrator Jerry Weaver responded that the Wal-Mart management would work cooperatively. To Municipal Attorney Jim Reeves, Mr. Coffey responded this store should not be singled out and the proper way to address the matter would be by city-wide ordinance. Mr. Gutierrez and Ms. Gray-Jackson concurred.

1
2 and the motion passed, 10-0.

- 3
4 14.I. Resolution No. AR 2009-31, a resolution of the Anchorage Municipal Assembly approving an alcoholic
5 beverages conditional use in the I-1 (Light Industrial District) for a brewery use and License Number
6 4866 per AMC 21.40.200 B.1. (k) and AMC 21.50.160 A for **Midnight Sun Brewing, LLC**, located at
7 8111 Dimond Hook Drive, Lot 3, Block 1, Petersburg Business Center Subdivision, generally located
8 east of Petersburg Street and north of East Dimond Boulevard and Dimond Hook Drive (Abbott Loop
9 Community Council) (Case 2009-027), Planning Department.
10 1. Assembly Memorandum No. AM 86-2009.

11
12 Chair Drummond opened Public Hearing.

13
14 MARK STAPLES, founder of Midnight Sun Brewing, LLC, testified his business was at maximum capacity and needed
15 to expand. Mr. Birch, Mr. Gutierrez and Dr. Selkregg commented about the quality and success of the business.

16
17 There was no additional public testimony and Chair Drummond closed Public Hearing.

18
19 Mr. Coffey moved, to approve AR 2009-31.
20 Dr. Selkregg seconded,
21 and the motion passed, 10-0.

- 22
23 14.J. Ordinance No. AO 2009-19, an ordinance authorizing **disposal by ground lease of Heritage Land**
24 **Bank Parcel 4-013** to Northern Lodging LLC, dba Ramada Anchorage Downtown, Heritage Land
25 Bank.
26 1. Assembly Memorandum No. AM 77-2009.

27
28 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

29
30 Mr. Flynn moved, to approve AO 2009-19.
31 Mr. Coffey seconded,

32
33 To Ms. Ossiander, Heritage Land Bank Director Bill Mehner responded that it was determined that the city would retain
34 the property for disposal by lease. The only tenant was the Ramada Inn, the adjacent property owner. Mr. Coffey
35 responded that the property had limited use and he supported the disposal.

36
37 and the motion passed, 10-0.

- 38
39 14.K. Ordinance No. AO 2009-20, an ordinance authorizing **withdrawal of portions of Parcels 3-030, 3-**
40 **031, 3-032A, 3-032B, 3-033, and 3-065** totaling approximately 39 acres, from Heritage Land Bank
41 Inventory for transfer to the Real Estate Services Division, and establishing a conservation easement
42 on the withdrawn portions of the parcels, with mitigation credits to be managed by Heritage Land
43 Bank.
44 1. Assembly Memorandum No. AM 78-2009.

45
46 Chair Drummond opened Public Hearing.

47
48 TOM McGRATH testified that creating a conservation easement for wetland mitigation would risk loss of the ball fields
49 and property value. Heritage Land Bank (HLB) land belonged to Anchorage citizens.

50
51 There was no additional testimony and Chair Drummond closed Public Hearing.

52
53 Mr. Coffey moved, to approve AO 2009-20.
54 Ms. Gray-Jackson seconded,

55
56 HLB Director Bill Mehner responded to questions from Mr. Birch, Mr. Flynn and Mr. Starr concerning compensatory
57 requirements by the Core of Engineers to mitigate damages to wetlands, potential revenue from similar property in the
58 area, violating permitted uses and the reverter clause, the conservation easement not affecting the ball fields, the ball
59 fields remaining as dedicated park land and the land remaining in HLB inventory. Mr. Birch stated the city did not need
60 to fear a reverter provision. Mr. Mehner concurred.

61
62 Chair Drummond scheduled a worksession for Friday, February 27th and postponed AO 2009-20 until March 3rd. Mr.
63 Coffey, Mr. Starr and Dr. Selkregg concurred. There were no objections.

64
65 Mr. Coffey moved, to Change the Order of the Day to take up 9.F.3, 9.F.7, 9.F.9
66 Ms. Ossiander seconded, and 9.F.12, for introduction and to set Public Hearing dates.
67 and there was no objection.

68
69 **15. SPECIAL ORDERS**

- 70 15.A. **Notice of Intent to Move for Rescission of Assembly Action in the Ratification of the Collective**
71 **Bargaining Agreement for Electrical Work**, Assembly Vice Chair Coffey. (*Laid on the Table*)
72 1. Resolution No. AR 2008-280, a resolution ratifying a five year collective bargaining agreement
73 between the Municipality of Anchorage and the **International Brotherhood of Electrical**
74 **Workers, Local Union 1547**. (*Approved 12-2-08*)

75
76 Mr. Coffey gave notice of intent to move for rescission of Assembly action taken on December 3, 2008, approving AR
77 2008-280. He read into the record his formal notice of his intent to rescind Assembly action to be considered on March

1 3, 2009. He described issues that would be reviewed and stated that the Assembly would be presenting a resolution
2 for consideration.

3
4 15.B. **Notice of Intent to Move for Rescission of Assembly Action in the Ratification of the Collective
5 Bargaining Agreement for Fire, Rescue, EMS and Prevention Type Work in the Anchorage Fire
6 Service Area, Assemblymember Starr. (Laid on the Table)**

- 7 1. Resolution No. AR 2008-306, a resolution ratifying a five year collective bargaining agreement
8 between the Municipality of Anchorage and the **International Association of Fire Fighters,
9 Local Union 1264. (Approved 12-17-08)**

10
11 Mr. Starr gave notice of intent to move for rescission of Assembly action taken on December 17, 2008, approving AR
12 2008-306. He read into the record his formal notice of his intent to rescind Assembly action to be considered on March
13 3, 2009, and issues that would be reviewed and discussed.

14
15 15.C. **Notice of Intent to Move for Rescission of Assembly Action in the Ratification of the Collective
16 Bargaining Agreement for the Anchorage Police Department, Assemblymember Starr. (Laid on
17 the Table)**

- 18 1. Resolution No. AR 2008-307, a resolution approving and ratifying a five year collective
19 bargaining agreement between the Municipality of Anchorage and the **Anchorage Police
20 Department Employees Association. (Approved 12-16-08)**

21
22 Mr. Starr gave notice of intent to move for rescission of Assembly action taken on December 16, 2008, approving AR
23 2008-307. He read into the record his formal notice of his intent to rescind Assembly action to be considered on March
24 3, 2009, and issues that would be reviewed and discussed.

25
26 15. D. **Notice of Intent to Move to Amend Items Previously Adopted (Laid on the Table)**

- 27 1. Resolution No. AR 2008-280, a resolution ratifying a five year collective bargaining agreement
28 between the Municipality of Anchorage and the **International Brotherhood of Electrical
29 Workers, Local Union 1547. (Approved 12-2-08)**
30 2. Resolution No. AR 2008-306, a resolution ratifying a five year collective bargaining agreement
31 between the Municipality of Anchorage and the **International Association of Fire Fighters,
32 Local Union 1264. (Approved 12-17-08)**
33 3. Resolution No. AR 2008-307, a resolution approving and ratifying a five year collective
34 bargaining agreement between the Municipality of Anchorage and the **Anchorage Police
35 Department Employees Association. (Approved 12-16-08)**

36
37 Ms. Johnston read into the record her formal notice of her intent, as provided in the Rules of Procedure for the
38 Assembly to amend items previously adopted by the Assembly, namely AR 2008-280, AR 2008-306 and AR 2008-307,
39 to be considered at the Assembly's next meeting, scheduled for March 3, 2009.

40
41 16. **UNFINISHED AGENDA** There was none.

42
43 17. **AUDIENCE PARTICIPATION**

44
45 Chair Drummond invited two visiting Boy Scouts to introduce themselves. They were Zack Abbott and Ian Burgess
46 from Elmendorf Air Force Base.

47
48 18. **ASSEMBLY COMMENTS**

49
50 Mr. Starr stated that it was his intention that the resolution on urban bear would be continued to March 24th.

51
52 19. **EXECUTIVE SESSIONS** There were none.

53
54 20. **ADJOURNMENT**

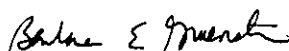
55
56 Mr. Flynn moved, to adjourn the Regular Assembly Meeting.
57 and were no objections.

58
59 The meeting was adjourned at 11:00 p.m.

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HARRIET DRUMMOND, Assembly Chair

ATTEST:



BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: May 26, 2009.
MC/BG

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

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