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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 March 24, 2009

18 **1. CALL TO ORDER**

19
20 The Regular Assembly Meeting of March 24, 2009 was convened by Chair Drummond at 5:08 p.m.

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

22
23
24 PRESENT: William Starr, Mike Gutierrez, Elvi Gray-Jackson, Chris Birch, Harriet Drummond, Dan Coffey, Sheila
25 Selkregg, Debbie Ossiander, Patrick Flynn and Jennifer Johnston.

26 ABSENT: None.

27
28 **3. PLEDGE OF ALLEGIANCE** Assemblymember Birch led the pledge.

29
30 3.A. Swearing-In Ceremony for the **Anchorage Fire Department**.

31
32 *(Clerk's Note: Chair Drummond reported the Swearing-In Ceremony would be held on April 14th.)*

33
34 **4. MINUTES OF PREVIOUS MEETINGS**

35 4.A. Regular Meeting – December 16, 2008.

36
37 Mr. Coffey moved, to approve the Meeting Minutes of December 16, 2008,
38 Ms. Gray-Jackson seconded, Continued to December 17, 2008.
39 and the motion passed, 10-0.

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

42 NAYS: None.

43
44 **5. MAYOR'S REPORT**

45
46 Acting Mayor Claman reported that the Fire Fighters Union had approved the proposed contract concession. To Mr.
47 Birch and Mr. Coffey, he responded to questions about the negotiation process and the calculated savings to the city.

48
49 **6. ASSEMBLY CHAIR'S REPORT**

50
51 Chair Drummond reported that she had attended the National League of Cities Conference in Washington, D.C. and
52 heard about the Stimulus Plan. Other Alaskans had attended, including Ms. Gray-Jackson.

53
54 **7. COMMITTEE REPORTS**

55
56 Mr. Gutierrez reported there was no Public Safety Committee Meeting the preceding week and the next meeting would
57 include a scheduled tour of the State Crime Lab.

58
59 Ms. Gray-Jackson reported the Budget and Finance Committee met March 19th to review monthly financial reports and
60 to make recommendations. The Committee would meet with the Administration every Thursday to continue reviewing
61 proposed amendments and would meet with each department to hear recommendations for efficiencies and cuts.

62
63 Mr. Birch reported that he had attended a recent meeting of the Anchorage Chamber of Commerce Board, which
64 approved a resolution supporting the Tax Cap Initiative and other ballot items.

65
66 Dr. Selkregg reported that the Community and Economic Development Committee met on March 19th to discuss an
67 Areawide Southcentral Energy Strategy Plan involving Mat-Su, Kenai and Homer.

68
69 Ms. Ossiander reported that the Title 21 Committee was finalizing Chapter 7, dealing with steep slope development,
70 drainage plans, water body setbacks and wildlife corridors. The Committee would be discussing wind generation next.

71
72 Mr. Flynn reported that he and Mr. Coffey had gone to Juneau to address Legislative Priorities and State Legislation
73 on a bullet gas line and unifying Railbelt electric generators.

74
75 Mr. Coffey reported that Governor Palin had introduced an energy bill which was vitally important to all citizens and
76 that he would work with Legislators over the summer on the matter.

1
2 Ms. Johnston stated that she would report on the proposed changes to Revenue Sharing when they were finalized.

3
4 Ms. Gray-Jackson reported that she and Chair Drummond had attended the National League of Cities Conference in
5 Washington, D.C. and met with key officials to discuss Alaska's federal requests.

6
7 **8. ADDENDUM TO AGENDA**

8
9 Chair Drummond called for a motion and read the Addendum items. She called for additional items and AR 2009-82,
10 AO 2009-83, AR 2008-96 were added and assigned Agenda numbers 9.B.10, 9.A.2 and 11.C, respectively.

11
12 Ms. Ossiander moved, to approve the inclusion of the Addendum items
13 Mr. Coffey seconded, into the Consent Agenda.
14 and this motion was passed, 10-0.

15
16 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Coffey, Selkregg, Ossiander, Flynn and Johnston.
17 NAYS: None.

18
19 Chair Drummond called for a motion on the Consent Agenda.

20
21 Mr. Coffey moved, to approve the Consent Agenda.
22 Ms. Ossiander seconded,

23
24 Chair Drummond called for Assemblymembers to request items to be pulled for discussion on the Regular Agenda.

25
26 **9. CONSENT AGENDA**

27 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

28 9.A.1. Resolution No. AR 2009-81, a resolution of the Anchorage Municipal Assembly recognizing and
29 honoring **Coralynn Foreman** for her 18 years of service to the children and community as Assistant
30 Manager of the Child and Adult Care Licensing Program in the Department of Health and Human
31 Services. (*Addendum*)

32
33 Ms. Johnston requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)

34
35 9.A.2. Resolution No. AR 2009-83, a resolution of the Anchorage Municipal Assembly proclaiming April 2009
36 as **Sexual Assault Awareness Month** and encouraging the citizens of Anchorage to work together to
37 eliminate sexual assault crimes in our community, Assemblymembers Gray-Jackson, Drummond,
38 Gutierrez. (*Laid on the Table*)

39
40 **9.B. RESOLUTIONS FOR ACTION - OTHER**

41 9.B.1. Resolution No. AR 2009-68, a resolution of the Municipality of Anchorage appropriating \$13,000 from
42 the State of Alaska, Alaska Police Standards Council; and appropriating \$501 as a contribution from
43 the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund
44 (151) to the State Categorical Grants Fund (231) Anchorage Police Department, for **Hepa filter**
45 **purchases**.

46 a. Assembly Memorandum No. AM 147-2009.

47 9.B.2. Resolution No. AR 2009-69, a resolution of the Municipality of Anchorage appropriating \$1,500 as a
48 donation from the Humane Society of the United States to the Miscellaneous Grants Fund (261) for
49 the Anchorage Police Department to **travel to the National Animal Cruelty Investigation School**.

50 a. Assembly Memorandum No. AM 148-2009.

51 9.B.3. Resolution No. AR 2009-70, a resolution appropriating \$40,657 from the Department of Health and
52 Human Services Animal Control Donation Account, Miscellaneous Operational Grants Fund (261) for
53 the development of an **On-Site Spay Neuter Clinic** at the Anchorage Animal Care and Control Center
54 through the Department of Health and Human Services.

55 a. Assembly Memorandum No. AM 149-2009.

56
57 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.B.3*)

58
59 9.B.4. Resolution No. AR 2009-71, a resolution appropriating \$7,000 from ConocoPhillips Alaska, Inc. to the
60 Miscellaneous Operational Grants Fund (261) for the support of the **Westchester Family Skate**,
61 Anchorage Bowl Parks and Recreation Department.

62 a. Assembly Memorandum No. AM 150-2009.

63 9.B.5. Resolution No. AR 2009-72, a resolution of the Municipality of Anchorage appropriating \$90,000 of
64 Unappropriated Cash Pools Short-Term Interest Revenues to the Areawide General CIP Fund (Fund
65 401) to provide additional funding for **construction costs for the Girdwood Library and Community**
66 **Center**, Maintenance and Operations Department.

67 a. Assembly Memorandum No. AM 151-2009.

68 9.B.6. Resolution No. AR 2009-76, a resolution of the Anchorage Municipal Assembly to support
69 collaboration with the Matanuska-Susitna Borough, Kenai Peninsula Borough, and the State of Alaska,
70 in the **development and implementation of a Sustainable Southcentral/Cook Inlet Regional**
71 **Energy Plan**, Assemblymember Selkregg, Assembly Vice-Chair Coffey.

72 9.B.7. Resolution No. AR 2009-77, a resolution authorizing the **procurement of independent legal service**
73 **to the Assembly** (Anchorage Municipal Code 7.20.060K), Assemblymember Selkregg, Assembly
74 Vice-Chair Coffey.

75 a. Resolution No. AR 2009-77(S), a resolution authorizing the procurement of independent legal
76 service to the Assembly (Anchorage Municipal Code 7.20.060K), Assemblymember Selkregg,
77 Assembly Vice-Chair Coffey. (*Addendum*)
78

1 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (See item 10.B.7)

- 2
3 9.B.8. Resolution No. AR 2009-78, a resolution urging the U.S. Secretary of Transportation to award a grant
4 in the amount of \$175 million under the American Recovery and Reinvestment Act to the **Port of**
5 **Anchorage Intermodal Expansion Project**.
6 9.B.9. Resolution No. AR 2009-80, a resolution of the Anchorage Municipal Assembly to **support new oil**
7 **and gas lease sales in the Alaska Outer Continental Shelf** including in the Chukchi and Beaufort
8 Seas, Assemblymember Birch.
9 a. Assembly Memorandum No. AM 186-2009. (*Addendum*)
10 9.B.10. Resolution No. AR 2009-82, a resolution of the Anchorage Municipal Assembly **supporting**
11 **acceptance of federal Stimulus funding** and urging the Legislature to build consensus to convince
12 the Governor to reconsider rejection in favor of acceptance; Assemblymember Selkregg, Assembly
13 Chair Drummond. (*Laid on the Table*)

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

15
16
17 **9.C. BID AWARDS**

- 18 9.C.1. Assembly Memorandum No. AM 160-2009, recommendation of award to Granite Construction
19 Company dba Wilder Construction Company for the **100th Avenue Extension, Phase I, C Street to**
20 **King Street**, Project No. 01-09 for the Municipality of Anchorage, Project Management & Engineering
21 Department (ITB 29-C004) (\$3,772,673.50), Purchasing.
22 9.C.2. Assembly Memorandum No. AM 184-2009, recommendation of award to Alaska Sales and Service to
23 furnish **forty-six (46) police sedans** to the Municipality of Anchorage, Maintenance & Operations
24 Department (ITB 29-B008) (\$966,648), Purchasing.
25 9.C.3. Assembly Memorandum No. AM 185-2009, recommendation of award to Western Peterbilt, Inc. to
26 furnish **two front loader and two automated side loader refuse collection trucks** to the
27 Municipality of Anchorage, Solid Waste Services (SWS) (ITB 28-B083) (\$1,038,316), Purchasing.
28 9.C.4. Assembly Memorandum No. AM 187-2009, recommendation of award to Consolidated Enterprises,
29 Inc. for the **Bartlett Pool Renovation Project** for the Municipality of Anchorage, Maintenance &
30 Operations Department (ITB 29-C002) (\$1,624,000), Purchasing. (*Addendum*)

31
32 **9.D. NEW BUSINESS**

- 33 9.D.1. Assembly Memorandum No. AM 144-2009, **Gallos Mexican Restaurant #2833**-Restaurant
34 Designation Permit for a Beverage Dispensary Liquor License (Taku/Campbell Community Council),
35 Clerk's Office.
36 a. Assembly Memorandum No. AM 144-2009(A), Gallos Mexican Restaurant #2833-
37 Restaurant Designation Permit for a Beverage Dispensary Liquor License (Taku/Campbell
38 Community Council), Clerk's Office. (*Addendum*)
39 9.D.2. Assembly Memorandum No. AM 169-2009, **Comfort Suites of Anchorage #4863**-Application for a
40 New Restaurant Eating Place Liquor License (Spenard Community Council), Clerk's Office.
41 9.D.3. Assembly Memorandum No. AM 170-2009, **Crowne Plaza #4869**-Application for a New Beverage
42 Dispensary Tourism Duplicate Liquor License and Restaurant Designation Permit (Midtown
43 Community Council), Clerk's Office.
44 9.D.4. Assembly Memorandum No. AM 171-2009, **Jade #4865**-Application for a Beverage Dispensary
45 Duplicate Liquor License and Restaurant Designation Permit (Downtown Community Council), Clerk's
46 Office.

47
48 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.4)

- 49
50 9.D.5. Assembly Memorandum No. AM 172-2009, **Midnight Sun Brewing Co. #4866**-Application for
51 Transfer of Ownership/Location of a Brewery Liquor License (Abbott Loop Community Council),
52 Clerk's Office.
53 9.D.6. Assembly Memorandum No. AM 173-2009, **Club Elixir #0561**-Transfer of Ownership of a Beverage
54 Dispensary Liquor License (Mountain View Community Council), Clerk's Office.
55 9.D.7. Assembly Memorandum No. AM 174-2009, **Fantasies on 5th #4759**-Transfer of Ownership of a
56 Beverage Dispensary Liquor License (Mountain View Community Council), Clerk's Office.
57 9.D.8. Assembly Memorandum No. AM 175-2009, **PePe's Turnagain House #2805**-Transfer of Ownership
58 of a Beverage Dispensary Liquor License and Application for a Restaurant Designation Permit
59 (Turnagain Arm Community Council), Clerk's Office.
60 9.D.9. Assembly Memorandum No. AM 176-2009, **Polaris Distributors #4867**-Application for a New
61 Wholesale Liquor License (Taku/Campbell Community Council), Clerk's Office.
62 9.D.10. Assembly Memorandum No. AM 177-2009, **Today's Pizza #2568**-Transfer of Ownership of a
63 Restaurant Eating Place Liquor License (Spenard Community Council), Clerk's Office.
64 9.D.11. Assembly Memorandum No. AM 161-2009, 2009 grant to the Anchorage Boys & Girls Clubs of
65 America, the Southcentral Alaska Chapter to **operate the Mountain View Recreation Center** in the
66 amount of \$350,250, Anchorage Bowl Parks & Recreation Department.

67
68 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.11)

- 69
70 9.D.12. Assembly Memorandum No. AM 162-2009, 2009 grant to the NorthEast Community Center, Inc. to
71 **operate and manage the Northeast Community Center** in the amount of \$181,430, Anchorage
72 Bowl Parks & Recreation Department.

73
74 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.12)

- 75
76 9.D.13. Assembly Memorandum No. AM 163-2009, grant agreement to **Anchorage Project Access (APA)** to
77 fund general operations (\$75,000), Health and Human Services.
78

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

- 2
3 9.D.14. Assembly Memorandum No. AM 164-2009, contract with University of Alaska Anchorage to evaluate
4 the **Alaska Meth Education Project** (\$52,997.16), Health and Human Services.

5
6 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.14)

- 7
8 9.D.15. Assembly Memorandum No. AM 165-2009, approval of Amendment No. 3 to McKenna Brothers Paving
9 Inc. contract (27M&O243) to increase the contract by \$200,000 for the contract period ending September
10 30, 2009 for an amount Not To Exceed (NTE) \$1,245,000 for **road maintenance and summer work**
11 **program on an "as required" basis within the Girdwood Valley Service Area** (SA), Maintenance &
12 Operations Department.
13 9.D.16. Assembly Memorandum No. AM 166-2009, proprietary purchase of **computer hardware and**
14 **software maintenance support** from OpenERP Solutions for the Municipality of Anchorage,
15 Municipal Light & Power (ML&P) (\$30,345), Purchasing.
16 9.D.17. Assembly Memorandum No. AM 179-2009, sole source award to Kelly Services Inc. to provide
17 **temporary employment services** for a Data Analyst for the Municipality of Anchorage, Municipal
18 Light and Power Utility (ML&P) (\$70,000), Purchasing.
19 9.D.18. Assembly Memorandum No. AM 178-2009, cooperative purchase to Envision Product Design LLC for
20 furnishing a **Video X-ray System** to the Municipality of Anchorage, Anchorage Police Department
21 (APD) (\$56,829.40), Purchasing.
22 9.D.19. Assembly Memorandum No. AM 180-2009, proprietary purchase to ICOR Technology Inc. for
23 furnishing a **Bomb Disposal Robot** to the Municipality of Anchorage, Anchorage Police Department
24 (APD) (\$64,374), Purchasing.
25 9.D.20. Assembly Memorandum No. AM 181-2009, Change Order No. 1 to Purchase Order No. 280996
26 Habitat for Humanity for an **Affordable Housing Program** for the Municipality of Anchorage,
27 Department of Neighborhoods (\$100,000), Purchasing.
28 9.D.21. Assembly Memorandum No. AM 182-2009, Change Order No. 1 to Purchase Order No. 290141 with
29 Watson & Sons General Construction, Inc. for the **Lobby and Bathroom Renovation Project** for the
30 Municipality of Anchorage, Merrill Field Airport (\$37,250.33), Purchasing.
31 9.D.22. Assembly Memorandum No. AM 183-2009, proprietary purchase of various park amenities from
32 **Division 10 Products, Inc.** for the Municipality of Anchorage, Parks & Recreation Department
33 (\$140,240), Purchasing.
34 9.D.23. Assembly Memorandum No. AM 188-2009, proprietary purchase to Motorola, Inc. for providing **mobile**
35 **and portable radios** to the Municipality of Anchorage, Traffic Department and Office of Emergency
36 Management (\$2,571,058), Purchasing. (*Addendum*)
37 9.D.24. Assembly Memorandum No. AM 189-2009, **Request to Name the Trails in Far North Bicentennial**
38 **and Kincaid Parks**, Mayor's Office. (*Addendum*)
39

40 **9.E. INFORMATION AND REPORTS**

- 41 9.E.1. Information Memorandum No. AIM 2-2009, **Anchorage School District Ten-Year Capital**
42 **Improvement Plan: July 1, 2009 through June 30, 2019**, Anchorage School District.
43

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

- 45
46 9.E.2. Information Memorandum No. AIM 21-2009, Internal Audit Report 2009-04 - **Asset Management,**
47 **Eagle River/Chugiak Parks, Recreation and Community Development.**
48 9.E.3. Information Memorandum No. AIM 22-2009, Internal Audit Report 2009-05 - **Child Care Licensing,**
49 **Department of Health and Human Services.**
50 9.E.4. Information Memorandum No. AIM 24-2009, Internal Audit Report 2009-02 - **Purchasing Section,**
51 **Anchorage Water and Wastewater Utility.**
52 9.E.5. Information Memorandum No. AIM 27-2009, **Monthly Investment Report to the Assembly**, Finance.
53 9.E.6. Information Memorandum No. AIM 31-2009, **January 2009 Financial Reports**, Office of Management
54 & Budget.
55 9.E.7. Information Memorandum No. AIM 28-2009, HANDR 2008-6: a resolution concerning the purpose
56 and need portion of the environmental impact statement for the **Highway to Highway Project**,
57 Department of Neighborhoods.
58 9.E.8. Information Memorandum No. AIM 29-2009, **contracts awarded between \$50,000 and \$500,000**
59 **through formal competitive processes** for the month of February 2009, Purchasing.
60

61 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.E.8)

- 62
63 9.E.9. Information Memorandum No. AIM 30-2009, **Sole Source Procurement Report** for the month of
64 February 2009, Purchasing.
65

66 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (See item 10.E.9)

- 67
68 9.E.10. Information Memorandum No. AIM 32-2009, **clarification of signatory clause in IBEW Collective**
69 **Bargaining Agreement** (AR 2008-280), Employee Relations.
70

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

- 72
73 9.E.11. Information Memorandum No. AIM 33-2009, **FY 2008/2009 Budget Deficit**, Assembly Vice Chair
74 Coffey. (*Addendum*)
75 9.E.12. Information Memorandum No. AIM 34-2009, Assembly Information Memorandum Related to **Ballot**
76 **Proposition 9**, Office of Management & Budget. (*Addendum*)
77

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

- 1 9.F.1. Ordinance No. AO 2009-35, an ordinance amending Anchorage Municipal Code Chapter 23.10,
2 governing **building permits**, and amending Anchorage Municipal Code Section 23.15.H.101.3
3 governing sign permits, to clarify code compliance enforcement after work is completed in accordance
4 with approved plans and specifications, Assembly Vice-Chair Coffey, Assemblymember Selkregg.
5 P.H. 4-14-09.
6 a. Assembly Memorandum No. AM 146-2009.
- 7 9.F.2. Ordinance No. AO 2009-36, an ordinance amending Anchorage Code Section 2.30.080 governing
8 **Assembly procedural matters** not covered by municipal code, Assembly Vice-Chair Coffey. P.H. 4-
9 14-09.
- 10 9.F.3. Ordinance No. AO 2009-37, an ordinance of the Anchorage Assembly amending the zoning map and
11 providing for the **rezone of approximately 70 acres from T (Transition) and R-7 (Intermediate**
12 **Rural Residential District) to I-2 SL (Heavy Industrial District with Special Limitations)** for Parcel
13 1: that portion of N1/2 NE1/4 SE1/4, lying south of Lot 2 of U.S. Survey 9023. Parcel 2: that portion
14 of NE1/4 NW1/4 SE1/4, lying south of Lot 2 of U.S. Survey 9023. Parcel 3: that portion of W1/2
15 NW1/4 SE1/4, lying south of Lot 1 U.S. Survey 9023. Parcel 4: SE1/4 NW1/4 SE1/4, excepting U.S.
16 Survey 9789. Parcel 5: SW1/4 NE1/4 SE1/4. Parcel 6: SE1/4 NE1/4 SE1/4. Parcel 7: W1/2 W1/2
17 NE1/4 SW1/4 SE1/4. Parcel 8: NW1/4 SW1/4 SE1/4. All located within a portion of the SE1/4 of
18 Section 19, T16N, R1E, S.M., Alaska. Generally located east of Eklutna Village and south of the
19 Glenn Highway, in Chugiak, Alaska (Chugiak Community Council) (Planning and Zoning Commission
20 Case 2009-013), Planning Department. P.H. 4-14-09.
21 a. Assembly Memorandum No. AM 155-2009.
- 22 9.F.4. Ordinance No. AO 2009-38, an ordinance of the Anchorage Assembly amending the zoning map and
23 providing for the rezoning from R-5 (Rural Residential District) to B-3 SL (General Business District)
24 with Special Limitations for **Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat**
25 **65-81)**, containing approximately 1.4 acres, generally located at the southeast corner of the
26 intersection of Huffman Road and Brandon Street (Old Seward/Oceanview Community Council)
27 (Planning and Zoning Commission Case 2009-014), Planning Department. P.H. 4-14-09.
28 a. Assembly Memorandum No. AM 156-2009.
- 29 9.F.5. Ordinance No. AO 2009-39, an ordinance of the Anchorage Assembly amending the zoning map and
30 providing for the rezoning of approximately 13.8 acres from R-1A (Single Family Residential District) to
31 R-4 SL (Multiple-Family Residential District with Special Limitations) for **Tracts B-1 And B-2, Green**
32 **Subdivision**, an unsubdivided parcel known as the South 80 feet of the North 320 feet of the South
33 570 feet of the West 150 feet of the East 600 feet, and an unsubdivided parcel known as North 240
34 feet of South 570 feet of the West 150 feet of the East 600 feet, in T12N, R3W, Section 17, S.M. AK,
35 generally located on the north side of O'Malley Road, between Lake Otis Parkway and Independence
36 Drive (Abbott Loop Community Council) (Planning and Zoning Commission Case 2007-077-2),
37 Planning Department. P.H. 4-21-09.
38 a. Assembly Memorandum No. AM 157-2009.
- 39 9.F.6. Ordinance No. AO 2009-40, an ordinance repealing Anchorage Municipal Code Chapter 16.60
40 regarding the **Anchorage Food Code** and repealing the Anchorage Municipal Code of Regulations
41 16.60 regarding Food and Food Facilities and re-enacting Chapter 16.60 and amending the Fine
42 Schedule in Section 14.60.030, Health and Human Services. P.H. 4-21-09.
43 a. Assembly Memorandum No. AM 158-2009.

44
45 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.F.6)

- 46
47 9.F.7. Ordinance No. AO 2009-41, an ordinance amending Anchorage Municipal Code Sections 15.35.040
48 and 15.35.050, and adding a new section to **regulate the sale and installation of wood-fired**
49 **boilers**, Health and Human Services. P.H. 4-21-09.
50 a. Assembly Memorandum No. AM 159-2009.

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

- 53
54 9.F.8. Ordinance No. AO 2009-42, an ordinance authorizing **sale of tax foreclosed property** described as
55 Lot 32 Remnant, Block 3, Earl Ray Subdivision, Plat #64-0078, located in Peters Creek (TID #051-
56 113-22-000), Heritage Land Bank/Real Estate Services. P.H. 4-14-09.
57 a. Assembly Memorandum No. AM 167-2009.
- 58 9.F.9. Resolution No. AR 2009-73, a resolution of the Municipality of Anchorage appropriating \$21,602 to the
59 Areawide General CIP Fund (401), \$17,278 to the Anchorage Fire Service Area CIP Fund (431),
60 \$398,603 to the Anchorage Roads and Drainage Service Area CIP Fund (441), and \$3,676 to the
61 Anchorage Parks and Recreation Service Area CIP Fund (461) for the total amount of \$441,159 of
62 2008 General Obligation Series "A" bond premium to pay **bond issuance costs**, Finance. P.H. 4-14-
63 09.
64 a. Assembly Memorandum No. AM 152-2009.
- 65 9.F.10. Resolution No. AR 2009-74, a resolution of the Municipality of Anchorage appropriating \$311,585 from
66 the State Of Alaska, Division of Homeland Security and Emergency Management, under the 2008
67 Metropolitan Medical Response System (MMRS) grant program, and a contribution of \$12,130 from
68 the Areawide General Fund (101), Anchorage Fire Department 2009 Operating Budget, to the State
69 Categorical Grants Fund (231), Anchorage Fire Department, to support the **deployment of an**
70 **Electronic Patient Care Reporting and Tracking System**, and related enhancements to existing
71 incident response and emergency information management and notification capabilities, Anchorage
72 Fire Department. P.H. 4-14-09.
73 a. Assembly Memorandum No. AM 153-2009.
- 74 9.F.11. Resolution No. AR 2009-75, a resolution of the Municipality of Anchorage appropriating \$135,195 from
75 the U.S. Environmental Protection Agency and \$323,000 as a contribution from the 2009 Department
76 of Health and Human Services General Government Operating Budget Fund (101) to the Federal
77 Categorical Grants Fund (241) for the **Air Quality Program** in the Department of Health and Human
78 Services. P.H. 4-14-09.

- 1 a. Assembly Memorandum No. 154-2009.
2 9.F.12. Resolution No. AR 2009-79, a resolution of the Municipality of Anchorage, Alaska, accepting five State
3 of Alaska Drinking Water Fund loan agreements in the aggregate amount of \$2,289,000 for financing
4 a portion of the costs of the Juneau 21st Water Upgrade, Island-Kodiak-Kalgin Water Upgrade,
5 Two Way Radio Upgrade-Water, 3000 Arctic HVAC Upgrade, and 68th Avenue Redhawk Intertie
6 projects, Anchorage Water and Wastewater Utility. P.H. 4-28-09.
7 a. Assembly Memorandum No. AM 168-2009.

8
9 Chair Drummond called for a vote on the amended Consent Agenda.

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

12
13 AYES: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Coffey, Selkregg, Ossiander, Flynn and Johnston.
14 NAYS: None.

15
16 The amended Consent Agenda was approved and Chair Drummond led the body into discussion of the pulled items.

17
18 **END OF CONSENT AGENDA**

19
20 **10. REGULAR AGENDA**

21 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** There were none.

22 10.A.1. Resolution No. AR 2009-81, a resolution of the Anchorage Municipal Assembly recognizing and
23 honoring **Coralynn Foreman** for her 18 years of service to the children and community as Assistant
24 Manager of the Child and Adult Care Licensing Program in the Department of Health and Human
25 Services. (*Addendum*)

26
27 Mr. Coffey moved, to approve AR 2009-81.
28 Ms. Gray-Jackson seconded,
29 and the motion passed, 10-0.

30
31 Mr. Birch read and Ms. Johnston presented the resolution to Coralynn Foreman, recognizing her for her 18 years of
32 service with the Child and Adult Care Licensing Program. Ms. Foreman thanked the Assembly and her staff for
33 supporting quality childcare in Anchorage.

34
35 **10.B. RESOLUTIONS FOR ACTION - OTHER**

36 10.B.3. Resolution No. AR 2009-70, a resolution appropriating \$40,657 from the Department of Health and
37 Human Services Animal Control Donation Account, Miscellaneous Operational Grants Fund (261) for
38 the development of an **On-Site Spay Neuter Clinic** at the Anchorage Animal Care and Control Center
39 through the Department of Health and Human Services.
40 a. Assembly Memorandum No. AM 149-2009.

41
42 Ms. Ossiander moved, to approve AR 2009-70.
43 Mr. Gutierrez seconded,

44
45 Ms. Ossiander explained the process and recommended increasing the deposit to create an incentive for new owners
46 to spay and neuter newly adopted pets.

47
48 To Mr. Gutierrez, Dr. Selkregg, and Mr. Coffey, Health and Human Services Director Diane Ingle responded to
49 questions concerning preferring spaying and neutering before adoption, dedicating a room at the Control Center for
50 operations, getting additional information, continuing the matter to a future date and prearranging committed
51 volunteers and veterinarians. Chair Drummond urged that the matter be addressed that evening because dogs and
52 cats continued to be born.

53
54 Dr. Selkregg moved, to continue AO 2009-70 to May 12, 2009.
55 Mr. Coffey seconded,
56 and the motion to continue passed, 10-0.

57
58 10.B.7. Resolution No. AR 2009-77, a resolution authorizing the **procurement of independent legal service**
59 **to the Assembly** (Anchorage Municipal Code 7.20.060K), Assemblymember Selkregg, Assembly
60 Vice-Chair Coffey.

61 a. Resolution No. AR 2009-77(S), a resolution authorizing the procurement of independent legal
62 service to the Assembly (Anchorage Municipal Code 7.20.060K), Assemblymember Selkregg,
63 Assembly Vice-Chair Coffey. (*Addendum*)

64
65 Dr. Selkregg moved, to approve AR 2009-77(S).
66 Mr. Coffey seconded,

67
68 Dr. Selkregg, Ms. Ossiander, Ms. Gray-Jackson, Mr. Coffey, Mr. Gutierrez, Mr. Starr and Dr. Selkregg commented on
69 the legal options and ramifications being addressed by April 14th, Assembly involvement in collective bargaining, the
70 Assembly already having an attorney, addressing and understanding Title 3, a not-to-exceed cost for the service,
71 conflicting data, the benefits to the Assembly and the Assembly not being able to afford it right now.

72
73 and the motion passed, 7-3.

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

77

1 10.B.10. Resolution No. AR 2009-82, a resolution of the Anchorage Municipal Assembly **supporting**
2 **acceptance of federal Stimulus funding** and urging the Legislature to build consensus to convince
3 the Governor to **reconsider** rejection in favor of acceptance; Assemblymember Selkregg, Assembly
4 Chair Drummond. (*Laid on the Table*)
5

6 Ms. Ossiander moved, to approve AR 2009-82.
7 Mr. Coffey seconded,
8

9 Ms. Ossiander, Mr. Gutierrez, Dr. Selkregg, Mr. Coffey, Ms. Johnston, Mr. Birch, Ms. Gray-Jackson and Chair
10 Drummond discussed the acceptance being premature, ongoing projects, creating an expectation of continuance,
11 citizens benefitting, real needs in the community, taking responsibility, continuing federal obligations, the Legislature
12 working with Governor Palin, the Governor shifting her consideration of federal funds and continuing mandates.
13

14 and the motion failed, 5-5.

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

18 **10.C. BID AWARDS** None were pulled for review.
19

20 **10.D. NEW BUSINESS**

21 10.D.4. Assembly Memorandum No. AM 171-2009, Jade #4865-Application for a Beverage Dispensary
22 Duplicate Liquor License and Restaurant Designation Permit (Downtown Community Council), Clerk's
23 Office.
24

25 Ms. Ossiander moved, to postpone AM 171-2009 to April 14th.
26 Mr. Coffey seconded,
27

28 Ms. Ossiander stated that the owner was in Texas and the application was incomplete. Mr. Flynn responded this was
29 the restaurant located in the lobby of the Sheraton Hotel. Mr. Coffey urged approval of the application.
30

31 and the motion to postpone failed unanimously, 0-10.
32

33 Mr. Coffey moved, to approve AM 171-2009.
34 Dr. Selkregg seconded,
35 and the motion passed, 10-0.
36

37 10.D.11. Assembly Memorandum No. AM 161-2009, 2009 grant to the Anchorage Boys & Girls Clubs of
38 America, the Southcentral Alaska Chapter to **operate the Mountain View Recreation Center** in the
39 amount of \$350,250, Anchorage Bowl Parks & Recreation Department.
40

41 Ms. Ossiander moved, to approve AM 161-2009.
42 Mr. Flynn seconded,
43

44 Ms. Ossiander stated that she supported the Boys and Girls Club, but she was proposing cuts to nearly everything.
45

46 Ms. Gray-Jackson declared a possible conflict of interest because she was on the Mountain View Recreation Center
47 Board. She responded to Chair Drummond's questioned about a possible conflict. Chair Drummond ruled that Ms.
48 Gray-Jackson had no conflict and ordered that she participate in the matter. There were no objections.
49

50 Ms. Ossiander moved, to amend AM 161-2009 *by reducing the grant to the Mountain*
51 *View Recreation Center by 1% (\$3,502.50) [~~\$350,250~~*
52 *\$346,747.50.*
53

54 Acting Mayor Claman opposed a reduction. Dr. Selkregg concurred.
55

56 To Mr. Flynn's request, about seventy people stood to show their support for the Boys and Girls Club.
57

58 and the motion to amend failed, 4-6.
59

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

63 and the main motion passed, 10-0.
64

65 10.D.12. Assembly Memorandum No. AM 162-2009, 2009 grant to the NorthEast Community Center, Inc. to
66 **operate and manage the Northeast Community Center** in the amount of \$181,430, Anchorage
67 Bowl Parks & Recreation Department.
68

69 Ms. Ossiander moved, to approve AM 162-2009.
70 Mr. Gutierrez seconded,
71

72 Mr. Coffey declared a direct financial conflict of interest because he owned 31% of the Muldoon Mall where the
73 Northeast Community Center was located. Chair Drummond ruled that Mr. Coffey had a conflict of interest and
74 ordered that he not participate in the matter. There were no objections.
75

76 Ms. Ossiander moved, to amend AM 162-2009 *by reducing the grant to the*
77 *Northeast Community Center by 1% (\$1,814.30)*
78

1 and the motion failed, 4-5. [\$484,430] \$179,615.70.

2
3 AYES: Starr, Birch, Ossiander and Johnston.
4 NAYS: Gutierrez, Gray-Jackson, Drummond, Selkregg and Flynn.
5 ABSTAIN: Coffey, due to a conflict of interest.

6
7 and the main motion passed, 9-0,
8 with Mr. Coffey abstaining due to a conflict of interest.

9
10 10.D.13. Assembly Memorandum No. AM 163-2009, grant agreement to **Anchorage Project Access (APA)** to
11 fund general operations (\$75,000), Health and Human Services.

12
13 Ms. Ossiander moved, to approve AM 163-2009.
14 Mr. Flynn seconded,

15
16 Ms. Ossiander moved, to amend AM 163-2009 *by reducing* the grant to Anchorage
17 Mr. Birch seconded, Project Access by 1% (\$750) [~~\$75,000~~] \$74,250.
18 and the motion failed, 4-6.

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

22
23 and the main motion passed, 10-0.

24
25 10.D.14. Assembly Memorandum No. AM 164-2009, contract with University of Alaska Anchorage to evaluate
26 the **Alaska Meth Education Project** (\$52,997.16), Health and Human Services.

27
28 Ms. Ossiander moved, to approve AM 164-2009.
29 Mr. Gutierrez seconded,

30
31 Ms. Ossiander moved, to amend AM 164-2009 *by reducing* the contract for the
32 Mr. Coffey seconded, Alaska Meth Education Project by 5% (\$2,650) [~~\$52,997~~]
33 \$50,347.30.
34 *and the motion was later withdrawn.*

35 Mr. Gutierrez stated that he would not support a cut to the program. Meth (*Methamphetamine*) Education Coordinator
36 Allison Biastock responded that heroin was a main concern in the community. To Mr. Coffey, Ms. Biastock responded
37 this was all federal funding and involved no local funding. Ms. Ossiander withdrew her amendment.

38
39 and the main motion passed, 10-0.

40
41 **10.E. INFORMATION AND REPORTS**

42 10.E.1. Information Memorandum No. AIM 2-2009, **Anchorage School District Ten-Year Capital**
43 **Improvement Plan: July 1, 2009 through June 30, 2019**, Anchorage School District.

44
45 Ms. Ossiander moved, to accept AIM 2-2009.
46 Ms. Johnston seconded,

47
48 Ms. Ossiander, Dr. Selkregg, Mr. Coffey and Chair Drummond addressed creating the Ten-Year Capital Improvement
49 Plan, the purpose of the plan, the plan being based on a \$90 million bond every other year, needing a better
50 understanding of allocating available resources, Revenue Sharing, the School District's repair and maintenance
51 budget and the taxpayers being ultimately responsible.

52
53 and the motion passed, 10-0.

54
55 10.E.8. Information Memorandum No. AIM 29-2009, **contracts awarded between \$50,000 and \$500,000**
56 **through formal competitive processes** for the month of February 2009, Purchasing.

57
58 Ms. Ossiander moved, to accept AIM 29-2009.
59 Ms. Johnston seconded,

60
61 Ms. Ossiander, Mr. Starr, Dr. Selkregg and Mr. Coffey addressed public involvement, contracting out services,
62 supporting local hire rather than contracting to outside firms, the \$20 million deficit and employees being laid off.

63
64 Dr. Selkregg declared a possible conflict of interest because her niece worked for Agnew Beck. Chair Drummond
65 ruled that Dr. Selkregg did not have a conflict of interest and ordered that she participate. There were no objections.

66
67 and the motion passed, 10-0.

68
69 10.E.9. Information Memorandum No. AIM 30-2009, **Sole Source Procurement Report** for the month of
70 February 2009, Purchasing.

71
72 Dr. Selkregg stated that she had mistakenly pulled this item.

73
74 Mr. Coffey moved, to accept AIM 30-2009.
75 Ms. Ossiander seconded,
76 and this was approved without objection.

77

10.E.10. Information Memorandum No. AIM 32-2009, clarification of signatory clause in IBEW Collective Bargaining Agreement (AR 2008-280), Employee Relations.

Ms. Ossiander moved, to take up AIM 32-2009 at the end of the Agenda.
Mr. Coffey seconded,
and this was approved without objection.

(Clerk's Note: AIM 32-2009 was carried Over to April 14th.)

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.6. Ordinance No. AO 2009-40, an ordinance repealing Anchorage Municipal Code Chapter 16.60 regarding the **Anchorage Food Code** and repealing the Anchorage Municipal Code of Regulations 16.60 regarding Food and Food Facilities and re-enacting Chapter 16.60 and amending the Fine Schedule in Section 14.60.030, Health and Human Services. P.H. [April-24] May 12, 2009.
a. Assembly Memorandum No. AM 158-2009.

Ms. Ossiander moved, to introduce AO 2009-40 and to change Public Hearing to
Mr. Coffey seconded, [April-24] May 12, 2009.
Mr. Birch was the concurring third.

10.F.7. Ordinance No. AO 2009-41, an ordinance amending Anchorage Municipal Code Sections 15.35.040 and 15.35.050, and adding a new section to **regulate the sale and installation of wood-fired boilers**, Health and Human Services. P.H. [April-24] June 23, 2009.
a. Assembly Memorandum No. AM 159-2009.

Ms. Ossiander moved, to introduce AO 2009-41 and to change Public Hearing to
Mr. Coffey seconded, [April-24] June 23, 2009.
Mr. Birch was the concurring third.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Ordinance No. AO 2008-135(S), an ordinance amending Anchorage Municipal Code Chapter 3.70 regarding **Assembly Approval of Collective Bargaining Agreements, Amendments and Administrative Letters** retroactive to December 1, 2008, Assembly Vice-Chair Coffey.
(Public Hearing was Closed 1-20-09; Action was Postponed from 1-20-09 and 2-24-09)

Mr. Coffey moved, to postpone AO 2008-135(S) to June 9, 2009.
Dr. Selkregg seconded,
and this passed without objection, 10-0.

11.B. Ordinance No. AO 2009-16, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 8, Penal Code, by adding a new section in Chapter 8.75 addressing **unauthorized implementation of labor agreements**, Vice-Chair Coffey and Assemblymember Starr.
(Public Hearing was Closed 2-24-09; Action was Postponed from 2-24-09)

Mr. Coffey moved, to postpone AO 2009-16 to June 9, 2009.
Ms. Ossiander seconded,
and this passed without objection, 10-0.

11.C. Resolution No. AR 2009-66, a resolution of the Anchorage Assembly on the **motion to rescind Assembly action approving Assembly Resolution 2008-307** ratifying a five year Collective Bargaining Agreement between the Municipality of Anchorage and the Anchorage Police Department Employees Association, Assemblymember Starr.
1. Assembly Memorandum No. AM 145-2009. (Carried Over from 3-3-09) (Laid on the Table)

To Mr. Starr, Chair Drummond responded that a motion to rescind needed to be presented prior to addressing the resolution and that Assembly action would require eight affirmative votes to approve. Mr. Coffey recommended that Mr. Starr bring forth his notice of intent to rescind on May 26th and that the matter be heard on June 9th.

12. APPEARANCE REQUESTS

12.A. **Anthony Estabrook**, regarding transportation.

ANTHONY ESTABROOK testified that he and other handicapped citizens were dependent upon bus service and sidewalks being cleaned. Dr. Selkregg, Mr. Gutierrez and Ms. Gray-Jackson thanked him for testifying and told him that the Assembly understood the importance of public services.

12.B. **James D. Stewart** on the behalf of the Fraternal Order of Eagles #4174, to discuss the negative social and financial impacts suffered due to the second hand smoke control ordinance.

JAMES STEWART testified that the Fraternal Order of Eagles #4174 opposed the smoking ordinance because members quit coming to the bar. He requested an exception to allow smoking in their club to be able to stay in business. To Mr. Gutierrez, he responded that members stayed at home. Chair Drummond recommended adding a smoking shack. Ms. Ossiander stated that the Assembly had not supported a proposal to exempt private clubs.

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2008-136, an ordinance amending Anchorage Municipal Code Sections 21.35.020 Definitions and Rules of Construction, 21.40 Zoning Districts, 21.45 Supplementary District Regulations, and 21.50 Standards for Conditional Uses and Site Plans, to define **Wind Energy Conversion Systems (WECS)**, to allow WECS in certain zoning districts as accessory uses by

1 administrative site plan review and as conditional uses, to set general standards and conditional use
2 standards, Planning Department.

3 1. Assembly Memorandum No. AM 843-2008. *(Carried Over from 3-3-09)*
4

5 Chair Drummond opened Public Hearing. There was no one to testify. Ms. Ossiander reported the Title 21 Committee
6 was still addressing wind energy.

7
8 Ms. Ossiander moved, *to continue* AO 2008-136 to May 26, 2009.

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

11
12 13.B. Ordinance No. AO 2009-31, an ordinance of the Anchorage Municipal Assembly amending Anchorage
13 Code Section 12.25.040 to include payments in lieu of taxes from municipal utilities, departments,
14 agencies, public corporations, and enterprise authorities; to use a five-year average to calculate any
15 increase in the Consumer Price Index; and to phase in application of the amended tax limitation
16 calculation, Assembly Chair Drummond, Assemblymember Selkregg. *(Carried Over from 3-3-09)*
17

18 Dr. Selkregg stated it was her intent to get more information.

19
20 Dr. Selkregg moved, *to postpone indefinitely* AO 2009-31.

21 Mr. Coffey seconded,
22 and the motion passed, 10-0.
23

24 14. NEW PUBLIC HEARINGS

25 14.A. Ordinance No. AO 2009-17, an ordinance determining and approving the total amount of the **annual**
26 **operating budget of the Anchorage School District** for its fiscal year 2009-2010 and determining
27 and appropriating the portion of the Assembly approved budget amount to be made available from
28 local sources, Anchorage School District.

29 1. Assembly Memorandum No. AM 73-2009.

30 2. Ordinance No. AO 2009-17(S), an ordinance determining and approving the total amount of
31 the annual operating budget of the Anchorage School District for its fiscal year 2009-2010 and
32 determining and appropriating the portion of the Assembly approved budget amount to be
33 made available from local sources, Anchorage School District. ***(Addendum)***

34 3. Assembly Memorandum No. AM 73-2009(A). ***(Addendum)***
35

36 Chair Drummond opened Public Hearing.

37
38 TOM McGRATH testified that it was not fair that the Anchorage School District (ASD) was not making sacrifices, when
39 a city with flat revenue and citizens with flat incomes paid more taxes. He urged the Assembly to keep the funding the
40 same as last year or decrease it a slight amount to let the public know they were acknowledging the economic crisis.

41
42 ROB TIMMINS testified the current ASD Budget was irresponsible and unsustainable and that very little of the budget
43 went directly to education. He urged the Assembly to approve the same amount as last year or a slight decrease.
44

45 JEFF FRIEDMAN, Anchorage School Board (ASB) President, and CAROL COMEAU Superintendent of Schools,
46 testified in support of the ASD Budget. The top priorities remained student performance and reducing the dropout rate.
47 All ASD funds were directed towards educating students and included funding for maintenance and support services.
48 Mr. Friedman and Superintendent Comeau responded to questions from Mr. Birch, Ms. Johnston, Dr. Selkregg, Chair
49 Drummond and Mr. Coffey concerning contracting out snow removal services, the State providing funds to the
50 retirement fund, extending the five-year computer replacement schedule, Anchorage's population having a higher
51 proportion of students, the burden to taxpayers, increased federal mandates and increased education costs, an eight-
52 to-one employee-to-student ratio, the \$20 million deficit and finding efficiencies.
53

54 MICHAEL GRAHAM, East High School Principal and Anchorage Principal's Association President, testified in support
55 of the ASD Budget. He responded to questions from Ms. Johnston, Mr. Birch, Chair Drummond, Mr. Starr and Ms.
56 Ossiander concerning the budget process, dropout and homeschooled students, the Special Education Division being
57 separately calculated, enrollment numbers, and bargaining groups being asked to renegotiate contracts.
58

59 CORINNE McVEE, with Anchorage Council of Education (ACE) Union, representing 450 ASD employees, urged
60 approval of the budget. Regardless of the economy, every kid deserved the best education the city could offer. Ms.
61 McVee responded to questions from Ms. Ossiander, Chair Drummond, Dr. Selkregg, Ms. Johnston and Mr. Gutierrez
62 concerning the \$20 million deficit, all departments and unions making cuts, the deficit being everyone's problem,
63 students being the top priority and a description of ACE employees.
64

65 TIM STEELE, ASB Member and single parent raising two children on a fixed income, addressed the increased
66 assessed value of property, the tax mill rate, the school district being healthy and finding other funding sources. To
67 Mr. Coffey, Mr. Steele responded the ASD's was independent of the city's budget and their budget was not out of line.
68

69 ANDY HOLLIMAN, Anchorage Education Association Vice President, testified that ASD employees paid for things out
70 of their pockets in order to do their jobs. He urged the Assembly to tax to the cap for education to support schools.
71

72 HAROLD GREEN, Principal of Stellar School testifying as a citizen, stated that schools were much more than schools
73 and could not be defined in terms of dollars and cents. Reducing programs would lead students to lose their will and
74 desire to go to school and the police department would deal with troubled kids causing trouble in the community.
75

76 SHANNA MALL, Winterberry Charter School Principal, testified in support of the budget. When the ASD made cuts in
77 the past there were increased safety risks. To Dr. Selkregg and Chair Drummond, she responded to questions
78 concerning the deficit, putting things off for a year and charter schools paying rent out of the student allocation.

1
2 There was no additional public testimony and Chair Drummond closed Public Hearing.

3
4 Ms. Johnston moved, to approve AO 2009-17(S).
5 Mr. Flynn seconded,

6
7 Ms. Johnston moved, to amend AO 2009-17(S) on Page 1, Section 1, Lines 14-15,
8 Mr. Starr seconded, *by adding* to read: Financial Plan in the amount of
9 ~~\$759,074,931~~ ~~[\$762,044,825]~~ has been approved by the
10 Anchorage Assembly and that, of said amount, the amount of
11 ~~\$229,188,684~~ ~~[\$233,028,547]~~ is the amount of money to be
12 contributed from local property taxes or other local sources
13 and is hereby appropriated for school purposes to fund the
14 School District for its 2009-2010 fiscal year.

15
16 Ms. Gray-Jackson, Mr. Gutierrez and Ms. Johnston commented on the two different tax caps, the Budget and Finance
17 Committee and the ASD Budget Advisory Board addressing shared services and finding efficiencies, proposed cuts,
18 the global recession and the 2% cut being a statement that the ASD was working with the city.

19
20 Dr. Selkregg, Mr. Coffey and Ms. Ossiander and Chief Fiscal Officer Sharon Weddleton discussed the effect of the
21 amendment, each tax calculation being independent, the mill levies and there being confusion about the calculation.

22
23 Mr. Flynn, Ms. Ossiander, Ms. Gray-Jackson, Mr. Coffey, Mr. Gutierrez, Mr. Birch and Chair Drummond discussed the
24 Assembly mitigating property tax concerns, always putting education first, not supporting the proposed ASD Budget,
25 taxing to the cap, the amendment providing direct tax relief, there being one tax cap regulation in Code, but there
26 being a practice of completing two calculations, the tax cap limitation being addressed in the Charter, the Assembly
27 adjusting the ASD Budget and using those funds, requesting a legal opinion, education being a priority, not supporting
28 the cut, the Assembly having a duty to support education and the proposed cut being the cost of two lattes per month.

29
30 To Dr. Selkregg, Ms. Weddleton responded that Mr. Coffey's point about having one limitation on the tax caps was
31 intriguing, but that she had never seen transfers between the two calculations.

32
33 and the motion passed, 6-4.

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

37
38 Ms. Ossiander, Mr. Starr, Mr. Flynn, Mr. Coffey and Dr. Selkregg commented on reviewing a previous Assembly
39 discussion on the tax cap, addressing the tax rate and mill rate calculations, not understanding tax increases, the
40 budget not reflecting the current economic challenges, continually increasing taxes, the city's ability to collect revenue,
41 constituents not supporting increases, following the law and the legal framework of tax structure lacking clarity.

42
43 and the motion passed, 9-1.

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

47
48 Ms. Ossiander moved, for immediate reconsideration of AO 2009-17(S).
49 Mr. Birch seconded,

50
51 Mr. Coffey urged a NO-vote.

52
53 and the motion failed without objection, 0-10.

54
55 AYES: None.
56 NAYS: Starr, Gutierrez, Gray-Jackson, Birch, Drummond, Coffey, Selkregg, Ossiander, Flynn and Johnston.

57
58 (Clerk's Note: On March 3, 2009 Acting Mayor Claman vetoed AO 2009-17(S). The Assembly did not override his
59 veto, so per Code, AO 2009-17 became the ASD Budget for 2009-2010.)

- 60
61 14.B. Ordinance No. AO 2009-33, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
62 providing for the issuance of Not To Exceed \$150,000,000 in aggregate principal amount of **Tax**
63 **Anticipation Notes**; fixing certain details of said notes; providing for the form and manner of sale of
64 said notes; pledging the receipts from ad valorem property taxes to be collected during Year 2009 and
65 the full faith and credit to the payment thereof; delegating certain matters to the Chief Fiscal Officer in
66 connection with the sale of the notes; and appropriating \$982,965 of interest earnings to pay interest
67 expense and issuing costs for the notes, Finance.
68 1. Assembly Memorandum No. AM 131-2009.
69 2. Information Memorandum No. AIM 26-2009, Proposed 2009 Tax Anticipation Notes (TAN)
70 Transaction scheduled for public hearing on March 24, 2009, Finance.

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

73
74 Ms. Gray-Jackson moved, to approve AO 2009-33.
75 Ms. Johnston seconded,

76
77 To Mr. Starr, Chief Fiscal Officer Sharon Weddleton responded the city's revenue came in all at once.
78

1 and the motion passed, 9-0.
2 *(Clerk's Note: Mr. Flynn was temporarily out of Chambers at the time of the vote.)*
3

4 Mr. Coffey moved, *to Change the Order of the Day to take up Agenda items*
5 Ms. Ossiander seconded, *14.N, 14.P, 14.Q, 14.T, 14.U and 14.H.*
6 and there was no objection.
7

8 14.C. Ordinance No. AO 2009-27, an ordinance of the Anchorage Municipal Assembly amending Anchorage
9 Municipal Code Section 3.70.090, **Collective Bargaining**, relating to representatives authorized to
10 negotiate on behalf of the Municipality and notice to the Assembly of initiation of collective bargaining;
11 Assemblymember Ossiander.

- 12 1. Ordinance No. AO 2009-27(S), an ordinance of the Anchorage Municipal Assembly amending
13 Anchorage Municipal Code Section 3.70.090, Collective Bargaining, relating to
14 representatives authorized to negotiate on behalf of the Municipality and notice to the
15 Assembly of initiation of collective bargaining; Assemblymember Ossiander.
16

17 *(Clerk's Note: AO 2009-27 was Carried Over to April 14, 2009.)*
18

19 14.D. **FIRST PUBLIC HEARING:** Resolution No. AR 2009-67, a resolution of the Anchorage Municipal
20 Assembly **amending and revising the 2009 General Government Operating Budget** to reduce
21 appropriations, Assemblymembers, Coffey, Starr and Johnston.

- 22 1. Assembly Memorandum No. AM 190-2009, AO 2009-34 - an ordinance of the Anchorage
23 Municipal Assembly amending Ordinance AO 2008-102(S) amending appropriations to funds
24 for the 2009 (Updated) General Government Operating Budget for the Municipality of
25 Anchorage. AR 2009-67 – a resolution of the Anchorage Municipal Assembly amending and
26 revising the 2009 General Government Operating Budget to reduce appropriations; Assembly
27 Vice Chair Coffey. **(Addendum)**
28

29 *(Clerk's Note: AR 2009-67 was Carried Over to April 14, 2009.)*
30

31 14.E. Ordinance No. AO 2009-34, an ordinance of the Municipality of Anchorage amending Ordinance AO
32 2008-102(S) **amending appropriations to funds for the 2009 (Updated) General Government**
33 **Operating Budget** for the Municipality of Anchorage, Assemblymembers Coffey, Starr and Johnston.

- 34 1. Assembly Memorandum No. AM 190-2009, AO 2009-34 - an ordinance of the Anchorage
35 Municipal Assembly amending Ordinance AO 2008-102(S) amending appropriations to funds
36 for the 2009 (Updated) General Government Operating Budget for the Municipality of
37 Anchorage. AR 2009-67 – a resolution of the Anchorage Municipal Assembly amending and
38 revising the 2009 General Government Operating Budget to reduce appropriations; Assembly
39 Vice Chair Coffey. **(Addendum)**
40

41 *(Clerk's Note: AO 2009-34 was Carried Over to April 14, 2009.)*
42

43 14.F. Ordinance No. AO 2009-22, an ordinance amending Anchorage Municipal Code Sections 21.35.020,
44 21.45.080, 21.50.170, and sections in Chapter 21.40, to replace Computer Aided Learning and Family
45 Self Sufficiency uses with **Social Service Facility use**, allow social service facilities in various zoning
46 districts, and adopting conditional use and parking standards for these uses (Case 2008-157),
47 Planning Department.

- 48 1. Assembly Memorandum No. AM 81-2009.
49

50 *(Clerk's Note: AO 2009-22 was Carried Over to April 14, 2009.)*
51

52 14.G. Ordinance No. AO 2009-23, an ordinance amending Anchorage Municipal Code Section
53 21.40.130B.10., correcting an omission in AO 2005-124(S-1A), relating to **adult care use** in the R-O
54 (Residential-Office) District, Planning Department.

- 55 1. Assembly Memorandum No. AM 90-2009.
56

57 *(Clerk's Note: AO 2009-23 was Carried Over to April 14, 2009.)*
58

59 14.H. Ordinance No. AO 2009-24, an ordinance of the Anchorage Assembly amending the zoning map and
60 providing for the rezoning from I-2 SL (Heavy Industrial District) with Special Limitations per AO 85-
61 125 AA to I-2 SL (Heavy Industrial District) with Special Limitations for **Tract 38, lying within Section**
62 **5, Section 7, and Section 8, T15N, R1W, Seward Meridian, AK** per BLM Plat dated November 21,
63 1991, except all that portion lying within said Section 7; and all that portion lying within the West ½ and
64 Southwest ¼ of the Northwest ¼ of Section 8, generally located east of Birchwood Spur Road and
65 north and east of South Birchwood Loop Road in Chugiak (Birchwood Community Council) (Planning
66 and Zoning Commission Case 2008-130), Planning Department.

- 67 1. Assembly Memorandum No. AM 91-2009.
68

69 Mr. Flynn stated that the Assembly had previously determined that he had a conflict of interest and that he would not
70 participate in the matter. There were no objections. Chair Drummond opened Public Hearing.
71

72 CHRIS LOSCHER, a lifelong Chugiak resident, testified about his concern and possible impacts to the area.
73

74 TIM POTTER, representing Eklutna, testified in support of the zoning modifications and explained the plan. He
75 responded to questions from Mr. Coffey, Dr. Selkregg and Mr. Starr concerning the gravel excavation, the vegetative
76 buffer for the industrial park, describing the property, treating drainage water, monitoring wells in the area and not
77 allowing outside dumping. Mr. Starr urged for approval of the ordinance.
78

1 Mr. Coffey moved, to extend the meeting to complete AO 2009-24.
2 Ms. Ossiander seconded,
3 and there was no objection.
4

5 There was no additional testimony and Chair Drummond closed Public Hearing.
6

7 Mr. Coffey moved, to approve AO 2009-24.
8 Mr. Starr seconded,
9

10 Ms. Ossiander stated that she would support the conditional use because Mr. Potter had done outreach work and it
11 was supported by the local community council. This industrial area would be a potential concern in the future and
12 there should be standards in place in advance to protect the residents and the surrounding area.
13

14 and the motion passed, 9-0,
15 with Mr. Flynn abstaining due to a conflict of interest.
16

17 14.I. Ordinance No. AO 2009-25, an ordinance authorizing **retention of six tax foreclosed properties in**
18 **Laurel Acres Subdivision** for public purposes pursuant to Anchorage Municipal Code Section
19 25.30.035B., Heritage Land Bank/Real Estate Services.
20 1. Assembly Memorandum No. AM 92-2009.
21

22 (Clerk's Note: AO 2009-25 was Carried Over to April 14, 2009.)
23

24 14.J. Resolution No. AR 2009-32, a resolution of the Municipality of Anchorage, Alaska, accepting six **State**
25 **of Alaska Drinking Water Fund loan agreements** in the aggregate amount of \$8,100,000 for
26 financing a portion of the costs of the Anchorage Loop Water Transmission Main Phase IV, South
27 Anchorage Water Extension, Hiland Road Water Intertie, DeBarr-Klevin-Hoyt Water Upgrade,
28 Christensen Drive Water Upgrade, and Well 7 and Well 12 Upgrade Projects, Anchorage Water and
29 Wastewater Utility.
30 1. Assembly Memorandum No. AM 87-2009.
31

32 (Clerk's Note: AR 2009-32 was Carried Over to April 14, 2009.)
33

34 14.K. Resolution No. AR 2009-37, a resolution of the Municipality of Anchorage, Alaska, accepting three (3)
35 **State of Alaska Clean Water Fund loan agreements** in the aggregate amount of \$3,225,000 for
36 financing a portion of the costs of the SCADA Sewer, Operations Facility Phase III, and Minnesota-
37 Benson Sewer Upgrade Projects, Anchorage Water and Wastewater Utility.
3 1. Assembly Memorandum No. AM 100-2009.
3

4 (Clerk's Note: AR 2009-37 was Carried Over to April 14, 2009.)
41

42 14.L. Resolution No. AR 2009-38, a resolution of the Municipality of Anchorage, Alaska, confirming and
43 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**
44 **08-S-3**, setting date of payment and providing for penalties and interest in the event of delinquency,
45 Anchorage Water and Wastewater Utility.
46 1. Assembly Memorandum No. AM 101-2009.
47

48 (Clerk's Note: AR 2009-38 was Carried Over to April 14, 2009.)
49

50 14.M. Resolution No. AR 2009-39, a resolution of the Municipality of Anchorage, Alaska, confirming and
51 levying assessments for the water special improvements within **MacLaren Water Improvement**
52 **District WID 2076**, setting date of payment and providing for penalties and interest in the event of
53 delinquency, Anchorage Water and Wastewater Utility.
54 1. Assembly Memorandum No. AM 102-2009.
55

56 (Clerk's Note: AR 2009-39 was Carried Over to April 14, 2009.)
57

58 14.N. Resolution No. AR 2009-33, a resolution of the Municipality of Anchorage appropriating \$4,966,435
59 from the Equipment Maintenance Internal Service Operating Fund (Fund 601), Unrestricted Net
60 Assets Account, to the Equipment Maintenance Internal Service Capital Fund (Fund 606) to purchase
61 **replacement vehicles and equipment**, Maintenance and Operations Department.
62 1. Assembly Memorandum No. AM 88-2009.
63

64 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.
65

66 Ms. Ossiander moved, to approve AR 2009-33.
67 Mr. Coffey seconded,
68 and the motion passed, 10-0.
69

70 14.O. Resolution No. AR 2009-40, a resolution of the Municipality of Anchorage appropriating a \$3,037,350
71 contribution of BP2009 Tax Revenues approved in the BP2009 General Government Operating Budget
72 from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund 119 to the
73 CBERRRSA Capital Improvement Program Fund 419 for **road and drainage capital improvement**
74 **projects within the CBERRRSA**, Maintenance and Operations Department.
75 1. Assembly Memorandum No. AM 103-2009.
76

77 (Clerk's Note: AR 2009-40 was Carried Over to April 14, 2009.)
78

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

8 1. Assembly Memorandum No. AM 89-2009.

9
10 Chair Drummond opened Public Hearing.

11
12 SHAWN PETERSON testified in support of public transportation and opposed any cuts to bus services.

13
14 There was no additional public testimony and Chair Drummond closed Public Hearing.

15
16 Dr. Selkregg moved, to approve AR 2009-34.
17 Ms. Johnston seconded,
18 and the motion passed, 10-0.

- 19
20 14.Q. Resolution No. AR 2009-51, a resolution of the Municipality of Anchorage appropriating \$139,464 from
21 the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$5,426 as a
22 contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police
23 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
24 for **Impaired Driving Enforcement**.

25 1. Assembly Memorandum No. AM 118-2009.

26
27 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

28
29 Dr. Selkregg moved, to approve AR 2009-51.
30 Ms. Ossiander seconded,
31 and the motion passed, 10-0.

- 32
33 14.R. Resolution No. AR 2009-52, a resolution appropriating a \$1,100,000 contribution from the Maintenance
34 and Operations Department Areawide Service Area Fund (Fund 101) approved in the BP2009 General
35 Government Operating Budget to the Areawide Service Area Capital Improvement Fund (Fund 401) for
36 **major municipal facility upgrades and repairs**.

37 1. Assembly Memorandum No. AM 119-2009.

38
39 *(Clerk's Note: AR 2009-52 was Carried Over to April 14, 2009.)*

- 40
41 14.S. Resolution No. AR 2009-53, a resolution appropriating \$200,000 from Amendment Number One to a
42 Memorandum of Understanding (MOU) between the State of Alaska Department of Transportation and
43 Public Facilities (ADOT&PF) and the Municipality of Anchorage (MOA) to the State Categorical Grants
44 Fund (231) under the Municipal Traffic Department for the development of the **Highway to Highway
45 Connection (H2H Project)**.

46 1. Assembly Memorandum No. AM 120-2009.

47
48 *(Clerk's Note: AR 2009-53 was Carried Over to April 14, 2009.)*

- 49
50 14.T. Resolution No. AR 2009-61, a resolution of the Municipality of Anchorage appropriating when
51 tendered \$5,700,000 from the Federal Aviation Administration Airport Improvement Program grant,
52 and \$150,000 from the State of Alaska Department of Transportation and Public Facilities grant, and
53 \$150,000 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement Fund for the
54 **2009 Merrill Field Rehabilitate Aprons (Phase 4 & Phase 5, Charlie South) and security
55 improvements (barrier gates replacement)** and revising the 2009 Merrill Field Capital Improvement
56 Budget (581).

57 1. Assembly Memorandum No. AM 140-2009.

58
59 Chair Drummond opened Public Hearing. There was no one to testify and she closed Public Hearing.

60
61 Dr. Selkregg moved, to approve AR 2009-61.
62 Ms. Ossiander seconded,
63 and the motion passed, 10-0.

- 64
65 14.U. Resolution No. AR 2009-64, a resolution of the Municipality of Anchorage appropriating \$686,000 from
66 the United States Department of Housing and Urban Development (HUD) as a grant to the Federal
67 Categorical Grants Fund (241) to the Department of Neighborhoods to provide a grant award to
68 Anchorage Community Land Trust, Inc. for **capital improvements to the Mountain View Service
69 Center**.

70 1. Assembly Memorandum No. AM 143-2009.

71
72 Mr. Gutierrez stated that the Assembly had previously determined that he had a conflict of interest and that he would
73 not participate. There were no objections. Chair Drummond opened Public Hearing. There was no one to testify and
74 she closed Public Hearing.

75
76 Mr. Coffey moved, to approve AR 2009-64.
77 Ms. Ossiander seconded,
78

1 Mr. Coffey stated this involved grant funding for improvements to the Mountain View Service Center and would resolve
2 the financial concerns. He urged support for the resolution.

3
4 and the motion passed, 9-0,
5 with Mr. Gutierrez abstaining due to a conflict of interest.

6
7 **15. SPECIAL ORDERS** There were none.

8
9 **16. UNFINISHED AGENDA** There was none.

10
11 **17. AUDIENCE PARTICIPATION**

12
13 Mr. Birch recognized Boy Scout Troop 214, sponsored by American Legion Post 28, which included Scouts Steven
14 Eder, R.J. Kruckenberb, Zhenya Kruckenberb and Emanuel Mathew. They were joined by Scout Leader Mike Eder.

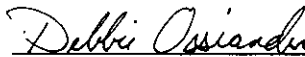
15
16 **18. ASSEMBLY COMMENTS** There were none.

17
18 **19. EXECUTIVE SESSIONS** There were none.

19
20 **20. ADJOURNMENT**

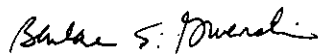
21
22 Mr. Coffey moved, to adjourn the Regular Meeting of March 24, 2009.
23 Mr. Gutierrez seconded,
24 and there were no objections.

25
26 Chair Drummond adjourned the Regular Assembly Meeting at 11:04 p.m.

27
28
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32 

33 HARRIET DRUMMOND, Assembly Chair

34 ATTEST:

35
36
37
38
39
40
41 

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

45 (View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or contact
46 the Minutes Clerk in Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505.)
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48
49
50

