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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 May 12, 2009**

**1. CALL TO ORDER**

The Regular Assembly Meeting of May 12, 2009 was convened by Chair Ossiander at 5:09 p.m.

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

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

**ABSENT:** None.

**3. PLEDGE OF ALLEGIANCE** Vice Chair Drummond led the pledge.

**4. MINUTES OF PREVIOUS MEETINGS**

4.A. Regular Meeting – March 3, 2009.

Ms. Drummond moved, to approve the Regular Meeting Minutes of  
Mr. Starr seconded, March 3, 2009.  
and the motion passed, 10-0.

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

**NAYS:** None.

**5. MAYOR'S REPORT**

Acting Mayor Claman reported that spring street sweeping was in process and requested that citizens report potholes that need attention. He reported that he had biked to Chambers that evening, (*recognizing Bike to Work Week*).

**6. ASSEMBLY CHAIR'S REPORT**

Chair Ossiander reported that new Assembly Committees were established. Mr. Coffey was appointed to serve as the Energy Liaison and would serve on the transition team for Mayor-elect Dan Sullivan. A special meeting to certify the election was scheduled for May 18<sup>th</sup> and a worksession on the Knik Arm Bridge was scheduled for May 22<sup>nd</sup>.

**7. COMMITTEE REPORTS**

Ms. Gray-Jackson reported on the year's accomplishments of the Budget and Audit Committee with her serving as Chair. She congratulated Ms. Johnston as the new Committee Chair.

Ms. Drummond stated that she had enjoyed serving as Assembly Chair.

Mr. Birch addressed his concerns about deleting the Knik Arm Bridge from the Long-Range Transportation Plan (LRTP). Acting Mayor Claman and Dr. Selkregg addressed issues of using the money elsewhere, jeopardizing the LRTP, rushing the matter through, financial impacts and deferring the matter to a later date.

Mr. Gutierrez reported the Public Safety Committee, with newly appointed members, had not set a meeting schedule. At his request, Health and Human Services Director Diane Ingle reported on the recent swine influenza outbreak.

Mr. Starr reported that he was pleased with the Commission's Report on the Runoff Election. He thanked Municipal Election Coordinator Guadalupe Marroquin for her work.

Dr. Selkregg reported the Community and Economic Development Committee had addressed issues of paying for government, diversifying the tax base and educating the public. She reported the Anchorage Metropolitan Area Transportation Study Policy Committee had addressed highway projects.

Mr. Coffey reported he would serve on the transition team for Mayor-elect Dan Sullivan. He reported the Title 21 Committee now had five members and would hold Wednesday meetings, scheduled to begin on May 20<sup>th</sup> from 1:30 to 4:30 p.m. at the Planning Department Conference Room. Title 21 Chapter 7 would be addressed in three sections.

**8. ADDENDUM TO AGENDA**

Chair Ossiander called for a motion and read the Addendum items. AR 2009-123(S) was added as Agenda number 9.B.4.a. An appearance request was added as number 12.A.

1  
2 Mr. Coffey moved, to approve the inclusion of the Addendum items into  
3 Ms. Johnston seconded, the Consent Agenda.  
4 and this passed without objection.  
5

6 Chair Ossiander called for a motion on the Consent Agenda.  
7

8 Ms. Drummond moved, to approve the Consent Agenda.  
9 Ms. Johnston seconded,  
10

11 Chair Ossiander called for Assemblymembers to request items to be pulled for discussion on the Regular Agenda.  
12

13 **9. CONSENT AGENDA**

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

15 9.A.1. Resolution No. AR 2009-127, a resolution of the Anchorage Municipal Assembly **recognizing and**  
16 **celebrating Brown Jug** passing its 50<sup>th</sup> consecutive Alcoholic Beverage Control Board test and  
17 making the "Brown Jug Model" a nationally recognized best practice. Assemblymembers Gutierrez  
18 and Gray-Jackson. (*Addendum*)  
19

20 Mr. Gutierrez requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)  
21

22 **9.B. RESOLUTIONS FOR ACTION - OTHER**

23 9.B.1. Resolution No. AR 2009-116, a resolution appropriating a grant in the amount of \$47,175.33 from the  
24 State of Alaska, Division of Alaska State Troopers and appropriating \$970 as a contribution from the  
25 Department of Law 2009 Operating Budget Fund (101) to the State Categorical Grants Fund (231) for  
26 administering the **Anti-Gang Initiative Program**.

27 a. Assembly Memorandum No. AM 260-2009.

28 9.B.2. Resolution No. AR 2009-117, a resolution of the Municipality of Anchorage appropriating \$4,744 to the  
29 Anchorage Roads and Drainage Service Area Operating Fund (141) and \$16,007 to the Anchorage  
30 Metropolitan Police Service Area Operating Fund (151) of various General Obligation bond premiums  
31 and unspent bond proceeds for the payment of **bond debt service costs**, Finance.

32 a. Assembly Memorandum No. AM 261-2009.

33 9.B.3. Resolution No. AR 2009-122, a resolution of the Municipality of Anchorage accepting a Federal Transit  
34 Administration (FTA) Section 5309 Bus and Bus-Related Earmark Allocations grant and appropriating  
35 \$100,000 to the Public Transportation Capital Fund (485) for **Dimond Center Intermodal Facilities**  
36 **Study**, Public Transportation Department.

37 a. Assembly Memorandum No. AM 274-2009.

38 9.B.4. Resolution No. AR 2009-123, a resolution of the Anchorage Municipal Assembly in support of the  
39 Anchorage Soil and Water Conservation District characterization of South Anchorage pollutants  
40 entering **Turnagain Arm Coastal Zone Project**, Assemblymembers Johnston and Birch.

41 a. Resolution No. AR 2009-123(S), a resolution of the Anchorage Municipal Assembly in support  
42 of the Anchorage Soil and Water Conservation District characterization of South Anchorage  
43 pollutants entering Turnagain Arm Coastal Zone Project. (*Laid on the Table*)  
44

45 Ms. Johnston requested this item be pulled for review on the Regular Agenda. (*See item 10.B.4*)  
46

47 9.B.5. Resolution No. AR 2009-124, a resolution of the Anchorage Municipal Assembly in support of the  
48 Anchorage Soil and Water Conservation District **Surface Water Quality Project in Girdwood**,  
49 Assemblymembers Johnston and Birch.

50 9.B.6. Resolution No. AR 2009-125, a resolution of the Anchorage Municipal Assembly in support of FY 2010  
51 Commerce, Community and Economic Development legislative appropriation to the Alaska Wildlife  
52 Conservation Center for the **Bears of Alaska Interpretative Center**, Assemblymembers Johnston  
53 and Birch.

54 9.B.7. Resolution No. AR 2009-128, a resolution of the Anchorage Assembly urging the State of Alaska to  
55 accept \$28.56 million in **State Energy Program funding** made available by the American Recovery  
56 and Reinvestment Act of 2009, Acting Mayor Claman and Assembly Vice-Chair Drummond.  
57 (*Addendum*)

58 9.B.8. Resolution No. AR 2009-129, a resolution of the Anchorage Assembly adopting recommendations to  
59 be forwarded to the Anchorage Metropolitan Area Transportation Solutions (AMATS) Policy  
60 Committee **deleting the Knik Arm Crossing Project from the Anchorage Bowl 2025 Long-Range**  
61 **Transportation Plan** and updating the planning and consultation requirements, Traffic Department.

62 a. Assembly Memorandum No. AM 277-2009. (*Addendum*)  
63

64 Mr. Birch requested this item be pulled for review on the Regular Agenda. (*See item 10.B.8*)  
65

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

68 **9.D. NEW BUSINESS**

69 9.D.1. Assembly Memorandum No. AM 258-2009, **Club 210 East #2159** - Transfer of Ownership of a  
70 Beverage Dispensary Liquor License (Northeast Community Council), Clerk's Office.

71 9.D.2. Assembly Memorandum No. AM 262-2009, sole source procurement authorization from various  
72 suppliers to support **generation plant operations** for the Municipality of Anchorage, Municipal Light  
73 and Power (ML&P) (\$4,150,000), Purchasing.

74 9.D.3. Assembly Memorandum No. AM 263-2009, Change Order No. 1 to Purchase Order No. 274283 with  
75 Kevin D. Parsons (Parsons) to provide professional services in support of **implementing an Energy**  
76 **Management System and Backup Control Center** for the Municipality of Anchorage, Municipal Light  
77 & Power Utility (ML&P) (\$50,000), Purchasing.

- 1 9.D.4. Assembly Memorandum No. AM 264-2009, Amendment No. 4 to Quality Asphalt Paving, Inc. (QAP)  
2 for the **80th Avenue, 72nd Avenue, Spruce Street, and Lore Road Upgrade Project**, Project No.  
3 03-01 & 03-03, (\$901,085.24), Project Management & Engineering.
- 4 9.D.5. Assembly Memorandum No. AM 265-2009, Reimbursable Services Agreement (RSA) with the Alaska  
5 Department of Transportation and Public Facilities (ADOT&PF) for construction of the **Tudor Road**  
6 **and Lake Otis Parkway, Intersection Improvements**, Project No. 04-35 (\$195,000), Project  
7 Management & Engineering.
- 8 9.D.6. Assembly Memorandum No. AM 273-2009, grant to University of Alaska Anchorage (UAA) School of  
9 Engineering to manage and maintain the **Anchorage Strong Motion Monitoring Network** (\$35,000),  
10 Mayor's Office.

11  
12 Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.D.6)

- 13  
14 9.D.7. Assembly Memorandum No. AM 275-2009, Amendment No. 4 to professional services contract with  
15 USKH, Inc., **9<sup>th</sup> Avenue Upgrade**, Project No. 01-01 (\$710,702), Project Management & Engineering.  
16 **(Addendum)**
- 17 9.D.8. Assembly Memorandum No. AM 276-2009, Contract Amendment No. 4 to professional services  
18 contract with Kinney Engineering, LLC, for the **Glenn Highway/Eagle Glenn Subdivision Area**  
19 **Drainage Project No. 07-46**, Contract No. 280334 (\$41,500), Project Management & Engineering.  
20 **(Addendum)**
- 21  
22 **9.E. INFORMATION AND REPORTS**
- 23 9.E.1. Information Memorandum No. AIM 49-2009, **Report of the Project Management & Engineering**  
24 **Department's Construction Contract Amendments.**
- 25  
26 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**
- 27 9.F.1. Ordinance No. AO 2009-61, an ordinance amending Anchorage Municipal Code Sections 8.65.020,  
28 8.75.160, 14.60.030, 9.28.019, 9.28.020, 9.28.022, and 9.48.010, regarding **penal code, traffic laws,**  
29 **and administrative adjudication of shoplifts**, to comply with state law, Department of Law.  
30 a. Assembly Memorandum No. AM 266-2009. (Public Hearing 5-23-09)

31  
32 Ms. Drummond requested this item be pulled for review on the Regular Agenda. (See item 10.F.1)

- 33  
34 9.F.2. Ordinance No. AO 2009-62, an ordinance amending Anchorage Municipal Code Section 4.60.060  
35 regarding the **Health and Human Services Commission**. (Public Hearing 5-26-09)  
36 a. Assembly Memorandum No. 267-2009.
- 37 9.F.3. Ordinance No. AO 2009-63, an ordinance authorizing the **sale of properties foreclosed** by the  
38 Municipality for delinquent taxes and/or special assessments, Real Estate Services.  
39 a. Assembly Memorandum No. 268-2009. (Public Hearing 6-09-09)
- 40 9.F.4. Resolution No. AR 2009-118, a resolution of the Anchorage Assembly approving the **Heritage Land**  
41 **Bank 2009 Work Program and 2010-2014 Five-Year Management Plan**. (Public Hearing 5-26-09)  
42 a. Assembly Memorandum No. AM 269-2009.
- 43 9.F.5. Resolution No. AR 2009-119, a resolution appropriating a \$340,000 contribution from the Maintenance  
44 and Operations Department Areawide Service Area Fund (Fund 101) approved in the BP2009 General  
45 Government Operating Budget to the Areawide Service Area Capital Improvement Fund (Fund 401) to  
46 **establish a capital reserve fund for future roof repairs at the Sullivan Arena, Anchorage Museum,**  
47 **and Loussac Library**, Maintenance and Operations Department. (Public Hearing 5-26-09)  
48 a. Assembly Memorandum No. AM 270-2009.
- 49 9.F.6. Resolution No. AR 2009-120, a resolution of the Municipality of Anchorage accepting a Federal Transit  
50 Administration (FTA) Section 5309 Bus And Bus-Related Earmark allocations grant and appropriating  
51 \$259,000 to the Public Transportation Capital Fund (485) as additional funding to construct a  
52 **Paratransit Operations and Maintenance Center**. (Public Hearing 5-26-09)  
53 a. Assembly Memorandum No. AM 271-2009.
- 54 9.F.7. Ordinance No. AO 2009-64, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
55 Code Chapters 5.10 **Equal Rights Commission** and 5.20 **Unlawful Discriminatory Practices**.  
56 **(Public Hearing 6-09-09) (Addendum)**

57  
58 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.7)

- 59  
60 9.F.8. Resolution No. AR 2009-126, a resolution of the Anchorage Municipal Assembly **conditionally**  
61 **granting a ten-year real property tax exemption and a five-year tax deferral** consecutive to the  
62 exemption for certain deteriorated property, subject to stated conditions and limitations,  
63 Assemblymembers Coffey, Selkregg. (Public Hearing 6-09-09)  
64 a. Information Memorandum No. AIM 50-2009.

65  
66 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.8.)

- 67  
68 9.F.9. Resolution No. AR 2009-130, a resolution of the Municipality of Anchorage appropriating \$7,111,699  
69 from Alaska Housing Finance Corporation (AHFC) as a supplemental grant to the State Categorical  
70 Grants Fund (231), to the Department of Neighborhoods to fund the **Weatherization Assistance**  
71 **Program**. (Public Hearing 5-26-09)  
72 a. Assembly Memorandum No. AM 278-2009. **(Addendum)**
- 73 9.F.10. Resolution No. AR 2009-131, a resolution of the Anchorage Municipal Assembly **revising the 2009**  
74 **General Government Operating Budget** and appropriating \$241,480 from Areawide General Fund  
75 (101) Balance to reinstate certain positions, Assemblymembers Gray-Jackson, Gutierrez and  
76 Selkregg. (Public Hearing 5-26-09) **(Addendum)**  
77 a. Assembly Memorandum No. AM 279-2009.

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

2  
3 Chair Ossiander called for a vote on the amended Consent Agenda.

4  
5 and the motion, as amended, was passed, 10-0.

6  
7 AYES: Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.  
8 NAYS: None.

9  
10 The amended Consent Agenda was approved and Chair Ossiander led the body into discussion of the pulled items.

11  
12 **END OF CONSENT AGENDA**

13  
14 **10. REGULAR AGENDA**

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

16 10.A.1. Resolution No. AR 2009-127, a resolution of the Anchorage Municipal Assembly **recognizing and**  
17 **celebrating Brown Jug** passing its 50<sup>th</sup> consecutive Alcoholic Beverage Control Board test and  
18 making the "Brown Jug Model" a nationally recognized best practice, Assemblymembers Gutierrez,  
19 Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Starr, Selkregg and Coffey.  
20 **(Addendum)**

21  
22 Chair Ossiander requested that all Assemblymembers be added as cosponsors.

23  
24 Mr. Gutierrez moved, to approve AR 2009-127.  
25 Ms. Gray-Jackson seconded,  
26 and the motion passed, 10-0.

27  
28 Ms. Gray-Jackson read and Mr. Gutierrez presented the resolution recognizing Brown Jug for their leadership and best  
29 practices and celebrating passing its fiftieth consecutive Alcoholic Beverage Control Board compliance test. Brown  
30 Jug representatives accepted the resolution and recognized participating employee Chris Mangiapane.

31  
32 **10.B. RESOLUTIONS FOR ACTION - OTHER**

33 10.B.4. Resolution No. AR 2009-123, a resolution of the Anchorage Municipal Assembly in support of the  
34 Anchorage Soil and Water Conservation District characterization of South Anchorage pollutants  
35 entering **Turnagain Arm Coastal Zone Project**, Assemblymembers Johnston and Birch.  
36 a. Resolution No. AR 2009-123(S), a resolution of the Anchorage Municipal Assembly in support  
37 of the Anchorage Soil and Water Conservation District characterization of South Anchorage  
38 pollutants entering Turnagain Arm Coastal Zone Project, Assemblymembers Johnston and  
39 Birch. **(Laid on the Table)**

40  
41 Ms. Johnston moved, to approve AR 2009-123(S).  
42 Mr. Birch seconded,

43  
44 Ms. Johnston urged Assembly approval of the S-version.

45  
46 and the motion passed, 10-0.

47  
48 10.B.8. Resolution No. AR 2009-129, a resolution of the Anchorage Assembly adopting recommendations to  
49 be forwarded to the Anchorage Metropolitan Area Transportation Solutions (AMATS) Policy  
50 Committee **deleting the Knik Arm Crossing Project from the Anchorage Bowl 2025 Long-Range**  
51 **Transportation Plan** and updating the planning and consultation requirements, Traffic Department.  
52 a. Assembly Memorandum No. AM 277-2009. **(Addendum) (Public Hearing 6-09-09)**

53  
54 Chair Ossiander reported that Public Hearing was required for this resolution.

55  
56 Mr. Coffey moved, to schedule Public Hearing for AR 2009-129 on June 9,  
57 Dr. Selkregg seconded, 2009 and a worksession on June 5<sup>th</sup>.

58  
59 Mr. Birch preferred a July 7<sup>th</sup> Public Hearing date. Chair Ossiander responded that an Assembly response was  
60 required within forty-five days. Traffic Director Lance Wilber responded to questions from Mr. Coffey, Dr. Selkregg, Mr.  
61 Starr and Mr. Birch concerning issues of the Anchorage Metropolitan Area Transportation Study (AMATS) Policy  
62 Committee's review, holding Public Hearing, the Assembly commenting on the matter and extending the forty-five day  
63 response period.

64  
65 Mr. Starr moved, to request the AMATS Policy Committee to extend the  
66 Mr. Birch seconded, forty-five day requirement to ~~June 9~~ **July 7**, 2009  
67 and this was later amended,

68  
69 Mr. Birch, Mr. Coffey and Mr. Starr addressed issues of the Assembly making a recommendation, including a public  
70 process and proposing July 10<sup>th</sup> to allow time to report to the AMATS Policy Committee.

71  
72 Mr. Coffey moved, to amend the Starr amendment by changing the date: ~~June~~  
73 Mr. Birch seconded, 9] ~~July 7~~ **July 10**, 2009.  
74 and this passed without objection.

75  
76 Mr. Coffey, Dr. Selkregg, Ms. Drummond and Mr. Starr addressed issues including the bridge and extending the date.

77  
78 and the main Starr motion, as amended, failed, 5-5.

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

and the main motion passed without objection, 10-0.

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

**10.D. NEW BUSINESS**

10.D.6. Assembly Memorandum No. AM 273-2009, grant to University of Alaska Anchorage (UAA) School of Engineering to manage and maintain the **Anchorage Strong Motion Monitoring Network** (\$35,000), Mayor's Office.

Ms. Gray-Jackson moved, to approve AM 273-2009.  
Ms. Johnston seconded,

Ms. Gray-Jackson reported the document incorrectly mentioned "former" when referring to the Dimond Data Center.

and the motion passed, 10-0.

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

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

10.F.1. Ordinance No. AO 2009-61, an ordinance amending Anchorage Municipal Code Sections 8.65.020, 8.75.160, 14.60.030, 9.28.019, 9.28.020, 9.28.022, and 9.48.010, regarding **penal code, traffic laws, and administrative adjudication of shoplifts**, to comply with state law, Department of Law. (*Public Hearing 5-26-09 6-09-09*)

a. Assembly Memorandum No. AM 266-2009.

Ms. Drummond moved, to introduce AO 2009-61 with Public Hearing scheduled for  
Mr. Coffey seconded, [May-26] June 9, 2009 with a worksession on June 5<sup>th</sup>.  
Ms. Johnston was the concurring third.

10.F.7. Ordinance No. AO 2009-64, an ordinance of the Anchorage Municipal Assembly amending Anchorage Code Chapters 5.10 **Equal Rights Commission** and 5.20 **Unlawful Discriminatory Practices**. (*Public Hearing 6-09-09*) (*Addendum*)

Mr. Flynn moved, to introduce AO 2009-64 with Public Hearing set for  
Ms. Johnston seconded, June 9, 2009.  
Mr. Gutierrez was the concurring third.

Mr. Coffey moved, to change AO 2009-64 Public Hearing to June [9] 23, 2009.  
Ms. Drummond seconded,

Mr. Coffey, Mr. Starr, Ms. Gray-Jackson and Dr. Selkregg addressed issues including a summary of economic effects and changing the Public Hearing date.

Ms. Drummond moved, to change AO 2009-64 Public Hearing date to [June 9]  
Ms. Gray-Jackson seconded, May 26, 2009.

Ms. Drummond, Acting Mayor Claman, Mr. Gutierrez and Mr. Coffey addressed changing the Public Hearing date. Chair Ossiander called for a vote on the May 26<sup>th</sup> Public Hearing date.

and the Drummond motion failed, 4-6.

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

Chair Ossiander called for a vote on June 23<sup>rd</sup> Public Hearing date.

and the Coffey motion failed, 4-6.

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

10.F.8. Resolution No. AR 2009-126, a resolution of the Anchorage Municipal Assembly **conditionally granting a ten-year real property tax exemption and a five-year tax deferral** consecutive to the exemption for certain deteriorated property, subject to stated conditions and limitations, Assemblymembers Coffey, Selkregg. (*Public Hearing [6-09-09] 6-23-09*)

a. Information Memorandum No. AIM 50-2009.

Mr. Coffey moved, to introduce AR 2009-126 with a Public Hearing date of  
Ms. Johnston seconded, June 9, 2009.  
Ms. Drummond was the concurring third.

Mr. Coffey moved, to change AR 2009-126 Public Hearing to [June 9] June 23,  
Ms. Johnston seconded, 2009, with a worksession scheduled for June 19<sup>th</sup>.  
and this passed without objection, 10-0.

1  
2 10.F.10. Resolution No. AR 2009-131, a resolution of the Anchorage Municipal Assembly **revising the 2009**  
3 **General Government Operating Budget** and appropriating \$241,480 from Areawide General Fund  
4 (101) Balance to reinstate certain positions, Assemblymembers Gray-Jackson, Gutierrez and  
5 Selkregg. (*Public Hearing 5-26-09*) (**Addendum**)  
6 a. Assembly Memorandum No. AM 279-2009.

7  
8 Ms. Gray-Jackson moved, *to introduce* AR 2009-131 with a Public Hearing date of  
9 Mr. Gutierrez seconded, May 26, 2009.  
10 Ms. Drummond was the concurring third.

11  
12 Mr. Birch stated that addressing this again would create additional costs without significant benefit to the community.

13  
14 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

15 11.A. Ordinance No. AO 2008-100, an ordinance amending Anchorage Municipal Code Sections 3.87.020,  
16 3.87.050, 3.87.060 and 3.87.070, to provide a **Retiree Medical Funding Program** for certain police  
17 officers and fire fighters, Finance.  
18 1. Assembly Memorandum No. AM 560-2008. (*Public Hearing was Closed 10-28-08; Action was*  
19 *Postponed from 10-28-08, 11-18-08, 12-16-08 and 1-20-09*)

20  
21 Mr. Coffey moved, *to postpone* AO 2008-100 to May 26, 2009.  
22 Acting Mayor Claman seconded,

23  
24 Acting Mayor Claman stated that postponing two weeks would allow time for the lawsuit to be settled.

25  
26 and the motion passed without objection, 10-0.

27  
28 11.B. Resolution No. AR 2008-185, a resolution of the Anchorage Municipal Assembly supporting the  
29 approval of an increase in the employer contribution to the **Police and Fire Retirees Medical**  
30 **Benefits**, Finance. (*Public Hearing was Closed 10-28-08; Action was Postponed from 10-28-08, 11-*  
31 *18-08, 12-16-08 and 1-20-09*)

32  
33 Mr. Coffey moved, *to postpone* AR 2008-185 to May 26, 2009.  
34 Acting Mayor Claman seconded,  
35 and the motion passed without objection, 10-0.

36  
37 11.C. Resolution No. AR 2009-70, a resolution appropriating \$40,657 from the Department of Health and  
38 Human Services Animal Control Donation Account, Miscellaneous Operational Grants Fund (261) for  
39 the development of an **On-Site Spay Neuter Clinic** at the Anchorage Animal Care and Control Center  
40 through the Department of Health and Human Services.  
41 1. Assembly Memorandum No. AM 149-2009. (*Postponed from 3-24-09*)

42  
43 Mr. Coffey moved, *to approve* AR 2009-70.  
44 Mr. Gutierrez seconded,

45  
46 Mr. Coffey, Dr. Selkregg and Health and Human Services Director Diane Ingle addressed issues of the plan being  
47 temporarily delayed, there being no additional costs to the city, renovating the existing facility, addressing construction  
48 incrementally and needing a design plan.

49  
50 Dr. Selkregg moved, *to approve* an additional \$15,000 for the design of the on-site  
51 Mr. Coffey seconded, spay neuter clinic.

52  
53 Ms. Gray-Jackson, Dr. Selkregg, Mr. Gutierrez, Mr. Flynn and Ms. Ingle addressed issues of existing funds, using an  
54 in-house program and needing a design plan. Animal Control Advisory Board Chair Neil Koeniger addressed the  
55 board's unanimously supporting the project, receiving private donations and modifying the existing facility.

56  
57 and the motion failed, 2-8.

58  
59 AYES: Ossiander and Coffey.  
60 NAYS: Gray-Jackson, Flynn, Johnston, Drummond, Birch, Gutierrez, Starr and Selkregg.

61  
62 and the main motion passed, 8-2.

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

66  
67 **12. APPEARANCE REQUESTS**

68 12.A. **Brian Litmans**, Bicycle Commuters of Anchorage, regarding Bike to Work Week and support for the  
69 Anchorage Bike Plan and efforts by the Municipality to make Anchorage bicycle-friendly. (*Laid on the*  
70 *Table*)

71  
72 BRIAN LITMANS testified in support of using bicycle transportation during May. He addressed the many benefits of  
73 bicycling and supported the Anchorage Bike Plan and the city's efforts to make Anchorage bicycle-friendly. To Mr.  
74 Litman's request, the audience responded, indicating their support for using bicycles and bike trails.

75  
76 **13. CONTINUED PUBLIC HEARINGS**

77 13.A. Resolution No. AR 2009-98, a resolution of the Municipality of Anchorage appropriating \$34,225,000 of  
78 General Obligation Bond Proceeds to the Anchorage Roads and Drainage Service Area Capital

1 Improvement Program (CIP) Fund (441) to pay the costs of **road and storm drainage capital**  
2 **improvement projects**, Office of Management & Budget.  
3 1. Assembly Memorandum No. AM 221-2009. *(Carried Over from 4-28-09)*  
4

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

6  
7 Dr. Selkregg moved, to approve AR 2009-98.  
8 Ms. Johnston seconded,  
9 and this passed without objection, 10-0.

10  
11 13.B. Resolution No. AR 2009-99, a resolution of the Municipality of Anchorage appropriating \$1,800,000 of  
12 General Obligation Bond Proceeds to the Anchorage Fire Service Area Capital Improvement Program  
13 (CIP) Fund (431) to pay the costs of **fire protection capital improvement projects**, Office of  
14 Management & Budget.  
15 1. Assembly Memorandum No. AM 222-2009. *(Carried Over from 4-28-09)*  
16

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

18  
19 Dr. Selkregg moved, to approve AR 2009-99.  
20 Ms. Johnston seconded,  
21 and this passed without objection, 10-0.  
22

23 13.C. Resolution No. AR 2009-100, a resolution of the Municipality appropriating \$700,000 of General  
24 Obligation Bond Proceeds to the Areawide General Capital Improvement Program Fund (401) to pay the  
25 costs of **public safety capital improvement projects** and appropriating \$600,000 of General Obligation  
26 Bond Proceeds to the Public Transportation CIP Fund (485) to pay the costs of **public transportation**  
27 **capital improvement projects**, Office of Management & Budget.  
28 1. Assembly Memorandum No. AM 223-2009. *(Carried Over from 4-28-09)*  
29

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

31  
32 Dr. Selkregg moved, to approve AR 2009-100.  
33 Mr. Gutierrez seconded,  
34 and this passed without objection, 10-0.  
35

36 13.D. Resolution No. AR 2009-79, a resolution of the Municipality of Anchorage, Alaska, accepting five State  
37 of Alaska Drinking Water Fund loan agreements in the aggregate amount of \$2,269,000 for financing  
38 a portion of the costs of the **Juneau 21<sup>st</sup> Water Upgrade, Island-Kodiak-Kalgin Water Upgrade,**  
39 **Two Way Radio Upgrade-Water, 3000 Arctic HVAC Upgrade, and 68<sup>th</sup> Avenue Redhawk Intertie**  
40 **projects**, Anchorage Water and Wastewater Utility.  
41 1. Assembly Memorandum No. AM 168-2009. *(Carried Over from 4-28-09)*  
42

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

44  
45 Mr. Gutierrez moved, to approve AR 2009-79.  
46 Dr. Selkregg seconded,  
47 and this passed without objection, 10-0.  
48

49 13.E. Ordinance No. AO 2009-45, an ordinance authorizing a **lease, for the use and maintenance of**  
50 **Telecommunication Facilities**, located on a portion of Tract B, Abbott Road Subdivision between  
51 Anchorage Water and Wastewater Utility, a Public Corporate Authority of the Municipality of  
52 Anchorage, and ACS Wireless, Inc.  
53 1. Assembly Memorandum No. AM 201-2009. *(Carried Over from 4-28-09)*  
54

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

56  
57 Ms. Drummond moved, to approve AO 2009-45.  
58 Dr. Selkregg seconded,  
59 and this passed without objection, 10-0.  
60

61 13.F. Ordinance No. AO 2009-47, an ordinance authorizing extension of the lease between the Municipality  
62 of Anchorage as lessor and Dimond D Partners as lessee of **Lot 4, Block 3, Merrill Field Replat**  
63 **Addition No. 2**, located between Runway 7-25 and Merrill Field Drive, Merrill Field Airport.  
64 1. Assembly Memorandum No. AM 203-2009. *(Carried Over from 4-28-09)*  
65

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

67  
68 Mr. Gutierrez moved, to approve AO 2009-47.  
69 Dr. Selkregg seconded,  
70 and this passed without objection, 10-0.  
71

72 13.G. Resolution No. AR 2009-92, a resolution appropriating \$298,704 of revenue from the State of Alaska  
73 Department of Transportation & Public Facilities to the State Categorical Grant Fund (231), to the  
74 Project Management & Engineering Department for **National Pollutant Discharge Elimination**  
75 **System (NPDES) permit services** provided in 2009.  
76 1. Assembly Memorandum No. AM 197-2009. *(Carried Over from 4-28-09)*  
77

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

1  
2 Mr. Gutierrez moved, to approve AR 2009-92.  
3 Dr. Selkregg seconded,  
4 and this passed without objection, 10-0.  
5

6 13.H. Ordinance No. AO 2009-37, an ordinance of the Anchorage Assembly amending the zoning map and  
7 providing for the **rezone of approximately 70 acres from T (Transition) and R-7 (Intermediate**  
8 **Rural Residential District) to I-2 SL (Heavy Industrial District with Special Limitations)** for Parcel  
9 1: that portion of N1/2 NE1/4 SE1/4, lying south of Lot 2 of U.S. Survey 9023. Parcel 2: that portion  
10 of NE1/4 NW1/4 SE1/4, lying south of Lot 2 of U.S. Survey 9023. Parcel 3: that portion of W1/2  
11 NW1/4 SE1/4, lying south of Lot 1 U.S. Survey 9023. Parcel 4: SE1/4 NW1/4 SE1/4, excepting U.S.  
12 Survey 9789. Parcel 5: SW1/4 NE1/4 SE1/4. Parcel 6: SE1/4 NE1/4 SE1/4. Parcel 7: W1/2 W1/2  
13 NE1/4 SW1/4 SE1/4. Parcel 8: NW1/4 SW1/4 SE1/4. All located within a portion of the SE1/4 of  
14 Section 19, T16N, R1E, S.M., Alaska. Generally located east of Eklutna Village and south of the  
15 Glenn Highway, in Chugiak, Alaska (Chugiak Community Council) (Planning and Zoning Commission  
16 Case 2009-013), Planning Department.

- 17 1. Assembly Memorandum No. AM 155-2009. (*Continued from 4-28-09*)
- 18 2. Ordinance No. AO 2009-37(S), an ordinance of the Anchorage Assembly amending the  
19 zoning map and providing for the rezone of approximately 70 acres from T (Transition) and R-  
20 7 (Intermediate Rural Residential District) to I-2 SL (Heavy Industrial District with Special  
21 Limitations) for Parcel 1: That portion of N1/2 NE1/4 SE1/4, lying south of Lot 2 of U.S.  
22 Survey 9023. Parcel 2: That portion of NE1/4 NW1/4 SE1/4, lying south of Lot 2 of U.S.  
23 Survey 9023. Parcel 3: That portion of W1/2 NW1/4 SE1/4, lying south of Lot 1 U.S. Survey  
24 9023. Parcel 4: SE1/4 NW1/4 SE1/4, excepting U.S. Survey 9789. Parcel 5: SW1/4 NE1/4  
25 SE1/4. Parcel 6: SE1/4 NE1/4 SE1/4. Parcel 7: W1/2 W1/2 NE1/4 SW1/4 SE1/4. Parcel 8:  
26 NW1/4 SW1/4 SE1/4. All located within a portion of the SE1/4 of Section 19, T16N, R1E,  
27 S.M., Alaska, generally located east of Eklutna Village and south of the Glenn Highway in  
28 Chugiak, Alaska (Chugiak Community Council) (Planning and Zoning Commission Case  
29 2009-013), Planning Department.
- 30 3. Assembly Memorandum No. AM 155-2009(A). (*Addendum*)

31  
32 Chair Ossiander opened Public Hearing.

33  
34 LORALI CARTER, with Matanuska Electric Association (MEA), addressed the agreement with Eklutna, Incorporated  
35 (Eklutna) for acquisition of seventy acres of land, building a natural gas generation plant facility, co-generation,  
36 upholding high standards, holding additional Public Hearing, the proposed plan being approved by the Planning and  
37 Zoning (P&Z) Commission and being supported by Planning staff.  
38

39 TIM POTTER, representing Eklutna, testified in support of the rezone, explained changes included in the S-version  
40 and proposed clerical corrections and minor modifications.  
41

42 JIM ARNESEN, Eklutna Land Manager, testified that Eklutna and Dena'ina supported the important project.  
43

44 There was no additional testimony and Chair Ossiander closed Public Hearing.  
45

46 Mr. Starr moved, to approve AO 2009-37(S).  
47 Mr. Coffey seconded,  
48

49 Mr. Starr moved, to amend AO 2009-37(S) on Page 2, Section 2, Lines 5-11,  
50 Mr. Coffey seconded, by changing to read: 1. Permitted Princip[a]le Uses and  
51 and this was amended, Structures: Uses and structures are limited to a gas-fired  
52 electrical generation power plant and other uses/facilities  
53 (specially) specifically related to power generation, co-  
54 generation secondary steam turbines, or collection of waste  
55 heat for transmission off-site. All other uses or structures not  
56 incidental to such power plant are prohibited.  
57

58 Mr. Starr, Ms. Drummond, Mr. Flynn and Mr. Coffey addressed issues of the amendment, a clerical correction, power  
59 generation and using the land for other purposes.  
60

61 and the motion, as amended, was approved unanimously.  
62

63 Mr. Starr moved, to amend AO 2009-37(S) on Page 3, Lines 20-29, Section 3,  
64 Mr. Coffey seconded, by replacing to read: The I-2SL zoning shall [not] become  
65 null and void and the zoning shall revert back to T (Transition)  
66 and the R-7 (Intermediate Rural Residential District) if a land  
67 use permit has not been issued and construction of a power  
68 generation plant has not commenced by June 1, 2013.  
69 [effective until the Alaska Department of Environmental  
70 Conservation has issued a Title 1 Air Quality Construction  
71 Permit and the Municipality of Anchorage has issued a Land  
72 Use Permit for the construction of the proposed power  
73 generation plant [application for land use permits has been  
74 made for construction of the power plant.]  
75

76 and the main motion, as amended, passed, 10-0.  
77

78 14. NEW PUBLIC HEARINGS

1 14.A. Resolution No. AR 2009-115, a resolution ratifying a Letter of Agreement, amending the Collective  
2 Bargaining Agreement between Municipality of Anchorage and **General Teamsters, Local Union**  
3 **959, Employee Relations.**  
4 1. Assembly Memorandum No. AM 259-2009.

5  
6 Chair Ossiander opened Public Hearing.

7  
8 JOE BERNARDINI, with Anchorage Water and Wastewater Utility (AWWU), questioned the proposed changes to the  
9 bargaining agreement and the terms of the contract.

10 There was no additional testimony and Chair Ossiander closed Public Hearing.

11  
12  
13 Ms. Gray-Jackson moved, to approve AR 2009-115.  
14 Mr. Coffey seconded,

15  
16 Mr. Starr stated that even with the concession this was an increase and he would not support it. Labor Relations  
17 Director Lisa Arnold, Chief Fiscal Officer Sharon Weddleton, Municipal Manager Michael Abbott and Acting Mayor  
18 Claman responded to questions from Mr. Coffey, Mr. Starr, Dr. Selkregg, Mr. Flynn, Mr. Gutierrez and Chair Ossiander  
19 concerning issues of the contract, cost of living increases, other departments being affected, calculating a lower base-  
20 rate, performance pay, unknown costs, getting additional information and the city not being able to afford the  
21 disproportionate benefit packages.

22  
23 Dr. Selkregg moved, to continue AR 2009-115 to May 26, 2009 to review the  
24 Mr. Gutierrez seconded, cost figures to better clarify the value of the proposed  
25 and the motion passed, 7-3. concessions.

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

29  
30 14.B. Ordinance No. AO 2009-60, an ordinance amending Anchorage Municipal Code Section 3.30.1511 to  
31 provide for implementation of up to 62 hours of **mandatory non-represented employee general**  
32 **furlough leave** per calendar year, Department of Law.

33  
34 Chair Ossiander opened Public Hearing.

35  
36 JOE BERNARDINI, with Anchorage Water and Wastewater Utility (AWWU), testified about legal issues, inequities,  
37 personnel rules, performance pay and unfair benefits. To Ms. Johnston, he responded the ordinance would not apply  
38 to executives.

39  
40 ANGIE ROSALES, with the Prosecutor's Office, testified about the arbitrary number of sixty-two, conflicting with the  
41 Public Employees Retirement System, inequities, Code requirements and employees having to shoulder the shortfall.

42  
43 HEIDI POLLARD, with Information Technology (IT), testified the Assembly was to represent and protect non-  
44 represented employees who were not being treated equally.

45  
46 REBECCA MELSON, with the Prosecutor's Office, opposed the terms of the furlough to non-represented employees.  
47 She urged the Assembly to look closely at the terms before approving the ordinance.

48  
49 KAREN LEE, with AWWU, opposed the ordinance and addressed the matter affecting leave, retirement contributions,  
50 overtime and the Personnel Board needing to approve any changes. She made alternate recommendations.

51  
52 GREGG STEWART, with the Anchorage Police Department (APD), opposed the ordinance which was unfair, lacked a  
53 sunset clause and was not good legislation to regulate labor.

54  
55 CHRIS KOSINSKI, with AWWU, opposed the terms of the ordinance, which treated non-represented employees  
56 unfairly. To Mr. Coffey, he responded that alternatives may include considerations of a wage freeze or a roll back.

57  
58 BRADLY PORTER, with IT, stated the ordinance was extraordinarily unfair, did not include a sunset clause, did not  
59 equal the union contracts, could be used as a tool by the mayor to balance the budget and may be considered illegal.

60  
61 ERIK SCHMITZ, with AWWU, testified the non-represented workers were willing to contribute, but the proposed  
62 concessions were not equitable and he made recommendations for alternatives.

63  
64 There was no additional testimony and Chair Ossiander closed Public Hearing.

65  
66 Mr. Coffey moved, to approve AO 2009-60.  
67 Ms. Gray-Jackson seconded,

68  
69 Labor Relations Director Lisa Arnold, Acting Mayor Claman, Municipal Attorney Jim Reeves, Mr. Flynn, Mr. Gutierrez,  
70 Municipal Manager Michael Abbott, Mr. Coffey, Ms. Gray-Jackson, Dr. Selkregg, Chief Fiscal Officer Sharon  
71 Weddleton, Ms. Drummond, Mr. Starr, Mr. Birch, Ms. Johnston and Chair Ossiander addressed mandatory leave,  
72 review by the Personnel Rules Committee, existing provisions for leave without pay, rolling back wages, being in non-  
73 compliance with the fund balance policy, managing the budget, a sunset clause, decreasing customer service, giving  
74 adequate notice, introducing by title only, executive salaries, equivalent to a 3% wage cut, being invoked by the mayor,  
75 a predicted 2010 shortfall, being a continued policy, addressing the matter by resolution, scheduling a worksession,  
76 spreading the loss out over the year, eliminating overtime pay, being illegal, unions concessions, approving labor  
77 contracts that the city could not afford, furlough limitations, affecting municipal utilities and enterprises and impacting  
78 the entire city.

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77

Mr. Flynn moved, to amend AO 2009-60 on Page 4, Line 2, by adding to read:  
Mr. Coffey seconded, **Section 3. This ordinance shall sunset and be automatically**  
and this motion passed, 9-1, **repealed without any action of the Assembly on December**  
with Mr. Birch opposing. **31, 2010.**

Dr. Selkregg moved, to amend AO 2009-60 on Page 2, Lines 14-16, by changing  
Mr. Gutierrez seconded, to read: 3. *Maximum amount of required furlough leave*  
*without pay.* The amount of furlough leave without pay shall  
be determined on an annual basis and shall not exceed [62]  
31 hours in a [~~calendar year~~] six month period.

Dr. Selkregg, Ms. Weddleton, Mr. Coffey, Mr. Birch, Chair Ossiander, Mr. Reeves and Ms. Drummond addressed changing the time period and needing to change the ordinance title.

~~[and this motion passed, 9-1,  
with Chair Ossiander opposing.]~~  
This motion was later reconsidered.

Ms. Gray-Jackson moved, to amend AO 2009-60 on Page 3, Lines 36-42, by deleting  
Ms. Drummond seconded, to read: [~~11. Charges for untaken furlough leave. Except~~  
and the motion failed, 2-8. ~~for layoff, or separation for medical or other approved~~  
~~emergency reasons, if a non-represented employee~~  
~~separates from municipal employment, or is otherwise unable~~  
~~to take the required furlough leave, the untaken leave shall be~~  
~~charged against the employee's cashable leave balance~~  
~~hour-for-hour, on a prorated basis.]~~

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

Mr. Coffey moved, to extend the discussion on AO 2009-60 to 10:00 p.m.  
Dr. Selkregg seconded,  
and this was approved without objection.

Acting Mayor Claman, Mr. Coffey, Ms. Gray-Jackson, Ms. Weddleton, Ms. Drummond, Dr. Selkregg and Mr. Birch addressed issues of reconsidering the Selkregg amendment, needing a supplemental budget appropriation, using Revenue Sharing and stimulus money (*American Recovery and Reinvestment Act of 2009*), tax relief and the 2010 fund balance.

Mr. Birch moved, to reconsider the previously approved Selkregg amendment.  
Mr. Coffey seconded,

Mr. Birch, Mr. Coffey and Acting Mayor Claman commented on the amendment and the consequences.

Mr. Coffey moved, to extend the discussion on AO 2009-60 for 15 minutes.  
Mr. Starr seconded,  
and this was approved, 9-1,  
with Mr. Gutierrez opposing.

Chair Ossiander called for a vote on the motion to reconsider.

and the motion to reconsider passed, 6-4.

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

Dr. Selkregg, Ms. Gray-Jackson, Mr. Starr and Ms. Weddleton addressed the sixty-two hours, other revenues being available and the fund balance. Chair Ossiander called for a revote on the reconsidered Selkregg Amendment.

and the motion failed, 1-9.

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

Mr. Birch called the Question,  
Mr. Coffey seconded,  
and the motion was approved, 8-2.

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

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

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

1 14.C. Ordinance No. AO 2009-43, an ordinance to amend Anchorage Municipal Code Chapter 14.60 to  
2 **update references, fines**, and provide consistency; amend Section 8.20.030 to clarify fines for  
3 separate offenses; amend Section 8.75.065 C. to correct a code reference; amend Section 8.75.090  
4 to confer jurisdiction on the Administrative Hearing Officer (AHO); amend Sections 9.20.085 and  
5 15.20.100 F. to remove AHO jurisdiction references; amend Section 25.70.050 A. to update the  
6 maximum fine; and amend Section 26.10.070 for consistency with previous amendments, Department  
7 of Law.  
8 1. Assembly Memorandum No. AM 199-2009.

9  
10 Chair Ossiander opened Public Hearing. There was no one to testify.

11  
12 Ms. Drummond moved, *to continue* AO 2009-43 Public Hearing to June 9, 2009.  
13 Ms. Johnston seconded,  
14 and the motion passed unanimously, 10-0.

15  
16 14.D. Ordinance No. AO 2009-44, an ordinance amending Anchorage Municipal Code Title 31 to **clarify**  
17 **operation and management of the Anchorage Water and Wastewater Utility** and amending  
18 Section 4.50.020 regarding the Bidding Review Board.  
19 1. Assembly Memorandum No. AM 200-2009.

20  
21 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

22  
23 Mr. Coffey moved, *to approve* AO 2009-44.  
24 Mr. Birch seconded,  
25 and the motion passed, 9-1.

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

29  
30 14.E. Ordinance No. AO 2009-50, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
31 Code Chapter 2.60, **Office of the Ombudsman**, Assemblymembers Ossiander and Drummond.

32  
33 Chair Ossiander reported there may be an S-version. She opened Public Hearing and there was no one to testify.

34  
35 Mr. Coffey moved, *to continue* AO 2009-50 Public Hearing to June 9, 2009.  
36 Mr. Gutierrez seconded,  
37 and the motion passed unanimously, 10-0.

38  
39 14.F. Ordinance No. AO 2006-173(S-1), an ordinance of the Anchorage Municipal Assembly amending  
40 Anchorage Municipal Code Section 16.95.070 to reduce the costs of **municipal ambulance transport**  
41 assessed to patients receiving ambulance transport services from the Chugiak Volunteer Fire  
42 Department, Assemblymember Ossiander.

43  
44 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing. She  
45 relinquished the Chair to Ms. Drummond and addressed the matter. She and Mr. Coffey urged approval. (*Clerk's*  
46 *Note: Ms. Ossiander resumed the Chair.*)

47  
48 Mr. Coffey moved, *to approve* AO 2006-173(S-1).  
49 Mr. Starr seconded,  
50 and the motion passed unanimously, 10-0.

51  
52 14.G. Ordinance No. AO 2009-40, an ordinance repealing Anchorage Municipal Code Chapter 16.60  
53 regarding the **Anchorage Food Code** and repealing the Anchorage Municipal Code of Regulations  
54 16.60 regarding Food and Food Facilities and re-enacting Chapter 16.60 and amending the Fine  
55 Schedule in Section 14.60.030, Health and Human Services.  
56 1. Assembly Memorandum No. AM 158-2009.

57  
58 Chair Ossiander reported there may be an S-version. She opened Public Hearing and there was no one to testify.

59  
60 Mr. Coffey moved, *to continue* AO 2009-40 Public Hearing to May 26<sup>th</sup>.  
61 Ms. Johnston seconded,  
62 and the motion passed unanimously, 10-0.

63  
64 14.H. Resolution No. AR 2009-110, a resolution of the Anchorage Municipal Assembly approving an  
65 alcoholic beverages conditional use in the B-3 District for a new package store use, License Number  
66 4883 per AMC 21.40.180 D.8, for TCC Inc. dba **Wine House @ Jewel Lake**; located within Teekell  
67 Subdivision, Lot 2; site address being 8841 Jewel Lake Road, generally located at the southeast  
68 corner of Jewel Lake Road and West 88<sup>th</sup> Avenue (Sand Lake Community Council) (Case 2009-057),  
69 Planning Department.  
70 1. Assembly Memorandum No. AM 240-2009.

71  
72 Mr. Coffey declared a potential conflict of interest because his business partners were financially involved in this  
73 matter. Chair Ossiander ruled that Mr. Coffey had a conflict of interest and ordered that he not participate. There were  
74 no objections. Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

75  
76 Mr. Birch moved, *to approve* AO 2009-110.  
77 Dr. Selkregg seconded,  
78 and the motion passed, 9-0.

1 with Mr. Coffey abstaining due to a conflict of interest.

- 2  
3 14.I. **Ordinance No. AO 2009-56**, an ordinance to **provisionally adopt new Sections 21.07.010, General**  
4 **Provisions; 21.07.020, Natural Resource Protection; 21.07.030, Private Open Space; 21.07.040,**  
5 **Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges; 21.07.050,**  
6 **Utility Distribution Facilities; and 21.07.140, Operational Standards**, amending Anchorage  
7 Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted  
8 chapters of Title 21, Assemblymember Ossiander.  
9 1. Assembly Memorandum No. AM 241-2009.

10  
11 Chair Ossiander opened Public Hearing. There was no one to testify.

12  
13 Mr. Gutierrez moved, *to continue* AO 2009-56 Public Hearing to May 26, 2009.  
14 Dr. Selkregg seconded,  
15 and the motion passed unanimously, 10-0.

- 16  
17 14.J. **Ordinance No. AO 2009-49**, an ordinance amending Anchorage Municipal Code Chapter 23.10 and  
18 Anchorage Code of Regulations Chapter 21.20 to **allow waiver of permit fees, plan review fees,**  
19 **and land use permit fees for improvements to deteriorated property and property in a**  
20 **deteriorated area**, Assemblymembers Flynn and Birch.

21  
22 Chair Ossiander opened Public Hearing. There was no one to testify.

23  
24 Mr. Flynn moved, *to continue* AO 2009-49 Public Hearing to June 23, 2009.  
25 Ms. Johnston seconded,  
26 and the motion passed, 10-0.

- 27  
28 14.K. **Ordinance No. AO 2009-51**, an ordinance **authorizing a non-exclusive easement to Girdwood**  
29 **Nordic Ski Club** across Heritage Land Bank Parcels 6-011, 6-251, 6-295 and 6-296 for developing,  
30 locating, constructing, relocating and maintaining multi-use trails in Girdwood Valley, Heritage Land  
31 Bank.  
32 1. Assembly Memorandum No. AM 226-2009.

33  
34 Chair Ossiander opened Public Hearing.

35  
36 MATT WEDEKING, Girdwood Nordic Ski Club Board Member, testified in support of developing sustainable, year-  
37 round, multi-use loop trails, which were needed and had wide community support. Ms. Johnston and Mr. Birch  
38 thanked Mr. Wedeking for his hard work.

39  
40 DUANE SCHULTZ testified that Heritage Land Bank (HLB) had given \$50,000 for development of this easement.  
41 Existing trails needed to be maintained and no new trails should be developed.

42  
43 DEBRA CROGHAN urged the Assembly to address concerns of clear-cutting, already existing trails, being funded by  
44 taxpayers, not using a land use plan or a business plan and having user fees. To Ms. Johnston and Mr. Birch, Ms.  
45 Croghan responded there had not been enough public review and dogs were not allowed on the trails.

46  
47 BRIAN BURNETT, Nordic Ski Club Board Member, testified in support of the trails. To Dr. Selkregg and Mr. Birch, Mr.  
48 Burnett addressed user fees, dogs being allowed during the summer and receiving donations for trail maintenance.

49  
50 DEB ESSEX, with the Nordic Ski Club, testified in support of using the easement and addressed the trail project, using  
51 a public forum process and receiving overwhelming support. To Mr. Flynn, Mr. Birch and Ms. Drummond, Ms. Essex  
52 explained her detailed map and specifics of the trails.

53  
54 There was no additional testimony and Chair Ossiander closed Public Hearing.

55  
56 Mr. Gutierrez moved, *to approve* AO 2009-51.  
57 Dr. Selkregg seconded,

58  
59 To Mr. Starr, Heritage Land Bank (HLB) Land Management Officer Allison Smith addressed funding sources,  
60 oversight, mitigation, HLB's role, the process and the model used for development of parks and trails.

61  
62 and the motion passed, 9-1.

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

- 66  
67 14.L. **Ordinance No. AO 2009-52**, an ordinance authorizing **acquisition of real property in Peters Creek**  
68 **for Municipal Light & Power** for an amount Not To Exceed \$70,000, plus closing costs, Heritage  
69 Land Bank/Real Estate Services.  
70 1. Assembly Memorandum No. AM 227-2009.

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

73  
74 Mr. Coffey moved, *to approve* AO 2009-52.  
75 Mr. Gutierrez seconded,  
76 and the motion passed unanimously, 10-0.

77



- 1 14.Q. Resolution No. AR 2009-107, a resolution appropriating \$9,838 in proceeds from Vehicle Disposals  
2 and Other Recoveries from the 2008 Operating Budget, Areawide General Fund (101), Public  
3 Transportation Department, as a contribution to the Public Transportation Capital Fund (485), Public  
4 Transportation Department and a Federal Transit Administration grant of \$4,253,600 to the Public  
5 Transportation Capital Fund (485), Public Transportation Department, for capital and maintenance  
6 assistance, \$264,000 of the grant and a contribution of \$66,000 from the 2008 Operating Budget,  
7 Areawide General Fund (101), Public Transportation Department, to the Federal Categorical Grants  
8 Fund (241), Public Transportation Department, for the **Americans with Disabilities Act (ADA)**  
9 **Paratransit Services**.  
10 1. Assembly Memorandum No. AM 231-2009.

11  
12 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

13  
14 Dr. Selkregg moved, to approve AR 2009-107.  
15 Mr. Gutierrez seconded,  
16 and this passed unanimously, 10-0.

- 17  
18 14.R. Resolution No. AR 2009-108, a resolution appropriating \$1,512,000 in Federal Highway Safety  
19 Improvements Project (HSIP) Funds from a State of Alaska Department of Transportation and Public  
20 Facilities (ADOT&PF) Memorandum of Agreement with the Municipality of Anchorage (MOA), to the  
21 Miscellaneous Capital Project/Pass-Thru Fund (409) under the Municipal Traffic Department for the  
22 **Anchorage Area Countdown Pedestrian Signals Project**.  
23 1. Assembly Memorandum No. AM 232-2009.

24  
25 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

26  
27 Mr. Coffey moved, to approve AR 2009-108.  
28 Mr. Birch seconded,

29  
30 To Ms. Drummond, Municipal Manager Michael Abbott explained that the timing of the pedestrian signals was  
31 changeable to fit the different needs of all intersections.

32 and the motion passed unanimously, 10-0.

- 33  
34  
35 14.S. Resolution No. AR 2009-113, a resolution of the Municipality of Anchorage appropriating \$300,000 as  
36 payment in lieu of subdivision agreement obligations for road, pedestrian and intersection  
37 improvements from Kincaid Estates LLC to the Anchorage Roads and Drainage Service Area Capital  
38 Improvement Fund (441), Project Management & Engineering Department, for **improvements of**  
39 **West 80th Avenue from Westpark Drive to Lucy Street**.  
40 1. Assembly Memorandum No. AM 244-2009.

41  
42 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

43  
44 Dr. Selkregg moved, to approve AR 2009-113.  
45 Mr. Coffey seconded,  
46 and the motion passed unanimously, 10-0.

47  
48 *(Clerk's Note: Ms. Gray-Jackson requested that constituents in the audience be allowed to speak before the meeting*  
49 *adjourned. There were no objections. See Audience Participation, item 17, for details.)*

- 50  
51 14.T. Resolution No. AR 2009-114, a resolution of the Municipality of Anchorage adopting Substantial  
52 Amendment Four of the 2008 Housing and Community Development Annual Action Plan, which  
53 constitutes the application to the U.S. Department of Housing and Urban Development (HUD) and to  
54 appropriate an anticipated grant of \$776,469 as a grant from HUD to the Federal Categorical Grants  
55 Fund (241) for the **Homeless Prevention and Rapid Re-Housing Program (HPRP)** funding as  
56 allocated under the American Recovery and Reinvestment Act of 2009 to the Department of Health  
57 and Human Services.  
58 1. Assembly Memorandum No. AM 254-2009.

59  
60 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

61  
62 Dr. Selkregg moved, to approve AR 2009-114.  
63 Mr. Coffey seconded,  
64 and the motion passed unanimously, 10-0.

65  
66 15. **SPECIAL ORDERS** There were none.

67  
68 16. **UNFINISHED AGENDA** There was none.

69  
70 17. **AUDIENCE PARTICIPATION**

71  
72 E. FRANCES SEATER testified that local residents and the community council unanimously opposed the Wright Street  
73 connection. There were concerns of public safety risks to locals which would compromise the neighborhood.

74  
75 MIKE STOIANOFF, a Wright Street resident, testified the changes were dangerous to all residents, including children  
76 and seniors. He presented petitions with seventy-six signatures of local residents opposing the extension.

77  
78 Ms. Gray-Jackson moved, to extend the Regular Meeting for five minutes to

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Ms. Drummond seconded, accommodate those in the audience who wished to speak.  
and there were no objections.


SHARMAN HALEY testified that residents had consistently opposed the project. She presented a neighborhood resolution urging the Assembly to oppose the extension. Ms. Gray-Jackson and Mr. Gutierrez commented on the matter.

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

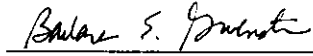
**19. EXECUTIVE SESSIONS** There were none.

**20. ADJOURNMENT**

Chair Ossiander adjourned the Regular Assembly Meeting at 11:05 p.m.

  
DEBBIE OSSIANDER, Assembly Chair

ATTEST:

  
BARBARA GRUENSTEIN, Municipal Clerk

Date Minutes Approved: August 11, 2009.

MC/BG

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

