

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of March 3, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of March 3, 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 Ossiander led the pledge.

4. MINUTES OF PREVIOUS MEETING

4.A. Regular Meeting – October 28, 2008.

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

to approve the Meeting Minutes of October 28, 2008.

4.B. Regular Meeting – December 2, 2008.

Mr. Coffey moved,
Mr. Flynn seconded,

to approve the Meeting Minutes of December 2, 2008.

Ms. Ossiander requested to abstain due to her excused absence on December 2, 2008.

Ms. Johnston moved,
Mr. Coffey seconded,
and the motion passed, 9-0,
with Ms. Ossiander abstaining.

to amend the December 2, 2008 Meeting Minutes on Page 12, beginning on Line 54, by *substituting* to read: [~~Ms. Johnston stated that the new contract included existing language that was obsolete. Mr. Otto responded the final contract would include editing and would be correct.~~] Ms. Johnston: I have not read this contract as thoroughly as Mr. Coffey has... but, I'm concerned with all the existing language... and we've just rolled it into this contract, including language that goes back to Eklutna and the double time and the triple time hourly rate... What did we address? I mean, do we have a copy... like we did with the other one we had... as far as the changes that were made? Mr. Otto: Through the Chair, Ms. Johnston. I don't know, um, exactly what kind of copy you have. I don't have a marked-up... I don't even have a copy in front of me right at this very moment. But, we chose about a half a dozen items to negotiate... Mr. Bell and Shop Stewart Kelly Lauren and Jim Posey and myself. And, we dealt primarily with the high levels of benefits and wages, efficiencies, management rights... those kinds of things. And then there was another team, at the department level, that dealt with the editing of various pages and that aspect of it. And, it was all rolled into a contract... ratified vote. Ms. Johnston: And this is the final one? This isn't a draft? It's all been edited... for the couple of type-*os* that Mr. Coffey's seen? Mr. Otto: Yes. Correct. We're had a management labor team working on this to go through all the editing of it, to make sure it's correct and all the spelling is correct and all those things. Ms. Johnston: I'm curious why we don't... If some of the language is obsolete, why we don't get rid of it? Mr. Otto: Uh... We attempt to do that in every case. Um... however sometimes we are not successful... sometimes it's because they say there is still a person who is under that language... still has an effect there. And, therefore we keep it the same for that one-in-a-hundred chance type scenario. We try to clean those up ourselves, and IBEW with us has been very successful in a lot of that. Some of those do not get caught. Ms. Johnston: Thanks.

and the main motion, as amended, passed, 9-0,
with Ms. Ossiander abstaining, due to her excused absence on December 2nd.

5. MAYOR'S REPORT

Acting Mayor Claman reported that the Administration was addressing Stimulus Plan (*Recovery Act*) funding opportunities. He reported the Fire Fighters Union had proposed concessions to address the budget shortfall. He and Chief Fiscal Officer Sharon Weddleton responded to questions from Mr. Birch, Dr. Selkregg and Mr. Coffey.

6. ASSEMBLY CHAIR'S REPORT

Chair Drummond reported that Mat-Su Borough Mayor Curt Menard had passed away and she called for a moment of silence.

7. COMMITTEE REPORTS

Mr. Gutierrez reported that he would visit the State Police Crime Lab to understand why a new facility was needed.

Ms. Gray-Jackson reported the Budget and Finance Committee would meet on March 19th to review monthly budget reports from the Administration. She reported that departments were recommending cost savings ideas.

Mr. Birch reported that at the Chamber of Commerce Forum on March 2nd Cheryl Frasca gave an informational and insightful presentation on functions of the tax cap initiative.

Dr. Selkregg reported the Energy Forum held at Begich Middle School was well attended and a success. She reported the Community and Economic Development Committee was developing a new Health (*sub*) Committee.

Ms. Ossiander reported that the Title 21 Committee continued to meet every Thursday morning and was finalizing Chapter 7, which included reviews of drainage, site development and open space requirements.

Mr. Flynn reported the Anchorage Convention and Visitors Bureau Government Affairs Committee met earlier in the week to discuss legislation for Juneau and bringing safe and environmentally friendly cruise ships to Alaska.

8. ADDENDUM TO AGENDA

Chair Drummond called for a motion and read the Addendum items. AR 2009-65, AIM 25-2009 and AO 2009-34 were added and assigned Agenda numbers 9.B.8, 9.E.1 and 9.F.11, respectively.

Mr. Coffey moved, to approve the inclusion of the Addendum items
Dr. Selkregg seconded, into the Consent Agenda.

Ms. Ossiander moved, to add AR 2009-65 and AIM 25-2009, items 9.B.8 and
Mr. Coffey seconded, 9.E.1, into the Consent Agenda.

Mr. Starr was the concurring third.

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

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

NAYS: None.

Chair Drummond called for a motion on the Consent Agenda.

Ms. Johnston 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 2009-54, a resolution of the Anchorage Municipal Assembly honoring and recognizing **Team Network, Inc. and Alaska InvestNet** for the Alaska Business Plan Competition, fostering innovation and entrepreneurship in Alaska, and acknowledging the program supporters in the academic and business community, Assemblymembers Birch and Starr.

9.A.2. Resolution No. AR 2009-62, a resolution of the Anchorage Municipal Assembly **recognizing the opening of the Consulate of Mexico** in Anchorage and welcoming Consul Jose Luis Cuevas, Assemblymember Selkregg. (*Addendum*)

Mr. Gutierrez requested this item be pulled for review on the Regular Agenda. (*See item 10.A.2*)

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2009-46, a resolution of the Anchorage Municipal Assembly approving the **modification of the site plan for the Sixth Avenue Reconstruction Project** from Patterson Street to Muldoon Road, generally located in the Right-Of-Way of Sixth Avenue between Patterson Street and Muldoon Road and on Oklahoma Street between Sixth Avenue and Fourth Avenue in Northeast Anchorage, Project Management & Engineering Department.

a. Assembly Memorandum No. AM 114-2009.

- 1 9.B.2. Resolution No. AR 2009-47, a resolution of the Anchorage Assembly approving the **Updated Records**
2 **Retention Schedules** for the Finance, Property Appraisal Division; Maintenance & Operations
3 Department, and the new records retention schedule for Risk Management in accordance with
4 Municipal Policy and Procedure 52-2, Information Technology Department.
- 5 9.B.3. Resolution No. AR 2009-48, a resolution of the Municipality of Anchorage appropriating \$31,163 as a
6 grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
7 Security and Emergency Management and appropriating \$1,209 as a contribution from the 2009
8 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
9 State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**
10 **response and prevention equipment**.
11 a. Assembly Memorandum No. AM 115-2009.
- 12 9.B.4. Resolution No. AR 2009-49, a resolution of the Municipality of Anchorage appropriating \$55,428 from
13 the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$2,155 as a
14 contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police
15 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
16 for **Seat Belt Enforcement**.
17 a. Assembly Memorandum No. AM 116-2009.
- 18 9.B.5. Resolution No. AR 2009-57, a resolution appropriating \$20,000 from the United States Department of
19 the Interior, National Park Service and appropriating \$22,057 as a contribution from the Office of
20 Economic and Community Development, Historic Preservation Fund (740), to the Office of Economic
21 and Community Development, Federal Categorical Grants Fund (241) to produce a **Downtown**
22 **Anchorage Historic Walking Tour and Education Project**.
23 a. Assembly Memorandum No. AM 132-2009.

24
25 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.B.5)
26

- 27 9.B.6. Resolution No. AR 2009-58, a resolution of the Municipality of Anchorage appropriating \$60,411 from
28 the Anchorage Park Foundation to the Anchorage Bowl Parks and Recreation Service Area Capital
29 Improvement Fund (461) for capital improvement of the **Delaney Park tennis courts**, Office of
30 Economic and Community Development.
31 a. Assembly Memorandum No. AM 133-2009.
- 32 9.B.7. Resolution No. AR 2009-60, a resolution appropriating \$87,420 from the State of Alaska Department
33 of Transportation and Public Facilities (ADOT&PF) to the State Categorical Grants Fund (231) under
34 the Traffic Department for the Anchorage Metropolitan Area Transportation Solutions (AMATS)
35 Municipality of Anchorage (MOA) **Traffic Counts 09-11 Program**. ((Addendum)
36 a. Assembly Memorandum No. AM 139-2009. (Addendum)
- 37 9.B.8. Resolution No. AR 2009-65, a resolution of the Anchorage Municipal Assembly **reducing the 2009**
38 **General Government operating costs for the Assembly**, Assemblymembers Johnston and
39 Selkregg. (Laid on the Table)
40

41 Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.B.8)
42

43 9.C. BID AWARDS

- 44 9.C.1. Assembly Memorandum No. AM 121-2009, recommendation of award to Goertz Construction, Inc. for
45 the **Egan & E-Street Boiler Upgrades Project**, Project No. 08-060 for the Municipality of Anchorage,
46 Project Management & Engineering Department (ITB 28-C072) (\$899,623), Purchasing.
- 47 9.C.2. Assembly Memorandum No. AM 122-2009, recommendation of award to Western Peterbilt, Inc. to
48 furnish **two front loader and two automated side loader refuse collection trucks** to the
49 Municipality of Anchorage, Solid Waste Services (SWS) (ITB 28-B083) (\$1,038,316), Purchasing.
50

51 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.C.2)
52

53 9.D. NEW BUSINESS

- 54 9.D.1. Assembly Memorandum No. AM 138-2009, **Home Town Korean Restaurant** - Transfer of Ownership
55 of a Restaurant Eating Place Liquor License (Spenard Community Council), Clerk's Office.
- 56 9.D.2. Assembly Memorandum No. AM 123-2009, 2009 grant to Campfire USA, Alaska Council to operate
57 and administer the **Tyson Campfire Program** in the amount of \$50,000, Office of Economic &
58 Community Development.
59

60 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.2)
61

- 62 9.D.3. Assembly Memorandum No. AM 134-2009, 2009 grant to **Anchorage Economic Development**
63 **Corporation** (AEDC) to operate and administer AEDC programs (\$481,500), Office of Economic &
64 Community Development.
65

66 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.3)
67

- 68 9.D.4. Assembly Memorandum No. AM 124-2009, Change Order No. 3 to Purchase Order (PO) No. 260840
69 to provide **life and disability insurance** with Standard Insurance; and Change Order No. 3 to PO No.
70 260939 to provide individual and aggregate medical stop loss insurance with Sun Life for the
71 Municipality of Anchorage, Employee Relations Department (\$2,781,032), Purchasing.
- 72 9.D.5. Assembly Memorandum No. AM 125-2009, recommendation of award to GE International, Inc. to
73 provide **combustion turbine hot gas path component refurbishment** for the Municipality of
74 Anchorage, Municipal Light & Power (RFP 28-P008) (\$1,000,000), Purchasing.
- 75 9.D.6. Assembly Memorandum No. AM 126-2009, Contract Amendment No. 3 to professional services
76 contract with Kinney Engineering, LLC, for the **Glenn Highway/Eagle Glenn Subdivision Area**
77 **Drainage Project**, Project No. 07-46, Contract No. 280334 (\$99,154), Project Management &
78 Engineering.

- 1 a. **Assembly Memorandum No. AM 126-2009(A), Contract Amendment No. 3 to professional**
2 **services contract with Kinney Engineering, LLC, for the Glenn Highway/Eagle Glenn**
3 **Subdivision Area Drainage Project, Project No. 07-46, Contract No. 280334 (\$90,000), Project**
4 **Management & Engineering. (Addendum)**
5

6 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.6.)
7

- 8 9.D.7. **Assembly Memorandum No. AM 127-2009, proprietary purchase of MobileView III security camera**
9 **system components from GE Security, Inc. for the Municipality of Anchorage, Public Transportation**
10 **Department (\$31,608), Purchasing.**
11

12 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.7.)
13

- 14 9.D.8. **Assembly Memorandum No. AM 128-2009, cooperative agreement with the U.S. Department of**
15 **Agriculture (USDA) for avian vector control services for the Municipality of Anchorage, Solid Waste**
16 **Services (\$128,306), Purchasing.**
17 9.D.9. **Assembly Memorandum No. AM 135-2009, proprietary purchase of Oracle Software license**
18 **updates and support renewal from Oracle Corporation for the Municipality of Anchorage, Information**
19 **Technology Department (ITD) (\$37,068.50), Purchasing.**
20 9.D.10. **Assembly Memorandum No. AM 136-2009, proprietary purchase of computer software maintenance**
21 **from SirsiDynix Corporation for the Municipality of Anchorage, Department of Economic and**
22 **Community Development, Loussac Library (\$66,003.04), Purchasing.**
23 9.D.11. **Assembly Memorandum No. AM 137-2009, proprietary purchase of computer software license**
24 **renewal and hardware maintenance services from International Business Machines (IBM) for the**
25 **Municipality of Anchorage, Information Technology Department (\$347,392.20), Purchasing.**
26 9.D.12. **Assembly Memorandum No. AM 142-2009, a recommendation to authorize Solid Waste Services to**
27 **enter into an agreement with Matanuska Electric Association for construction and operation of a**
28 **landfill gas-fueled electric generation facility at the Anchorage Regional Landfill. (Addendum)**
29

30 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.D.12.)
31

32 **9.E. INFORMATION AND REPORTS**

- 33 9.E.1. **Information Memorandum No. AIM 25-2009, Notice of Award to Unit Company for cooling line repair,**
34 **Unit #6 cooling line rupture and damage to Bldg #6 for the Municipality of Anchorage, Municipal**
35 **Light & Power (ML&P) (\$1,500,000), Purchasing. (Laid on the Table)**
36

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

- 38 9.F.1. **Ordinance No. AO 2009-17, an ordinance determining and approving the total amount of the annual**
39 **operating budget of the Anchorage School District for its fiscal year 2009-2010 and determining**
40 **and appropriating the portion of the Assembly approved budget amount to be made available from**
41 **local sources, Anchorage School District. Public Hearing 3-24-09. (Submitted 3-02-09 Pursuant to**
42 **AMC 6.10.050 C.)**
43 a. Assembly Memorandum No. AM 73-2009.
44

- 45 9.F.2. **Ordinance No. AO 2009-32, an ordinance approving Anchorage Wastewater Utility (ASU)**

- 46 **proposed tariff rules including the addition of monthly meter charges for wastewater only customers.**
47 **Public Hearing [3-24-09] 4-14-09**
48 a. Assembly Memorandum No. AM 130-2009.
49

50 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.2.)
51

- 52 9.F.3. **Ordinance No. AO 2009-33, an ordinance of the Municipality of Anchorage, Alaska, authorizing and**
53 **providing for the issuance of Not To Exceed \$150,000,000 in aggregate principal amount of Tax**
54 **Anticipation Notes; fixing certain details of said notes; providing for the form and manner of sale of**
55 **said notes; pledging the receipts from ad valorem property taxes to be collected during Year 2009 and**
56 **the full faith and credit to the payment thereof; delegating certain matters to the Chief Fiscal Officer in**
57 **connection with the sale of the notes; and appropriating \$982,965 of interest earnings to pay interest**
58 **expense and issuing costs for the notes, Finance. Public Hearing 3-24-09**

- 59 a. Assembly Memorandum No. AM 131-2009.

- 60 9.F.4. **Resolution No. AR 2009-50, a resolution of the Municipality of Anchorage appropriating \$270,000 from**
61 **the Federal Seized and Forfeited Monies Police Investigation Fund (257) Other Fines and**
62 **Forfeitures to the Police Investigation Fund (257) for use by the Anchorage Police Department.**
63 **Public Hearing [3-24-09] 4-14-09.**

- 64 a. Assembly Memorandum No. AM 117-2009.
65

66 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.4.)
67

- 68 9.F.5. **Resolution No. AR 2009-51, a resolution of the Municipality of Anchorage appropriating \$139,464 from**
69 **the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$5,426 as a**
70 **contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police**
71 **Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,**
72 **for Impaired Driving Enforcement. Public Hearing 3-24-09**

- 73 a. Assembly Memorandum No. AM 118-2009.

- 74 9.F.6. **Resolution No. AR 2009-52, a resolution appropriating a \$1,100,000 contribution from the Maintenance**
75 **and Operations Department Areawide Service Area Fund (Fund 101) approved in the BP2009 General**
76 **Government Operating Budget to the Areawide Service Area Capital Improvement Fund (Fund 401) for**
77 **major municipal facility upgrades and repairs. Public Hearing 3-24-09**

- 78 a. Assembly Memorandum No. AM 119-2009.

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- 9.F.7. Resolution No. AR 2009-53, a resolution appropriating \$200,000 from Amendment Number One to a Memorandum of Understanding (MOU) between the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) and the Municipality of Anchorage (MOA) to the State Categorical Grants Fund (231) under the Municipal Traffic Department for the development of the **Highway to Highway Connection (H2H Project)**. *Public Hearing 3-24-09*
 - a. Assembly Memorandum No. AM 120-2009.
- 9.F.8. Resolution No. AR 2009-61, a resolution of the Municipality of Anchorage appropriating when tendered \$5,700,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$150,000 from the State of Alaska Department of Transportation and Public Facilities grant, and \$150,000 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement Fund for the **2009 Merrill Field Rehabilitate Aprons (Phase 4 & Phase 5, Charlie South) and security improvements (barrier gates replacement)** and revising the 2009 Merrill Field Capital Improvement Budget (581). *Public Hearing 3-24-09 (Addendum)*
 - a. Assembly Memorandum No. AM 140-2009. *(Addendum)*
- 9.F.9. Resolution No. AR 2009-64, a resolution of the Municipality of Anchorage appropriating \$686,000 from the United States Department of Housing and Urban Development (HUD) as a grant to the Federal Categorical Grants Fund (241) to the Department of Neighborhoods to provide a grant award to Anchorage Community Land Trust, Inc. for **capital improvements to the Mountain View Service Center**. *Public Hearing 3-24-09 (Addendum)*
 - a. Assembly Memorandum No. AM 143-2009. *(Addendum)*

Ms. Johnston requested this item be pulled for review on the Regular Agenda. *(See item 10.F.9)*

- 9.F.10. Ordinance No. AO 2009-27(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 3.70.090, **Collective Bargaining**, relating to representatives authorized to negotiate on behalf of the Municipality and notice to the Assembly of initiation of collective bargaining, Assemblymember Ossiander. *Public Hearing 3-24-09 (Laid on the Table)*

Ms. Ossiander stated that this ordinance was introduced on February 24th with Public Hearing set for March 24th.

- 9.F.11. Ordinance No. AO 2009-34, an ordinance of the Municipality of Anchorage amending **Ordinance AO 2008-102(S)** amending appropriations to funds for the 2009 (Updated) General Operating Budget for the Municipality of Anchorage. *(Laid on the Table) Public Hearing 3-34-09*

Ms. Johnston moved, *to introduced AO 2009-34, with Public Hearing set for*
 Mr. Coffey seconded, *March 24th.*
 Mr. Starr was the concurring third.

- 9.F.12. Resolution No. AR 2009-67, a resolution of the Anchorage Municipal Assembly **amending and revising the 2009 General Government Operating Budget** to reduce appropriations. *(Laid on the Table) (Public Hearing 3-24-09 and 4-14-09)*

(Clerk's Note: Upon completion of 13.A, Ms. Johnston moved to introduce AR 2009-67. See item 15.A.)

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

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

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

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.2. Resolution No. AR 2009-62, a resolution of the Anchorage Municipal Assembly **recognizing the opening of the Consulate of Mexico** in Anchorage and welcoming Consul Jose Luis Cuevas, Assemblymembers Selkregg, Gutierrez and Gray-Jackson. *(Addendum)*

Mr. Gutierrez moved, *to approve AR 2009-62.*
 Mr. Coffey seconded,
 and the motion passed, 10-0.

Mr. Gutierrez and Ms. Gray-Jackson requested to be added as cosponsors.

Mr. Gutierrez read and Dr. Selkregg presented the resolution to Consul Jose Luis Cuevas, welcoming him as the new Consulate of Mexico in Anchorage. Consul Cuevas thanked the Assembly and stated that, on behalf of the Mexican government, Anchorage now had a friend with Mexico.

10.B. RESOLUTIONS FOR ACTION - OTHER

- 10.B.5. Resolution No. AR 2009-57, a resolution appropriating \$20,000 from the United States Department of the Interior, National Park Service and appropriating \$22,057 as a contribution from the Office of Economic and Community Development, Historic Preservation Fund (740), to the Office of Economic and Community Development, Federal Categorical Grants Fund (241) to produce a **Downtown Anchorage Historic Walking Tour and Education Project**.
 - a. Assembly Memorandum No. AM 132-2009.

1 Mr. Coffey moved, to approve AR 2009-57.
2 Ms. Ossiander seconded,
3

4 To Mr. Coffey, Economic and Community Development Director Mary Jane Michael responded that the appropriations
5 involved designated federal funds that were restricted to historical preservation. She responded to questions from Mr.
6 Starr, Dr. Selkregg and Ms. Johnston.

7
8 and the motion passed, 6-3.
9

10 AYES: Gutierrez, Gray-Jackson, Drummond, Selkregg, Flynn and Johnston.
11 NAYS: Starr, Birch and Ossiander.
12

13 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
14

15 10.B.8. Resolution No. AR 2009-65, a resolution of the Anchorage Municipal Assembly **reducing the 2009**
16 **General Government operating costs for the Assembly**, Assemblymembers Johnston and
17 Selkregg. *(Laid on the Table)*
18

19 Ms. Gray-Jackson moved, to approve AR 2009-65.
20 Mr. Gutierrez seconded,
21

22 Ms. Gray-Jackson, Ms. Johnston, Ms. Ossiander, Dr. Selkregg and Mr. Gutierrez commented on cutting the Assembly
23 Department's Budget Analyst position, cutting Assembly meals and all departments making cuts to address the deficit.
24

25 *(Clerk's Note: Dr. Selkregg requested her vote to be corrected to show she supported the resolution.)*
26

27 and the motion passed, [6-4] 7-3.
28

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

32 **10.C. BID AWARDS**

33 10.C.2. Assembly Memorandum No. AM 122-2009, recommendation of award to Western Peterbilt, Inc. to
34 furnish **two front loader and two automated side loader refuse collection trucks** to the
35 Municipality of Anchorage, Solid Waste Services (SWS) (ITB 28-B083) (\$1,038,316), Purchasing.
36

37 Mr. Starr moved, to approve AM 122-2009.
38 Mr. Coffey seconded,
39

40 Mr. Starr stated that Smurfit and Stone Recycling was in bankruptcy and there was no longer a stream for recycling.
41 He proposed delaying the automated trucks until after a worksession to review the recycling program.
42

43 Solid Waste Services (SWS) Director Mark Madden and Deputy Municipal Manager Heather Handyside responded to
44 questions from Ms. Johnston, Mr. Coffey, Dr. Selkregg, Mr. Birch and Mr. Gutierrez concerning the design and usage
45 of the new trucks, status of the recycling program and commodity prices, reducing worker compensation claims,
46 prescribed cans, recycling glass, bear proof containers and the differences between curbside and regular recycling.
47

48 Mr. Starr moved, to amend AM 122-2009 on Page 2, *by deleting:*
49 Mr. Coffey seconded, ~~[3- Automated Side Loader Refuse Trucks (2) (Western~~
50 ~~Peterbilt \$260,850 ea.; \$521,718 Peterbilt Chassis with~~
51 ~~Wayne Curbtender Body)].~~
52

53 Mr. Coffey stated that he supported curbside recycling. But, with the state of the economy it was appropriate to delay
54 the purchase of the automated trucks and take it up in the future.
55

56 Mr. Madden responded to questions from Ms. Johnston, Mr. Gutierrez and Mr. Starr concerning the bailing system,
57 public opinion surveys, needing additional information, reducing workman compensation claims, costs and equipment
58 that would serve the community in multiple ways.
59

60 and the motion passed, 6-4.
61

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

65 Dr. Selkregg, Mr. Gutierrez and Ms. Gray-Jackson commented on using the million dollars in other areas, addressing
66 the matter in a year, spending the money now would be saving the city more money in the long run, and this purchase
67 not being part of the General Operating Budget.
68

69 To Mr. Coffey, SWS Collections Foreman Brian Vanderwood explained that the city maintained a seven-year truck
70 replacement schedule and that older equipment required more maintenance.
71

72 Acting Mayor Claman VETOED the approved amendment that deleted the automated trucks.
73

74 Chair Drummond requested Acting Mayor Claman to present the veto in writing.
75

76 Mr. Birch urged a NO-vote on the main motion.
77

78 and the main motion failed, 5-5.

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

10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 123-2009, 2009 grant to Campfire USA, Alaska Council to operate and administer the **Tyson Campfire Program** in the amount of \$50,000, Office of Economic & Community Development.

Ms. Ossiander moved, to approve AM 123-2009.
Mr. Coffey seconded,

Ms. Ossiander moved, to amend AM 123-2009 *by reducing* the Campfire Program grant by (3%) \$1,500 [~~\$50,000~~] \$48,500.
Mr. Birch seconded,
and the motion failed, 5-5.

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

and the main motion passed, 9-1.

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

10.D.3. Assembly Memorandum No. AM 134-2009, 2009 grant to **Anchorage Economic Development Corporation** (AEDC) to operate and administer AEDC programs (\$481,500), Office of Economic & Community Development.

Ms. Ossiander moved, to approve AM 134-2009.
Mr. Coffey seconded,

Ms. Ossiander moved, to amend AM 134-2009 *by reducing* the AEDC grant by \$20,000 [~~\$481,500~~] \$461,500.
Mr. Birch seconded,
and the motion failed, 5-5.

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

Ms. Ossiander moved, to amend AM 134-2009 *by reducing* the AEDC grant by \$10,000 [~~\$481,500~~] \$471,500.
Mr. Birch seconded,
[and the motion passed, 9-1,
with Mr. Gutierrez opposing.]

(Clerk's Note: Mr. Gutierrez requested his vote be changed to reflect his YES-vote.)

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

10.D.6. Assembly Memorandum No. AM 126-2009, Contract Amendment No. 3 to professional services contract with Kinney Engineering, LLC, for the **Glenn Highway/Eagle Glenn Subdivision Area Drainage Project**, Project No. 07-46, Contract No. 280334 (\$99,154), Project Management & Engineering.

a. Assembly Memorandum No. AM 126-2009(A), Contract Amendment No. 3 to professional services contract with Kinney Engineering, LLC, for the Glenn Highway/Eagle Glenn Subdivision Area Drainage Project, Project No. 07-46, Contract No. 280334 (\$90,000), Project Management & Engineering. **(Addendum)**

Ms. Ossiander moved, to approve AM 126- 2009(A).
Mr. Coffey seconded,

Ms. Ossiander stated that she and Mr. Starr had addressed the matter which involved putting thaw wires in the culverts under the Glenn Highway to help correct the flooding problem in Eagle River. She urged a YES-vote.

and the motion passed, 10-0.

10.D.7. Assembly Memorandum No. AM 127-2009, proprietary purchase of **MobileView III security camera system components** from GE Security, Inc. for the Municipality of Anchorage, Public Transportation Department (\$31,608), Purchasing.

Ms. Ossiander moved, to approve AM 127-2009.
Mr. Gutierrez seconded,

To Ms. Ossiander, Deputy Municipal Manager Heather Handyside responded that this was inadvertently omitted in the Public Transportation Budget.

Mr. Gutierrez stated that adding the security cameras would involve potential savings.

Mr. Coffey stated this involved grant funds and did not involve general operating money. He would support it.

1 and the motion passed, 9-1.

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

5
6 10.D.12. Assembly Memorandum No. AM 142-2009, a recommendation to authorize Solid Waste Services to
7 enter into an agreement with **Matanuska Electric Association for construction and operation of a**
8 **landfill gas-fueled electric generation facility at the Anchorage Regional Landfill. (Addendum)**

9
10 Ms. Ossiander moved, to postpone AM 142-2009 to April 14, 2009.
11 Mr. Coffey seconded,

12
13 Ms. Ossiander, Mr. Starr and Dr. Selkregg stated that many companies had expressed interest in the matter. Mr.
14 Coffey, Mr. Starr and Dr. Selkregg commented on the matter being laid on the table with great urgency, vendors not
15 having time to participate, scheduling a worksession and this being a complex, but important issue.

16
17 and this was approved without objection, 10-0.

18
19 **10.E. INFORMATION AND REPORTS** None were pulled for review.

20
21 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

22 10.F.2. Ordinance No. AO 2009-32, an ordinance approving **Anchorage Wastewater Utility (ASU)**
23 **proposed tariff rules** including the addition of monthly meter charges for wastewater only customers.
24 *Public Hearing [3-24-09] 4-14-09*
25 a. Assembly Memorandum No. AM 130-2009.

26
27 Mr. Coffey moved, to introduce AO 2009-32 with Public Hearing set for
28 Ms. Johnston seconded, [March-24] April 14, 2009.
29 Dr. Selkregg was the concurring third.

30
31 10.F.4. Resolution No. AR 2009-50, a resolution of the Municipality of Anchorage appropriating \$270,000 from
32 the Federal Seized and Forfeited Monies Police Investigation Fund (257) **Other Fines and**
33 **Forfeitures to the Police Investigation Fund (257)** for use by the Anchorage Police Department.
34 *Public Hearing [3-24-09] 4-14-09*
35 a. Assembly Memorandum No. AM 117-2009.

36
37 Mr. Coffey moved, to introduce AR 2009-50 with Public Hearing set for
38 Ms. Johnston seconded, [March-24] April 14, 2009.
39 Ms. Ossiander was the concurring third.

40
41 10.F.9. Resolution No. AR 2009-64, a resolution of the Municipality of Anchorage appropriating \$686,000 from
42 the United States Department of Housing and Urban Development (HUD) as a grant to the Federal
43 Categorical Grants Fund (241) to the Department of Neighborhoods to provide a grant award to
44 Anchorage Community Land Trust, Inc. for **capital improvements to the Mountain View Service**
45 **Center. Public Hearing 3-24-09 (Addendum)**
46 a. Assembly Memorandum No. AM 143-2009. **(Addendum)**

47
48 Ms. Johnston moved, to introduce AR 2009-64 with Public Hearing set for
49 Mr. Coffey seconded, March 24, 2009.
50 Ms. Ossiander was the concurring third.

51
52 To Ms. Johnston, Purchasing Officer Bart Mauldin responded the contracting-out provision did not apply.

53
54 Mr. Gutierrez declared a potential conflict of interest because the entity that owned the Mountain View Service Center
55 wrote his paychecks for his coordinating the Weed and Seed Grant Program. Mr. Gutierrez responded to Chair
56 Drummond's questions on aspects concerning a possible conflict. Chair Drummond ruled that Mr. Gutierrez did have
57 a conflict of interest and ordered that he not participate in the matter. There were no objections.

58
59 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

60 11.A. Ordinance No. AO 2009-20, an ordinance authorizing **withdrawal of portions of Parcels 3-030, 3-**
61 **031, 3-032A, 3-032B, 3-033, and 3-065** totaling approximately 39 acres, from Heritage Land Bank
62 Inventory for transfer to the Real Estate Services Division, and establishing a conservation easement
63 on the withdrawn portions of the parcels, with mitigation credits to be managed by Heritage Land
64 Bank. *(Public Hearing was Closed 2-24-09; Action was Postponed from 2-24-09)*
65 1. Assembly Memorandum No. AM 78-2009.

66
67 Chair Drummond reported that Public Hearing was closed and there was a motion to approve on the floor from
68 February 24th.

69
70 Mr. Coffey had moved, to approve AO 2009-20.
71 Ms. Gray-Jackson had seconded,

72
73 Mr. Coffey, Mr. Birch and Dr. Selkregg each stated they would support approving the matter.

74
75 and the motion passed, 7-0.

76
77 AYES: Gutierrez, Gray-Jackson, Birch, Drummond, Coffey, Selkregg and Flynn.
78 NAYS: None.

1 (Clerk's Note: Mr. Starr, Ms. Ossiander and Ms. Johnston were temporarily out of Chambers at the time of the vote.)

2
3 11.B. Information Memorandum No. AIM 23-2009, MOA/ML&P/IBEW Collective Bargaining Agreement &
4 Classification Committee Action pertaining to wages decoupled from the Journeyman Lineman rate
5 of pay, Municipal Light & Power. (Postponed from 2-24-09)

6
7 Mr. Coffey moved, to accept AIM 23-2009.
8 Mr. Gutierrez seconded,

9
10 Mr. Coffey addressed the Assembly not being informed, the committee's authority to change employee classification
11 resulting in a \$2 million increase and the contract being poor example of government action. He would not support it.

12
13 Ms. Ossiander stated the Assembly had been given incomplete and incorrect information. She would vote NO.

14
15 Mr. Birch addressed five Assemblymembers objecting to the contract because of inadequate information, incomplete
16 documents, inflated costs, a five-year term and unknown costs, the \$1.9 million dollars not being identified and being
17 an additional burden to taxpayers and this being a terrible way to do business. He would be a NO-vote.

18
19 To Mr. Starr, Municipal Attorney Jim Reeves, Municipal Light & Power (ML&P) General Manager Jim Posey, Deputy
20 Municipal Manager Heather Handyside, Chief Fiscal Officer Sharon Weddleton and Acting Mayor Claman responded
21 to his questions concerning contract language, violating the contract, the classification committee, employees being
22 informed, the certification of funds, the incomplete summary of economic effects, costs to the city, sharing information,
23 requirements under the terms of the labor contract, effecting five other departments, reclassifying the lineman position
24 and important cost issues remaining unanswered.

25
26 To Mr. Birch, Mr. Posey responded to his questions concerning wage increases, reclassifying employees, costs in
27 addition to the existing shortfall and the importance of keeping competent workers.

28
29 Dr. Selkregg addressed not having critical information when the Assembly approved the agreement, collective
30 bargaining, the Administration's obligation to inform the Assembly and the impacts. Mr. Posey responded to her
31 questions concerning the complexity of contract negotiations, arbitration, negotiating a joint power plant and combining
32 operation groups and ML&P also suffering an investment loss.

33
34 Mr. Coffey addressed the 2008 Letter of Understanding that would apply to the contract, the Assembly not being
35 informed, increasing wages and benefits without Assembly approval, reclassifications and readdressing the matter on
36 March 24th. Mr. Posey, Mr. Reeves and Ms. Weddleton responded to his questions concerning Title 6 Provisions,
37 certification being addressed by the Budget and Finance Committee and ML&P having the Regularity Commission of
3 Alaska address labor costs. Mr. Coffey stated this was a really bad way to do business.

40
41 To Ms. Ossiander, Mr. Posey, Ms. Weddleton and Mr. Reeves responded to her questions concerning ML&P's ability
42 to keep linemen, identifying reclassified positions receiving wage increases, effecting other departments and
43 increasing labor costs. Acting Mayor Claman responded that the language was commonly used and not controversial.

44
45 To Dr. Selkregg, Mr. Reeves responded to her question about a Comparable Worth Statute in Alaska.

46
47 Mr. Coffey addressed the classification committee not reaching an agreement, binding arbitration, wages, the
48 repercussions and the city not being able to afford the additional costs.

49 and this motion failed, 3-7.

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

53
54 11.C. **NOTICE TO RESCIND: Resolution No. AR 2008-280**, a resolution ratifying a five year collective
55 bargaining agreement between the Municipality of Anchorage and the **International Brotherhood of**
56 **Electrical Workers, Local Union 1547**. (Approved 12-2-08; Notice of Intent to Move for Rescission
57 of Assembly Action in the Ratification of the Collective Bargaining Agreement for Electrical Work was
58 Given by Mr. Coffey 2-24-09)

- 59 1. **Resolution No. AR 2009-63**, a resolution of the Anchorage Assembly on the motion to
60 **rescind Assembly action approving Assembly Resolution 2008-280** ratifying a five year
61 Collective Bargaining Agreement between the Municipality of Anchorage and the International
62 Brotherhood of Electrical Workers, Local Union 1547, Vice Chair Coffey, Assemblymember
63 Johnston. (**Addendum**)
64 2. Assembly Memorandum No. AM 141-2009. (**Addendum**)

65 Chair Drummond read the resolution titles and reported the history.

66
67 Mr. Coffey moved, to approve AR 2003-63, rescinding Assembly action
68 Mr. Birch seconded, approving AR 2008-280.

69
70
71 Mr. Coffey explained the reasons why he had filed a motion to rescind Assembly action approving AR 2008-280. He
72 addressed not receiving appropriate information, the deficient summary of economic effects, close-shop provisions,
73 costs to the city, receiving an incomplete contract, Title 3 Provisions, the 30-day review period, the budget deficit, other
74 unions making concessions and returning to the bargaining table. He urged a YES-vote on rescinding the prior vote.

75
76 Ms. Johnston addressed her cosponsoring the resolution, receiving a marked-up draft of the contract, not receiving
77 requested information, rescinding the vote leaving uncertainty, not knowing what they were voting on, the contracts
78 being presented very quickly and not being transparent and the Assembly needing to fix the matter.

1
2 Dr. Selkregg addressed the Assembly not receiving adequate information when the contract was approved,
3 determining how to proceed, the budget deficit, the union's willingness to come to the table and whether things would
4 be changed.

5
6 Mr. Gutierrez stated that the Assembly had approved the contract without getting a good understanding of the
7 implications. He would not want to repeat the same mistake with Assembly action that evening.

8
9 Ms. Gray-Jackson questioned the Assembly's authority to rescind. Municipal Attorney Jim Reeves responded that
10 there were circumstances where the Assembly had the authority to rescind.

11
12 Ms. Ossiander addressed negotiation being a responsibility of the Administration, determining contract costs, the
13 public review period, an incomplete summary of economic effects, the Assembly Counsel's opinion and supporting the
14 motion to rescind the Assembly's prior vote.

15
16 Mr. Coffey addressed the grounds for rescinding an Assembly's prior vote, the contract needing to be addressed, the
17 Assembly not receiving the proper information and approving a bad contract.

18
19 Mr. Birch addressed the contract being rushed through at the last minute, not having all the information and mistakes
20 being made. He stated that addressing the contract was a responsible step and he urged a YES-vote on the action.

21
22 Mr. Flynn stated the Assembly's motion to rescind may affect the Administration's efforts to renegotiate the agreement.
23 Until the Administration had attempted to address the matter he would not support the motion to rescind.

24
25 Mr. Starr addressed the summary of economic effects not including impacts to private sector and he questioned the
26 lack of information the Assembly had received. He supported the motion to rescind.

27
28 Ms. Gray-Jackson stated the Administration and the union needed to address the contract. It was not up to the
29 Assembly and she would oppose the motion to rescind.

30
31 To Dr. Selkregg, Assembly Counsel Julia Tucker, Mr. Coffey and Mr. Reeves responded to her questions concerning
32 rescinding Assembly action, the effects of Assembly action, the contract already being signed, needing clarity,
33 implementing the contract, Assembly authority, the matter ending up in court and the Assembly taking risks.

34
35 To Mr. Gutierrez, Ms. Tucker responded to his questions concerning rescinding the Assembly vote, clarifying the
36 contract and clarifying what the Assembly had already approved.

37
38 Mr. Birch stated the Assembly had received a lack of adequate information and was lied to. The Assembly needed to
39 rescind the contract to correct a wrong.

40
41 Ms. Ossiander stated that the only way to understand whether the contract was totally in place was in a court of law or
42 with both parties agreeing.

43
44 Acting Mayor Claman urged a NO-vote on rescinding Assembly action approving AR 2008-280.

45
46 Dr. Selkregg stated if negotiations did not work the Assembly could return to this action. She would not support the
47 motion to rescind.

48
49 Mr. Coffey stated the Assembly had not received the needed information. The contract was an incomplete draft and
50 there was no summary of economic effects. Rescinding Assembly action would rectify a grievous mistake.

51
52 and the motion failed, 5-5.

53
54 AYES: Starr, Birch, Coffey, Ossiander and Johnston.

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

56
57 Mr. Coffey moved, *to Change the Order of the Day to take up 14.B and 14.C.*
58 Ms. Ossiander seconded,
59 and there were no objections.

60
61 11.D. **NOTICE TO RESCIND: Resolution No. AR 2008-306**, a resolution ratifying a five year collective
62 bargaining agreement between the Municipality of Anchorage and the **International Association of**
63 **Fire Fighters, Local Union 1264**. (*Approved 12-17-08; Notice of Intent to Move for Rescission of*
64 *Assembly Action in the Ratification of the Collective Bargaining Agreement for Fire, Rescue, EMS and*
65 *Prevention Type Work in the Anchorage Fire Service Area was Given by Mr. Starr 2-24-09)*

66 1. **Notice Of Intent To Withdraw Prior Notice** regarding Assembly Action in the Ratification of
67 the Collective Bargaining Agreement for Fire, Rescue, EMS and Prevention Type Work in the
68 Anchorage Fire Service Area, Assemblymember Starr. (**Addendum**)

69
70 Mr. Starr moved, *to approve Notice Of Intent To Withdraw Prior Notice,*
71 Mr. Coffey seconded, *rescinding Assembly Action on AR 2008-306.*
72 and this passed without objection, 10-0.

73
74 11.E. **NOTICE TO RESCIND: Resolution No. AR 2008-307**, a resolution approving and ratifying a five year
75 collective bargaining agreement between the Municipality of Anchorage and the **Anchorage Police**
76 **Department Employees Association**. (*Approved 12-16-08; Notice of Intent to Move for Rescission*
77 *of Assembly Action in the Ratification of the Collective Bargaining Agreement for the Anchorage Police*
78 *Department was Given by Mr. Starr 2-24-09)*

1 Ms. Ossiander moved, to approve AO 2009-29.
2 Mr. Coffey seconded,

3
4 Mr. Gutierrez moved, to amend AO 2009-29 on Page 1, Lines 15-19, by inserting
5 Ms. Johnston seconded, the previously deleted section to read: E. Any dog or cat
6 over the age of four months adopted from the animal care
7 and control center shall be spayed or neutered ~~(PRIOR TO~~
8 ~~THE TRANSFER OF OWNERSHIP OF THE ANIMAL TO THE~~
9 ~~ADOPTING OWNER). EXCEPT IF, IN THE DETERMINATION~~
10 ~~OF A LICENSED VETERINARIAN, A MEDICAL DELAY IS~~
11 ~~REQUIRED DUE TO THE HEALTH OR AGE OF AN ANIMAL.]~~
12 except if, in the determination of a licensed veterinarian, a
13 medical delay is required due to the health or age of an animal.
14

15 Health and Human Services Director Diane Ingle responded to questions from Mr. Gutierrez and Ms. Ossiander
16 concerning determining whether an animal was to be spayed or neutered at the time of adoption and the fee structure.

17
18 and the motion passed, 10-0.
19
20 and the main motion, as amended, passed, 10-0.

21
22 14.C. Ordinance No. AO 2009-30, an ordinance approving a long-term, non-competitive lease of Heritage
23 Land Bank Parcels 3-032B and 3-060, restricted by a public purpose reverter clause, located south of
24 Tudor Road and east of Elmore Road, to the State of Alaska, Department of Public Safety, for a
25 **Statewide Services Scientific Crime Detection Laboratory**, Heritage Land Bank.
26 1. Assembly Memorandum No. AM 129-2009.

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

29
30 Ms. Ossiander moved, to approve AO 2009-30.
31 Ms. Johnston seconded,

32
33 Mr. Flynn moved, to amend AO 2009-30, by amending AM 129-2009 on Page
34 Mr. Gutierrez seconded, 2, Lines 10-15, by adding to read: 5. Lease Termination:
35 and this was later amended. Absent a sale or lease described above, the Municipality may
36 upon expiration or earlier termination require the State to (a)
37 remove the improvements and restore the Premise to their
38 original condition, or (b) purchase the improvements at the
39 then market value[-] , provided if the State fails to construct
40 the scientific crime detection laboratory, e.g. for lack of
41 construction financing, the Municipality shall purchase any
42 site improvements to the Premise at their fair market value
43 but not the cost of installing such items.
44

45 Mr. Birch stated the city would realize the benefits of the improvements even if the project was not moved forward.

46
47 Mr. Coffey stated that if there was no state funding there were provisions for no obligation to the city. The amendment
48 would include provisions for the city to pay for materials, but not for the costs of putting the improvements in place.

49
50 To Ms. Ossiander, Deputy Municipal Manager Heather Handyside responded the amendment would help make a case
51 to present to the Legislature for funding the project. Ms. Ossiander stated that the lease could be broken if there was
52 no State money. Language indicated the city would pay for site improvements, including a foundation, which would
53 not be good for the city.

54
55 State Assistant Attorney General CHRISTA STERNS urged approval of the lease agreement and the amendment.
56 She, Acting Mayor Claman and Municipal Attorney Jim Reeves responded to questions from Dr. Selkregg, Mr. Coffey
57 and Ms. Ossiander concerning the liability or benefit to the city, the State not receiving full funding, restoring the site to
58 its original state or a purchase option and the PLI zoning.

59
60 Ms. Ossiander, Mr. Flynn, Mr. Coffey and Ms. Johnston commented about advocating Legislators for funding, details
61 of the improvements and costs of the site preparation, increasing the land value and the risks.

62
63 To Dr. Selkregg, Mr. Reeves, Ms. Sterns, Acting Mayor Claman and Mr. Coffey responded to her questions about the
64 lease agreement and the options of site restoration or the purchase agreement.

65
66 To Mr. Starr, Acting Chair Claman responded the lease had been signed by the State, but not the city.

67
68 To Ms. Ossiander, Acting Chair Claman explained the agreement, getting appraisals to determine the value and the
69 benefit being the costs for the improvements.

70
71 Mr. Coffey moved, to amend the Flynn amendment by adding to read: 5. Lease
72 Mr. Gutierrez seconded, Termination: Absent a sale or lease described above, the
73 and this was passed without objection. Municipality may upon expiration or earlier termination require
74 the State to (a) remove the improvements and restore the
75 Premise to their original condition, or (b) purchase the
76 improvements at the then market value[-] , provided if the
77 State fails to construct the scientific crime detection
78 laboratory, e.g. for lack of construction financing, the

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Municipality shall purchase any site improvements to the Premise at their fair market value but not the cost of installing such items(-); to the extent that those improvements increase the value of the property.

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

Mr. Coffey moved, *to Change the Order of the Day* to take up 13.A
Ms. Ossiander seconded,
and there was no objection.

14.D. Ordinance No. AO 2009-31, an ordinance of the Anchorage Municipal Assembly amending Anchorage Code Section 12.25.040 to include payments in lieu of taxes from municipal utilities, departments, agencies, public corporations, and enterprise authorities; to use a five-year average to calculate any increase in the Consumer Price Index; and to phase in application of the amended **tax limitation calculation**, Assembly Chair Drummond, Assemblymember Selkregg.

(Clerk's Note: AO 2009-31 was Carried Over to March 24, 2009.)

15. SPECIAL ORDERS

(Clerk's Note: Upon completion of 13.A, Ms. Johnston moved to introduced AR 2009-67.)

15.A. Resolution No. AR 2009-67, a resolution of the Anchorage Municipal Assembly **amending and revising the 2009 General Government Operating Budget** to reduce appropriations. *(Laid on the Table) (Public Hearing 3-24-09 and 4-14-09)*

Ms. Johnston moved, *to introduce AR 2009-67 with Public Hearing set for March 24th and April 14th.*
Ms. Ossiander seconded,
Mr. Coffey was the concurring third.

Mr. Starr moved, *to Change the Order of the Day* to take up 11.D.
Mr. Coffey seconded,
and there were no objections.

16. UNFINISHED AGENDA There was none.

17. AUDIENCE PARTICIPATION There were none.

18. ASSEMBLY COMMENTS

Acting Mayor Claman reported that Employee Relations Director Dave Otto had submitted his resignation.


Mr. Gutierrez reported that he and Acting Mayor Claman had participated in the Running of the Reindeer, a Fur Rendezvous event held on February 28th.

19. EXECUTIVE SESSIONS There were none.


20. ADJOURNMENT

Chair Drummond adjourned the Regular Assembly Meeting at 11:00 p.m.

ATTEST:



HARRIET DRUMMOND, Assembly Chair
Debbie Ossiander, acting chair



BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: May 12, 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.)

