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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 26, 2009**

**1. CALL TO ORDER**

The Regular Assembly Meeting of May 26, 2009 was convened by Chair Ossiander at 5:06 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** Assemblymember Birch led the pledge.

**4. MINUTES OF PREVIOUS MEETINGS**

4.A. Regular Meeting – January 6, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of  
Mr. Gutierrez seconded, January 6, 2009.  
and the motion passed, 9-0,  
with Ms. Gray-Jackson abstaining due to her excused absence on January 6<sup>th</sup>.

4.A. Regular Meeting – January 20, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of  
Mr. Gutierrez seconded, January 20, 2009.  
and the motion passed, 9-0,  
with Mr. Birch abstaining due to his excused absence on January 20<sup>th</sup>.

4.B. Regular Meeting – February 3, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of  
Ms. Drummond seconded, February 3, 2009.  
and this passed without objection, 10-0.

4.C. Regular Meeting – February 24, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of  
Mr. Starr seconded, February 24, 2009.  
and this passed without objection, 10-0.

4.D. Regular Meeting – March 24, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of  
Mr. Starr seconded, March 24, 2009.  
and this passed without objection, 10-0.

**5. MAYOR'S REPORT**

Acting Mayor Claman reported on federal stimulus money appropriated for homelessness prevention, launching the new Municipal website, the Weatherization Program statistics and the recent Park Foundation fund raiser. To Mr. Birch, Health and Human Services Director Diane Ingle and Special Assistant Marge Larson addressed the need for case management services to ensure success of the homelessness program.

**6. ASSEMBLY CHAIR'S REPORT**

Chair Ossiander reported the Assembly worksessions and meeting schedule and that the Office of Equal Opportunity had hosted a Diversity Breakfast that morning. Mr. Birch urged that matters not time-sensitive be postponed to July.

Chair Ossiander recognized newly appointed and reappointed board and commissions members present, including Greer Gehler to the Arts Advisory Commission, Hazel Blackmore to the Diversity Advisory Commission and Barbara Rosetti to the Investment Advisory Commission.



1  
2 Mr. Gutierrez requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

3  
4 9.B.2. Resolution No. AR 2009-140, a resolution of the Municipality of Anchorage appropriating \$91,821 as a  
5 grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland  
6 Security and Emergency Management and appropriating \$3,572 as a contribution from the 2009  
7 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the  
8 State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**  
9 **response and prevention equipment**.

10 a. Assembly Memorandum No. AM 285-2009.

11 9.B.3. Resolution No. AR 2009-141, a resolution of the Municipality of Anchorage appropriating \$30,000 from  
12 the Raven Woods/Bubbling Brook LRSA Fund Balance (Fund 116) to the **Raven Woods/Bubbling**  
13 **Brook LRSA BP2009 Operating Budget** (Fund 116), Maintenance and Operations Department, for  
14 summer work program.

15 a. Assembly Memorandum No. AM 286-2009.

16 9.B.4. Resolution No. AR 2009-142, a resolution of the Municipality of Anchorage approving the  
17 **Comprehensive Economic Development Strategy (CEDS)** for the Municipality of Anchorage as  
18 required by the Federal Economic Development Administration (EDA), Office of Economic &  
19 Community Development.

20 a. Assembly Memorandum No. AM 287-2009.

21  
22 Dr. Selkregg requested this item be pulled for review on the Regular Agenda. (See item 10.B.4)

23  
24 9.B.5. Resolution No. AR 2009-144, a resolution of the Municipality of Anchorage adopting revisions to the  
25 **Anchorage Carbon Monoxide Maintenance Plan**, Health and Human Services.

26 a. Assembly Memorandum No. AM 304-2009. (**Addendum**)

27  
28 Mr. Starr requested this item be pulled for review on the Regular Agenda. (See item 10.B.5)

29  
30 **9.C. BID AWARDS**

31 9.C.1. Assembly Memorandum No. AM 295-2009, recommendation of award to Palmerco Construction, Inc.  
32 for **East Northern Lights Sound Barrier, Phase II** for the Municipality of Anchorage, Project  
33 Management & Engineering Department (ITB 29-C009) (\$1,016,943), Purchasing.

34  
35 Ms. Gray-Jackson requested this item be pulled for review on the Regular Agenda. (See item 10.C.1)

36  
37 9.C.2. Assembly Memorandum No. AM 296-2009, recommendation of award to Roger Hickel Contracting,  
38 Inc. for **Lake Otis Parkway Pavement Rehabilitation - Huffman Road to Legacy Drive**, Project No.  
39 06-27 for the Municipality of Anchorage, Project Management & Engineering Department (ITB 29-  
40 C012) (\$816,142.95), Purchasing.

41 9.C.3. Assembly Memorandum No. AM 297-2009, recommendation of award to AKA Hauling, LLC to provide  
42 **trucks with operators** to the Municipality of Anchorage, Maintenance & Operations Department  
43 (M&O) for Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) (ITB 29-B024)  
44 (\$266,671), Purchasing.

45 9.C.4. Assembly Memorandum No. AM 305-2009, recommendation of award to Seacoast Construction  
46 Company, Inc. for **UMED Transit & Pedestrian Improvements - Phase I**, Project No. 04-42 for the  
47 Municipality of Anchorage, Project Management & Engineering Department (PM&E) (ITB 29-C013)  
48 (\$1,384,649.50), Purchasing. (**Addendum**)

49 9.C.5. Assembly Memorandum No. AM 313-2009, recommendation of award to Alaska Interstate  
50 Construction, LLC for 6th Avenue Reconstruction - Patterson Street to Muldoon Road, Project No. 05-  
51 02 for the Municipality of Anchorage, Project Management & Engineering Department (ITB 29-C015)  
52 (\$3,821,604.65), Purchasing. (**Laid on the Table**)

53  
54 **9.D. NEW BUSINESS**

55 9.D.1. Assembly Memorandum No. AM 298-2009, **Arts Advisory Commission** appointment (Greer Gehler),  
56 Mayor's Office.

57 9.D.2. Assembly Memorandum No. AM 299-2009, **Diversity Advisory Commission** appointment (Hazel  
58 Blackmore), Mayor's Office.

59 9.D.3. Assembly Memorandum No. AM 300-2009, **Sister Cities Commission** appointment (Mara Kimmel),  
60 Mayor's Office.

61 9.D.4. Assembly Memorandum No. AM 281-2009, **Vallarta's Mexican Restaurant #3827 - Transfer of**  
62 **Ownership of a Restaurant Eating Place Liquor License and Application for a Restaurant Designation**  
63 **Permit (Russian Jack Community Council)**, Clerk's Office.

64 9.D.5. Assembly Memorandum No. AM 301-2009, Amendment No. 5 to the professional services contract  
65 with DOWL Engineers for the **Northwood Drive Upgrade, (Project No. 01-12) and for design and**  
66 **reconstruction services for the Van Buren Street/48<sup>th</sup> Avenue Circulation Access Improvement**,  
67 (Project No. 06-13) (\$404,791), Project Management & Engineering.

68 9.D.6. Assembly Memorandum No. AM 303-2009, recommendation of award to DOWL HKM to provide  
69 professional engineering services for the **Spruce Street Extension/Upgrade - Dowling Road to 68<sup>th</sup>**  
70 **Avenue** for the Municipality of Anchorage, Project Management & Engineering Department (RFP 28-  
71 P033, Project E) (\$774,940), Purchasing.

72 9.D.7. Assembly Memorandum No. AM 302-2009, Change Order No. 15 to Purchase Order No. 251272 with  
73 VPSI, Inc. (VPSI) for **vanpool management and administrative services** for the Municipality of  
74 Anchorage, Public Transportation Department. (\$160,461.76), Purchasing.

75  
76 Ms. Drummond commented that she was pleased that additional vans would be added to the vanpool services.

77  
78 9.D.8. Assembly Memorandum No. AM 306-2009, **Heritage Land Bank Advisory Commission**  
79 appointment (Eleanor Andrews), Mayor's Office. (**Addendum**)

- 1 9.D.9. Assembly Memorandum No. AM 307-2009, Investment Advisory Commission appointment  
2 (Barbara Rosetti), Mayor's Office. *(Addendum)*
- 3 9.D.10. Assembly Memorandum No. AM 308-2009, Police and Fire Retiree Medical Pre-Funding  
4 Investment Board appointment (Qianyu Sun), Mayor's Office. *(Addendum)*
- 5 9.D.11. Assembly Memorandum No. AM 309-2009, Youth Advisory Commission appointments (Laura Barry  
6 and Wiley Cason), Mayor's Office. *(Addendum)*
- 7 9.D.12. Assembly Memorandum No. AM 310-2009, a recommendation to authorize Solid Waste Services  
8 (SWS) to enter into a **5-year renewable land use permit with the U.S. Army** for 47 acres of land at  
9 Fort Richardson (\$60,066), Solid Waste Services. *(Addendum)*

10  
11 **9.E. INFORMATION AND REPORTS**

- 12 9.E.1. Information Memorandum No. AIM 51-2009, AWWU Regulatory Report – Outstanding Regulatory  
13 Matters.

14 Ms. Drummond requested this item be pulled for review on the Regular Agenda. *(See item 10.E.1)*

- 15
- 16
- 17 9.E.2. Information Memorandum No. AIM 52-2009, 2009 First Quarter Summary Report of AWWU  
18 Awards.
- 19 9.E.3. Information Memorandum No. AIM 53-2009, March 2009 Financial Reports, Office of Management &  
20 Budget.
- 21 9.E.4. Information Memorandum No. AIM 54-2009, contracts awarded between \$50,000 and \$500,000  
22 through formal competitive processes for the month of April 2009, Purchasing.
- 23 9.E.5. Information Memorandum No. AIM 55-2009, Sole Source Procurement Report for the month of April  
24 2009, Purchasing.
- 25 9.E.6. Information Memorandum No. AIM 56-2009, Substantial Amendment to the Housing and  
26 Community Development 2008 Action Plan (Action Plan) for Application of Community  
27 Development Block Grant (CDBG) Funding as Allocated under the American Recovery and  
28 Reinvestment Act (ARRA) of 2009, Department of Neighborhoods. *(Addendum)*

29  
30 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 31 9.F.1. Ordinance No. AO 2009-65, an ordinance authorizing extension of the lease between the Municipality  
32 of Anchorage as lessor and Michael B. Spernak and Marita C. Crosby as lessee of **Lot 3A, Block 3,**  
33 **Merrill Field Replat Addition No. 2**, located between Runway 7-25 and Merrill Field Drive, Merrill  
34 Field Airport. *(Public Hearing 6-9-09)*
  - 35 a. Assembly Memorandum No. AM 289-2009.
- 36 9.F.2. Ordinance No. AO 2009-66, an ordinance authorizing a **revocable use permit to Little Bear's**  
37 **Playhouse, Inc.**, a non-profit corporation, of premises located at 124 Egloff Drive in Girdwood, for a  
38 daycare center, Heritage Land Bank/Real Estate Services. *(Public Hearing 6-9-09)*
  - 39 a. Assembly Memorandum No. AM 290-2009.

40  
41 Ms. Drummond requested this item be pulled for review on the Regular Agenda. *(See item 10.F.2)*

- 42
- 43 9.F.3. Ordinance No. AO 2009-67, an ordinance authorizing **withdrawal and transfer of a 10 acre portion**  
44 **of HLB Parcel #3-035** from Heritage Land Bank Inventory to the Real Estate Services Division, and  
45 establishing a conservation easement thereon with mitigation credits managed by Heritage Land  
46 Bank. *(Public Hearing 6-9-09)*
  - 47 a. Assembly Memorandum No. AM 291-2009.
- 48 9.F.4. Ordinance No. AO 2009-68, an ordinance amending Anchorage Municipal Code Section 25.40.010 to  
49 **designate Heritage Land Bank as the exclusive grantee of conservation easements and funds**  
50 **generated by compensatory mitigation agreements** with the U.S. Army Corps of Engineers,  
51 Heritage Land Bank. *(Public Hearing 6-9-09)*
  - 52 a. Assembly Memorandum No. AM 292-2009.
- 53 9.F.5. Ordinance No. AO 2009-69, an ordinance amending the recommended plan map for  
54 **U-Med/Universities and Medical District Framework Master Plan** and amending Anchorage  
55 Municipal Code Section 21.05.030A., Planning Department. *(Public Hearing 6-9-09)*
  - 56 a. Assembly Memorandum No. AM 293-2009.

57  
58 Ms. Drummond requested this item be pulled for review on the Regular Agenda. *(See item 10.F.5)*

- 59
- 60 9.F.6. Ordinance No. AO 2009-70, an ordinance amending Anchorage Municipal Code Sections 10.40.010  
61 and 10.40.015 regarding **Massage Practitioner license requirements**, Department of Law.
  - 62 a. Assembly Memorandum No. AM 294-2009. *(Public Hearing 6-9-09)*

63  
64 Ms. Drummond requested this item be pulled for review on the Regular Agenda. *(See item 10.F.6)*

- 65
- 66 9.F.7. Resolution No. AR 2009-121, a resolution of the Municipality of Anchorage appropriating \$169,650 as  
67 a contribution from the Areawide General Fund (101) Heritage Land Bank/Real Estate Services  
68 Department's 2009 Operating Budget to the Areawide Capital Fund (401) Heritage Land Bank  
69 Department/Real Estate Services Division for **City Hall capital maintenance and improvements**  
70 **(\$94,650) and the tenant improvements (\$75,000)**. *(Public Hearing 6-9-09)*
  - 71 a. Assembly Memorandum No. AM 272-2009.
- 72 9.F.8. Regular No. AR 2009-143, a resolution of the Municipality of Anchorage appropriating \$100,000 from  
73 the Department of Military and Veterans Affairs, Division of Homeland Security and Emergency  
74 Management and contribution of \$3,619 from Anchorage Areawide Operating Fund (101) Municipal  
75 Manager Department, Office of Emergency Management 2009 Operating Budget to the State  
76 Categorical Grants Fund (231) to **Emergency Management Performance Grant (EMPG) activities**  
77 in the Municipal Manager Department. *(Public Hearing 6-9-09)*
  - 78 a. Assembly Memorandum No. AM 288-2009.

1 Ms. Drummond requested this item be pulled for review on the Regular Agenda. (See item 10.F.8)

- 2
- 3 9.F.9. Ordinance No. AO 2009-71, an ordinance repealing and re-enacting Anchorage Municipal Code
- 4 Chapter 8.80 regarding **fees for excessive police responses**, Department of Law. (*Public Hearing*
- 5 *6-9-09*) (**Addendum**)
- 6 a. Assembly Memorandum No. AM 311-2009.
- 7 9.F.10. Ordinance No. AO 2009-72, an ordinance authorizing an **equal value land exchange of Heritage**
- 8 **Land Bank Parcels 2-153, 2-154 and 2-155** (Lots 4, 5 & 6, Block 4, Abbott Loop Manor Subdivision)
- 9 for Lots 11 & 22, Section 22, T13N, R3W Seward Meridian located south of Russian Jack Springs
- 10 Park, Heritage Land Bank. (*Public Hearing 6-9-09*)
- 11 a. Assembly Memorandum No. AM 312-2009. (**Addendum**)
- 12 9.F.11. Ordinance No. AO 2009-73, an ordinance amending Anchorage Municipal Code Subsection
- 13 3.30.1511F, **Employer-Required General Furlough Leave Without Pay**, to change the sunset date
- 14 to December 31, 2009, Assemblymembers Gray-Jackson and Gutierrez. (*Public Hearing 6-9-09*)
- 15 (**Addendum**)
- 16 9.F.12. Resolution No. AR 2009-146, a resolution ratifying a Letter of Agreement, amending the Collective
- 17 Bargaining Agreement between the Municipality of Anchorage and the Anchorage Municipal
- 18 Employee's Association, Employee Relations. (**Laid on the Table**)
- 19 9.F.13. Assembly Memorandum No. AM 315-2009, Planning and Zoning Commission appointment (Sarah
- 20 Scanlan), Mayor's Office. (*Public Comment: 6-9-09*) (**Laid on the Table**)
- 21

22 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.F.13)

23 Chair Ossiander called for a vote on the Consent Agenda.

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

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

26 NAYS: None.

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

32 **END OF CONSENT AGENDA**

33 **10. REGULAR AGENDA**

34 10.A.1. Resolution No. AR 2009-134, a resolution of the Anchorage Municipal Assembly recognizing and

35 honoring **Shirley Maciejski** for her 35 years of service to the community as Senior Accountant at the

36 Port of Anchorage, Anchorage, Acting Mayor Claman, Assemblymembers Birch, Coffey, Drummond,

37 Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander, Selkregg and Starr.

38 Mr. Coffey moved, to approve AR 2009-134.

39 Mr. Flynn seconded,

40 Acting Mayor Claman and Chair Ossiander requested the Mayor and Assemblymembers be added as cosponsors.

41 and this passed without objection.

42 Mr. Coffey read and Dr. Selkregg presented the resolution to Shirley Maciejski, honoring her for her 35 years of service

43 to the community as Senior Accountant at the Port of Anchorage. Port employees and Director Bill Sheffield thanked

44 Ms. Maciejski for her service. Ms. Maciejski stated that she had enjoyed working for the city.

45 10.A.2. Resolution No. AR 2009-135, a resolution of the Anchorage Municipal Assembly recognizing and

46 honoring **Patricia J. Griffith** for 32 years of service to the Municipality of Anchorage, Acting Mayor

47 Claman, Assemblymembers Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston,

48 Ossiander, Selkregg and Starr.

49 Ms. Johnston moved, to approve AR 2009-135.

50 Mr. Starr seconded,

51 and the motion passed, 10-0.

52 Ms. Johnston read and Mr. Starr presented the resolution to Patricia Griffith, honoring her for her 32 years of service to

53 the Municipality, including as Collections Supervisor at Anchorage Water and Wastewater Utility (AWWU). Ms. Griffith

54 thanked AWWU and the Assembly for the recognition.

55 10.A.3. Resolution No. AR 2009-136, a resolution of the Anchorage Municipal Assembly recognizing and

56 honoring **John R. Murdoch** for his 31 years, 6 months of service with the Municipality of Anchorage,

57 Acting Mayor Claman, Assemblymembers Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez,

58 Johnston, Ossiander, Selkregg and Starr.

59 Mr. Birch moved, to approve AR 2009-136.

60 Mr. Coffey seconded,

61 and the motion passed, 10-0.

62 Ms. Drummond read and Mr. Birch presented the resolution honoring John Murdoch for his over 31 years of service to

63 the Anchorage Water and Wastewater Utility (AWWU). AWWU Division Director Craig Woolard thanked the Assembly

64 and accepted the resolution on behalf of Mr. Murdoch.

65 10.A.4. Resolution No. AR 2009-137, a resolution of the Anchorage Municipal Assembly recognizing and

66 honoring **Larry W. Phillips** for his 30 years of service with the Municipality of Anchorage, Acting

1 Mayor Claman, Assemblymembers Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez,  
2 Johnston, Ossiander, Selkregg and Starr.

3  
4 Mr. Starr moved, to approve AR 2009-137.  
5 Dr. Selkregg seconded,  
6 and the motion passed, 10-0.

7  
8 Mr. Starr read and Dr. Selkregg presented the resolution to Larry Phillips, honoring him for his 30 years of service to  
9 the Municipality, including as Senior Operator at Anchorage Water and Wastewater Utility (AWWU) and in leadership  
10 roles with the Alaska Division of the American Waterworks Association. Mr. Phillips thanked the Assembly and stated  
11 he had enjoyed his career.

12  
13 10.A.5. Resolution No. AR 2009-138, a resolution of the Anchorage Municipal Assembly recognizing and  
14 honoring **Michael J. Lowry** for his 25 years, 3 months of service with the Municipality of Anchorage,  
15 Acting Mayor Claman, Assemblymembers Birch, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez,  
16 Johnston, Ossiander, Selkregg and Starr.

17  
18 Ms. Gray-Jackson moved, to approve AR 2009-138.  
19 Ms. Drummond seconded,  
20 and the motion passed, 10-0.

21  
22 Ms. Gray-Jackson read and Mr. Flynn presented the resolution honoring Michael Lowry for his over 25 years of service  
23 with Anchorage Water and Wastewater Utility (AWWU). AWWU Division Director Craig Woolard thanked the  
24 Assembly and accepted the resolution on behalf of Mr. Lowry.

25  
26 **10.B. RESOLUTIONS FOR ACTION - OTHER**

27 10.B.1. Resolution No. AR 2009-139, a resolution of the Municipality of Anchorage appropriating the sum of  
28 \$36,191 from the Department of Justice, Community Capacity Development Office, through the  
29 Russian Jack Weed & Seed Site Office and \$1,405 as a contribution from the 2009 Anchorage Police  
30 Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State and Federal  
31 Pass-Through Grants Fund (231) Anchorage Police Department, for this **Weed & Seed Program**  
32 **coordination grant**.

33 a. Assembly Memorandum No. AM 284-2009.

34  
35 Mr. Gutierrez moved, to approve AR 2009-139.  
36 Mr. Starr seconded,

37  
38 Mr. Gutierrez reported that he was involved in the Weed & Seed Program, but not in this particular program. Chair  
39 Ossiander ruled that Mr. Gutierrez had no conflict of interest and ordered him to participate. There were no objections.

40 and the motion passed, 10-0.

41  
42  
43 10.B.4. Resolution No. AR 2009-142, a resolution of the Municipality of Anchorage approving the  
44 **Comprehensive Economic Development Strategy (CEDS)** for the Municipality of Anchorage as  
45 required by the Federal Economic Development Administration (EDA), Office of Economic &  
46 Community Development.

47 a. Assembly Memorandum No. AM 287-2009.

48  
49 Dr. Selkregg moved, to approve AR 2009-142.  
50 Ms. Drummond seconded,

51  
52 Dr. Selkregg moved, to amend AR 2009-142 on Page 1, Lines 24-27, *by adding* to  
53 Ms. Drummond seconded, read: NOW THEREFORE, the Anchorage Assembly  
54 and this passed without objection. resolves to recognize the Comprehensive Economic  
55 Development Strateg[y]ies for the Municipality of Anchorage,  
56 including Amendments 1, 2, 3 and 3.A. as a overarching  
57 guidance tool for the Municipality so federal funds may be  
58 secured through the EDA and other federal agencies that  
59 recognize the plan. (Clerk's Note: See Attachments 1, 2, 3  
60 and 3.A, included in the approved document.)

61  
62 and the main motion, as amended, passed, 10-0.

63  
64 10.B.5. Resolution No. AR 2009-144, a resolution of the Municipality of Anchorage adopting revisions to the  
65 **Anchorage Carbon Monoxide Maintenance Plan**, Health and Human Services.

66 a. Assembly Memorandum No. AM 304-2009. (**Addendum**)

67  
68 Mr. Starr moved, to approve AR 2009-144.  
69 Mr. Birch seconded,

70  
71 Mr. Starr moved, to amend AM 304-2009 on Page 2, Lines 16-17, *by deleting*:  
72 Mr. Coffey seconded, [~~curtailing or limiting the use of fireplaces, wood stoves and~~  
73 ~~other wood burning appliances when high CO is predicted.~~]

74  
75 Health and Human Services Director Diane Ingle explained the attachment about wood-fired boilers was inadvertently  
76 added to the document. Mr. Starr, Dr. Selkregg, Ms. Drummond, Mr. Flynn and Mr. Coffey addressed issues of  
77 restricting uses of wood burning appliances, a lack of associated emissions statistics, the current Carbon Monoxide  
78 Plan, a contingency plan for the future, the city not having restriction authority, deleting the emissions program and the  
79 city being well above the air quality standards.

1  
2 and the motion failed, 5-5.

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

6  
7 and the main motion passed, 10-0.

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

11  
12 **10.C. BID AWARDS**

13 10.C.1. Assembly Memorandum No. AM 295-2009, recommendation of award to Palmerco Construction, Inc.  
14 for **East Northern Lights Sound Barrier, Phase II** for the Municipality of Anchorage, Project  
15 Management & Engineering Department (ITB 29-C009) (\$1,016,943), Purchasing.

16  
17 Ms. Gray-Jackson moved, to approve AM 295-2009.  
18 Mr. Coffey seconded,

19  
20 Ms. Gray-Jackson declared a potential conflict of interest because the sound barrier project would affect her by  
21 decreasing the noise at her home. Chair Ossiander ruled that Ms. Gray-Jackson did not have a conflict of interest.  
22 There were no objections. Mr. Coffey, Ms. Drummond and Dr. Selkregg commented on how the money would be  
23 spent, the low bid and using wood instead of glass. Chair Ossiander recognized Representative Bill Stoltze, Co-chair  
24 of the House Finance Committee, for his involvement.

25  
26 and this was passed without objection, 10-0.

27  
28 **10.D. NEW BUSINESS** No items were pulled for review.

29  
30 **10.E. INFORMATION AND REPORTS**

31 10.E.1. Information Memorandum No. AIM 51-2009, **AWWU Regulatory Report – Outstanding Regulatory**  
32 **Matters.**

33  
34 Ms. Drummond moved, to accept AIM 51-2009.  
35 Mr. Coffey seconded,

36  
37 Ms. Drummond, Municipal Manager Michael Abbott, Dr. Selkregg and Mr. Coffey addressed issues of the Supreme  
38 Court decision, the Administration reporting to the Assembly and requesting an analysis relative to the dividend.

39  
40 and this was approved without objection, 10-0.

41  
42 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

43 10.F.2. Ordinance No. AO 2009-66, an ordinance authorizing a **revocable use permit to Little Bear's**  
44 **Playhouse, Inc.**, a non-profit corporation, of premises located at 124 Egloff Drive in Girdwood, for a  
45 daycare center, Heritage Land Bank/Real Estate Services. (*Public Hearing [June-9] June 23, 2009*)  
46 a. Assembly Memorandum No. AM 290-2009.

47  
48 Ms. Drummond moved, to introduce AO 2009-66 with Public Hearing  
49 Mr. Gutierrez seconded, [June-9] June 23, 2009.  
50 Mr. Coffey was the concurring third.

51  
52 10.F.5. Ordinance No. AO 2009-69, an ordinance amending the recommended plan map for  
53 **U-Med/Universities and Medical District Framework Master Plan** and amending Anchorage  
54 Municipal Code Section 21.05.030A., Planning Department. (*Public Hearing [June-9] June 23, 2009*)  
55 a. Assembly Memorandum No. AM 293-2009.

56  
57 Ms. Drummond moved, to introduce AO 2009-69 with Public Hearing  
58 Mr. Coffey seconded, [June-9] June 23, 2009.  
59 Mr. Gutierrez was the concurring third.

60  
61 10.F.6. Ordinance No. AO 2009-70, an ordinance amending Anchorage Municipal Code Sections 10.40.010  
62 and 10.40.015 regarding **Massage Practitioner license requirements**, Department of Law and  
63 Assemblymember Selkregg. (*Public Hearing [June-9] June 23, 2009*)  
64 a. Assembly Memorandum No. AM 294-2009.

65  
66 Ms. Drummond moved, to introduce AO 2009-70 with Public Hearing  
67 Mr. Coffey seconded, [June-9] June 23, 2009.  
68 Mr. Gutierrez was the concurring third.

69  
70 Dr. Selkregg requested to be added as a cosponsor.

71  
72 10.F.8. Regular No. AR 2009-143, a resolution of the Municipality of Anchorage appropriating \$100,000 from  
73 the Department of Military and Veterans Affairs, Division of Homeland Security and Emergency  
74 Management and contribution of \$3,619 from Anchorage Area-wide Operating Fund (101) Municipal  
75 Manager Department, Office of Emergency Management 2009 Operating Budget to the State  
76 Categorical Grants Fund (231) to **Emergency Management Performance Grant (EMPG) activities**  
77 in the Municipal Manager Department. (*Public Hearing [June-9] June 23, 2009*)  
78 a. Assembly Memorandum No. AM 288-2009.

79

1 Ms. Drummond moved, *to introduce* AR 2009-143 with Public Hearing  
2 Mr. Coffey seconded, [~~June 9~~] June 23, 2009.  
3 Mr. Gutierrez was the concurring third.

4  
5 10.F.13. Assembly Memorandum No. AM 315-2009, Planning and Zoning Commission appointment (Sarah  
6 Scanlan), Mayor's Office. (*Public Comment: June 9, 2009*) (**Laid on the Table**)  
7

8 Mr. Coffey moved, *to introduce* AM 315-2009 with the public comment period  
9 Ms. Gray-Jackson seconded, set through [~~June 9~~] July 7, 2009.  
10 Dr. Selkregg was the concurring third.

11  
12 Mr. Coffey, Dr. Selkregg, Mr. Gutierrez and Acting Mayor Claman commented on changing the public comment period.

13  
14 and the motion failed, 5-5.

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

18  
19 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

20 11.A. Ordinance No. AO 2008-124, an ordinance amending Chapter 25.35 to add a Mission Statement,  
21 update the **Anchorage Community Development Authority organizational structure**, and other  
22 related revisions; and amending Chapters 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 and 9.65 to implement the  
23 ACDA organization and structure, Department of Law. (*Public Hearing was Closed 1-6-09; Amended*  
24 *1-6-09; Action Postponed from 1-6-09 and 2-3-09*)  
25 1. Assembly Memorandum No. AM 768-2008.  
26 2. Ordinance No. AO 2008-124(S) an ordinance amending Chapter 25.35 to add a Mission  
27 Statement, update the Anchorage Community Development Authority organizational structure,  
28 and other related revisions; and amending Chapters 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 and  
29 9.65 to implement the ACDA organization and structure. (**Laid on the Table**)  
30

31 Mr. Coffey moved, *to approve* AO 2008-124(S).  
32 Ms. Gray-Jackson seconded,  
33 and this passed without objection, 10-0.

34  
35 11.B. Ordinance No. AO 2008-100, an ordinance amending Anchorage Municipal Code Sections 3.87.020,  
36 3.87.050, 3.87.060 and 3.87.070, to provide a **Retiree Medical Funding Program** for certain police  
37 officers and fire fighters, Finance.  
38 1. Assembly Memorandum No. AM 560-2008. (*Public Hearing was Closed 10-28-08; Action was*  
39 *Postponed from 10-28-08, 11-18-08, 12-16-08; 1-20-09 and 5-12-09; Postponed to 6-23-09*)  
40

41 Mr. Coffey moved, *to postpone* AO 2008-100 to June 23, 2009.  
42 Ms. Johnston seconded,

43  
44 Mr. Coffey and Mr. Starr addressed the pending lawsuit settlement.

45  
46 and the motion passed without objection, 10-0.

47  
48 11.C. Resolution No. AR 2008-185, a resolution of the Anchorage Municipal Assembly supporting the  
49 approval of an increase in the employer contribution to the **Police and Fire Retirees Medical**  
50 **Benefits**, Finance. (*Public Hearing was Closed 10-28-08; Action was Postponed from 10-28-08, 11-*  
51 *18-08, 12-16-08, 1-20-09 and 5-12-09; Postponed to 6-23-09*)  
52

53 Mr. Coffey moved, *to postpone* AR 2008-185 to June 23, 2009.  
54 Ms. Drummond seconded,  
55 and this passed without objection, 10-0.

56  
57 11.D. Resolution No. AR 2009-115, a resolution ratifying a Letter of Agreement, amending the Collective  
58 Bargaining Agreement between Municipality of Anchorage and **General Teamsters, Local Union**  
59 **959**, Employee Relations. (*Public Hearing was Closed 5-12-09; Postponed from 5-12-09*)  
60 1. Assembly Memorandum No. AM 259-2009.  
61

62 Chair Ossiander reported the Public Hearing was closed and there was a motion to approve on the floor from May 12<sup>th</sup>.

63  
64 Ms. Gray-Jackson had moved, *to approve* AR 2009-115.  
65 Mr. Coffey had seconded,

66  
67 Ms. Johnston addressed the consequences of postponing and contract extensions. She would be a NO-vote.

68  
69 Mr. Birch addressed his objection to the cost increase and a contract extension. He would be a NO-vote.

70  
71 Mr. Coffey addressed employee reclassification, the costs and contract extensions. He would be a NO-vote.

72  
73 Mr. Flynn stated the Budget and Finance Committee had preferred the extension, which he would support.

74  
75 Auditor Peter Raiskums, Mr. Coffey, Mr. Starr, Dr. Selkregg, Labor Relations Director Lisa Arnold, Chief Fiscal Officer  
76 Sharon Weddleton, Ms. Johnston, Mr. Birch and Ms. Gray-Jackson addressed issues of the three audits, extending the  
77 contract, costs of living increases, performance pay, the new mayor readdressing the contract, benefits, impacting the  
78 budget, an opportunity for savings, creating a significant liability for the city and impacting the employees.  
79

1 Ms. Drummond assumed the Chair. Ms. Ossiander stated the contract was negotiated in good faith to bring cost  
2 savings and she would be a hesitant YES-vote. (Clerk's Note: Ms. Ossiander resumed the Chair.)

3  
4 and the motion passed, 6-4.

5  
6 AYES: Gray-Jackson, Flynn, Ossiander, Drummond, Selkregg and Gutierrez.  
7 NAYS: Johnston, Birch, Starr and Coffey.

8  
9 **12. APPEARANCE REQUESTS**

10 12.A. **Timothy C. Potter**, on behalf of *Anchorage Skates*, regarding the skating/fitness oval at the Cuddy  
11 Family Midtown Park.

12  
13 TIM POTTER, joined by members of *Anchorage Skates* and the Anchorage Speed Skating Club, testified in support of  
14 the skating oval at the Cuddy Family Midtown Park. Mr. Potter stated the group continued to raise funds and planned  
15 additional improvements. He presented a check for \$10,000 to the city to help off-set the costs for ice maintenance.  
16 Mr. Coffey, Dr. Selkregg, Ms. Gray-Jackson and Mr. Flynn thanked them for their work and generous contribution.

17  
18 **13. CONTINUED PUBLIC HEARINGS**

19 13.A. Ordinance No. AO 2008-136, an ordinance amending Anchorage Municipal Code Sections 21.35.020  
20 Definitions and Rules of Construction, 21.40 Zoning Districts, 21.45 Supplementary District  
21 Regulations, and 21.50 Standards for Conditional Uses and Site Plans, to define **Wind Energy**  
22 **Conversion Systems (WECS)**, to allow WECS in certain zoning districts as accessory uses by  
23 administrative site plan review and as conditional uses, to set general standards and conditional use  
24 standards, Planning Department. (Carried Over from 3-3-09; Continued from 3-24-09)  
25 1. Assembly Memorandum No. AM 843-2008.

26  
27 Chair Ossiander opened Continued Public Hearing.

28  
29 KYLE MURPHY testified in support of the Planning Department's proposed standards for wind energy systems and  
30 allowing property owners to utilize the resources available to them.

31  
32 Chair Ossiander closed Public Hearing and relinquished the Chair to Ms. Drummond.

33  
34 Ms. Drummond moved, to postpone indefinitely AO 2008-136.  
35 Ms. Johnston seconded,

36  
37 Ms. Ossiander explained the Title 21 Committee would continue addressing the concerns and introduce a new  
38 ordinance. (Clerk's Note: Ms. Ossiander resumed the Chair.) Mr. Flynn, Mr. Coffey, Mr. Gutierrez, Dr. Selkregg and  
39 Planning Director Tom Nelson addressed issues of rapidly changing technology, tower height, sound, site locations  
40 and a gaining a better understanding of efficient wind energy.

41  
42 and the motion passed without objection, 10-0.

43  
44 13.B. Ordinance No. AO 2009-56, an ordinance to **provisionally adopt new Sections 21.07.010, General**  
45 **Provisions; 21.07.020, Natural Resource Protection; 21.07.030, Private Open Space; 21.07.040,**  
46 **Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges; 21.07.050,**  
47 **Utility Distribution Facilities; and 21.07.140, Operational Standards**, amending Anchorage  
48 Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted  
49 chapters of Title 21, Assemblymember Ossiander. (Continued from 5-12-09)  
50 1. Assembly Memorandum No. AM 241-2009.  
51 2. Ordinance No. AO 2009-56(S), an ordinance to provisionally adopt new Sections 21.07.010,  
52 General Provisions; 21.07.020, Natural Resource Protection; 21.07.030, Private Open Space;  
53 21.07.040, Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges;  
54 21.07.050, Utility Distribution Facilities; and 21.07.140, Operational Standards, amending  
55 Anchorage Municipal Code Title 21 subject to concurrent final passage and approval of all  
56 provisionally adopted chapters of Title 21. (Title 21 Committee's PHD(S)) (Laid on the Table)

57  
58 Chair Ossiander opened Public Hearing.

59  
60 HOLLY KENT, Anchorage Waterways Council Executive Director, addressed watershed management, wide stream  
61 buffers, setbacks, maintenance, private land and referencing scientific information. To Ms. Johnston and Mr. Birch,  
62 Ms. Kent proposed changes and use of professionals in the fields of watershed and flood control management.

63  
64 ROBERT MEYER, living at the headwaters of Little Rabbit Creek, testified that a wildlife corridor was unnecessary and  
65 described animal activity, the meandering creek and steep undevelopable slopes. To Mr. Coffey and Mr. Flynn, he  
66 explained that permitting would conflict with building site locations, roads and driveways.

67  
68 RANDY BAUFUS, an Eagle River resident, testified this involved managing people not wildlife and the setback would  
69 force people to pay property tax on unwanted improvements. Eagle River needed to be addressed separately.

70  
71 VIVIAN MENDENHALL, with a Ph.D. in Wildlife Management, testified that the proposed wildlife corridors would cause  
72 more problems. She urged the Assembly to consult wildlife management professionals.

73  
74 State Representative BILL STOLTZE of Eagle River testified the proposed wildlife corridor would affect his house and  
75 building plans and would disturb special locations on his property. To Mr. Starr, Mr. Stoltze responded that no one in  
76 Peters Creek put fences along the creeks.

77

1 RANDY McCAIN opposed the taking of private property for wildlife corridors and requiring fences. He addressed  
2 creating a separate Chapter 10 for Eagle River, scientific wildlife studies and creeks below the Glenn Highway. He  
3 responded to questions from Ms. Drummond, Ms. Johnston, Mr. Starr, Dr. Selkregg and Mr. Coffey.

4  
5 OTTO PULLMAN, living on his homestead located on a creek in Eagle River, agreed with the previous testimony.

6  
7 MARC LAMOREAUX, Eklutna Native Village Land and Environment Director, testified that Eklutna was establishing  
8 traditional use areas for hunting, working on restoration projects and securing conservation easements.

9  
10 TIM POTTER proposed changes to the S-version to address compliance, regulations, easements, stream and water  
11 body setbacks, development, wetlands, open space, existing district management plans, creeks below the Glenn  
12 Highway and a review process to achieve a better outcome for development, the environment and the ecological  
13 system. He responded to questions from Mr. Coffey and Dr. Selkregg.

14  
15 JIM ARNESEN, Land Manager for Eklutna, Incorporated, addressed protecting the visually significant areas with  
16 natural features and steep slopes and omitting portions of Eklutna River and areas owned by Eklutna from the plan.

17  
18 BOBBY WELLS, Chugiak Consortium President and Birchwood Community Council President, testified about issues  
19 of wildlife corridors, existing master plans, consideration of fish, easement regulations, wildlife management, impacting  
20 homeowners, needing further review, dedicated trails on private property and developing a new plan for Chugiak.

21  
22 JOE BURNAM, owner of land along Little Rabbit Creek, addressed private properties being devalued, the wildlife  
23 corridor not being practical in this area and needing more review. To Dr. Selkregg, he addressed there being no tax  
24 adjustment for loss of acreage subject to the proposed stream setbacks.

25  
26 There was no additional testimony and Chair Ossiander closed Public Hearing. Ms. Drummond assumed the Chair.

27  
28 Planning Department Senior Planner Erika McConnell addressed new development and wildlife-human conflicts.

29  
30 *(Clerk's Note: The following motion and amendments refer to the Assembly Title 21 Committee Public Hearing*  
31 *Document PHD(S), Attachment 3, Corrected S-Version, Committee Recommendations, dated March 26, 2009, hereby*  
32 *referred to as the S-Version, amending AO 2009-56, adopting new provisions to Title 21 Chapter 21.07.)*

33  
34 Ms. Ossiander moved, to approve AO 2009-56(S).  
35 Mr. Coffey seconded,

36  
37 Ms. Ossiander summarized the Title 21 Committee's position and recommendations and proposed additional  
38 committee recommendations.

39  
40 Ms. Ossiander moved, to approve Amendment A, amending AO 2009-56(S):  
41 Mr. Coffey seconded,  
42 and this was approved without objection.  
43  
44 1. 21.07.020 B.6.b, on Page 9, after Line 10, *by inserting*  
45 *"Illustration to be added."*  
46  
47 2. 21.07.020 C.3.C, on Page 13, after Line 31, *by inserting:*  
48 *v. If the average slope of the site disturbance envelope*  
49 *is less than 20 percent, the development is exempt from*  
50 *subsection 3.e, 3.f, 3.g, 3.h and 3.i.*  
51  
52 3. 21.07.020 C.4.D, on Page 15, after Line 43, *by adding:*  
53 *d. Existing Lots Notwithstanding other standards of*  
54 *this section, lots existing on [effective date] that, due to*  
55 *prevalence and/or distribution of slopes over 50 percent,*  
56 *are not able to meet these standards, are allowed a site*  
57 *disturbance envelope of 20,000 square feet. Within this*  
58 *site disturbance envelope, slopes over 50% are allowed*  
59 *to be disturbed. (And re-lettering the remainder.)*  
60  
61 4. 21.07.020 D.3, on Page 19, after Line 5, *by adding: e.*  
62 *Trails shall be sited with direct consultation with the state*  
63 *department of fish and game.*

64  
65 Ms. Ossiander moved, to approve Amendment B, amending AO 2009-56(S), Section  
66 Mr. Gutierrez seconded, 21.07.040 E.7, on Page 28, Lines 11-42, *by changing* to read:  
67 and this was approved without objection.

68  
69 7. **Erosion and Sediment Control Administrator**  
70 **[(ESCA)]** A qualified erosion and sediment control  
71 administrator, who shall be responsible for the erosion,  
72 sedimentation, and best management practices during  
73 construction, shall be identified in each storm water  
74 treatment plan submitted for approval, except for storm  
75 water treatment plans for owner-built, single- and two-  
76 family dwellings. Evidence of contractual liability shall be  
77 provided when requested.  
78 a. *In order to be identified as a qualified administrator*  
79 *a person shall successfully complete a training*  
*course and associated test for certification from a*  
*training program approved by the project*  
*management and engineering department. [In*  
*order to qualify to be an ESCA,] a person shall take*  
*a training course approved by the Municipal*  
*Watershed Management Services Division. At the*  
*end of the training, a test will be administered, and*  
*applicants must successfully complete the*

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examination in order to be considered for certification.]  
b. The qualified administrator shall maintain their certification in active status throughout the length of the project. In the case where the qualified administrator's certification becomes expired or revoked the new qualified person shall be selected to be the erosion and sediment control administrator and shall be identified on the storm water treatment plan. [The certification shall remain in effect until it expires, unless revoked. Before the expiration of a certification, it may be renewed by paying a renewal fee. ESCAs who have not renewed their certification by 30 days after the expiration date shall be required to re-take the test required for all new applicants.]

(Clerk's Note: Ms. Ossiander resumed the Chair.)

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment C, amending AO 2009-56(S), Section 21.07.020 D.1, on Page 18, Lines 23-26, *by adding to read:*  
**D. Wildlife Management Corridors**

**1. Intent**  
The purpose of this section is to reduce wildlife-human conflicts by managing certain linear stream corridors to minimize adverse human-wildlife interactions and to facilitate more safely the movement of wildlife in those corridors identified in this section. It is not the intent of this section to reduce density as is otherwise allowed.

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment #1, amending AO 2009-56(S), Section 21.07.020 B.3.c, on Page 5, Line 17, *by changing to read:* The decision-making body shall not grant [~~preliminary or~~] final approval to any development or activity, including subdivisions, in a wetland that falls within the federal government's jurisdiction until all necessary federal approvals and permits have been obtained.

Mr. Coffey moved,  
Mr. Gutierrez seconded,  
and this was amended,

to approve Amendment #2, Part A, amending AO 2009-56(S), Section 21.07.020 6.B.6.b.iii, on Page 9, Lines 7-8, *by changing to read:* Trails are permitted parallel to the stream within the outer [30] [40] 35 feet of the setback.

Mr. Coffey, Mr. Nelson, Mr. Birch, Mr. Starr and Dr. Selkregg addressed the increase, grandfather rights to existing structures, applying to new development and decreasing the proposed setback distance.

and this, as amended, passed without objection.

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment #2, Part B, amending AO 2009-56(S) Section 21.07.020 B.3.c, on Page 9, *by adding at the end of the first sentence to read:* Through the design and permitting process, trails may be located closer to the stream for a justified reason, such as overcoming a physical, topographical, or land ownership constraint, or taking advantage of a viewpoint.

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment #3, amending AO 2009-56(S), Section 21.07.020B. 7, on Page 10, Lines 34-36, *by changing to read:* **Preservation and Restoration of Vegetation**, The removal of trees or vegetation that [~~the municipal engineer finds to be~~] are a threat to the public health, safety or welfare;

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment #5, amending AO 2009-56(S), Section 21.07.040 C.6, on Page 25, Lines 20-27, **Exposure of Subsurface Flows** *by changing to read:* If, during site work, unexpected subsurface flows are exposed [~~site work in the affected area shall stop and~~] the municipality shall be informed immediately. [A temporary flow management plan shall be submitted to and accepted by the municipality and carried out before other site work may resume. In addition (T)he developer shall amend the drainage plan to address the exposed flows and potential for glaciation and shall submit it to the Municipality and receive [for] approval before resuming site work other than temporary flow management.] If the subsurface flow cannot be contained within the site and has a significant off-site impact, work shall cease immediately and shall not be resumed until a temporary flow management

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plan has been submitted to and accepted by the municipality [and carried out before other site work may resume].

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Coffey Amendment [#6] A, amending AO 2009-56(S), Section 21.07.040 E.4.b, on Page 26, Lines 10-11, *by deleting*: Any earth disturbance that is ~~both~~ less than 500 square feet in area ~~[and or less than four feet in depth]~~.

Mr. Coffey moved,  
Ms. Johnston seconded,  
and this was approved without objection.

to approve Amendment #7, amending AO 2009-56(S), Section 21.07.040 E.4.d, on Page 26, Line 24, *by deleting*: ix. Uncontaminated water ~~[from crawl space pumps]~~.

Mr. Coffey moved,  
Mr. Gutierrez seconded,  
and this was amended by Mr. Starr,  
and this passed without objection, 10-0.

to postpone AO 2009-56(S) to ~~[June 23]~~ July 7, 2009.

Mr. Gutierrez moved,  
Mr. Coffey seconded,  
Ms. Drummond proposed a change,  
and this was approved without objection.

to *Change the Order of the Day* to take up ~~[44.B]~~ 14.C, 14.H and 14.B and continue the rest of the Agenda.

- 13.C. 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.
  - 1. Assembly Memorandum No. AM 158-2009. (*Continued from 5-12-09*)
  - 2. Ordinance No. AO 2009-40(S), 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. (**Addendum**)

Mr. Coffey moved,  
Mr. Gutierrez seconded,  
and this passed without objection, 10-0.

to postpone AO 2009-40 Public Hearing to June 23, 2009.

**14. NEW PUBLIC HEARINGS**

- 14.A. Resolution No. AR 2009-132, a resolution ratifying a Letter of Agreement, amending the Collective Bargaining Agreement (CBA) between the Municipality of Anchorage (MOA) and the **International Union of Operating Engineers, Local 302 (L302)**, Employee Relations.
  - 1. Assembly Memorandum No. AM 282-2009.

Chair Ossiander reported the Administration had requested this resolution be postponed. She opened Public Hearing. There was no one to testify and she closed Public Hearing.

Acting Mayor Claman moved,  
Dr. Selkregg seconded,

to ~~[postpone]~~ continue AR 2009-132 **Public Hearing** to June 9, 2009.

Mr. Coffey addressed closing public testimony. Chair Ossiander changed her ruling and reopened Public Hearing. There were no objections. Dr. Selkregg, Mr. Starr and Mr. Birch addressed the collective bargaining agreement.

and the motion, as amended, passed without objection, 10-0.

- 14.B. Resolution No. AR 2009-133, a resolution ratifying a Letter of Agreement, amending the Collective Bargaining Agreement between the Municipality of Anchorage (MOA) and the **Anchorage Police Department Employees Association (APDEA)**, Employee Relations.
  - 1. Assembly Memorandum No. AM 283-2009.

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

Ms. Johnston moved,  
Ms. Gray-Jackson seconded,

to approve AR 2009-133.

Labor Relations Director Lisa Arnold, Mr. Birch, Mr. Coffey and Mr. Flynn addressed issues of contract details, not getting enough information, contract extensions and unknown costs.

and the motion passed, 8-2.

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

- 14.C. Resolution No. AR 2009-111, a resolution of the Anchorage Municipal Assembly to **name the trails and trail features in Far North Bicentennial and Kincaid Parks**, Mayor's Office.

Chair Ossiander opened Public Hearing

DIANE MOXNESS, Executive Director of the Nordic Skiing Association, supported the official trail names and requested a spelling correction in Section 1, describing "Moerlein" Hill, a trail feature in Far North Bicentennial Park.

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

2  
3 Dr. Selkregg moved, to approve AR 2009-111.  
4 Mr. Flynn seconded,  
5 and this passed without objection, 10-0.  
6

7 14.D. Ordinance No. AO 2009-62, an ordinance amending Anchorage Municipal Code Section 4.60.060  
8 regarding the **Health and Human Services Commission**.  
9 1. Assembly Memorandum No. 267-2009.

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

12  
13 Dr. Selkregg moved, to approve AO 2009-62.  
14 Mr. Gutierrez seconded,

15  
16 Mr. Starr moved, to amend AO 2009-62 on Page 2, Line 22, by *deleting* to  
17 Mr. Birch seconded, read: c. At the request of the mayor[,] (*or*) assembly [~~or-on~~  
18 ~~their initiative~~] produce interim or special reports on specific  
19 concerns the commission believes affect or will affect the  
20 municipality.  
21

22 Mr. Starr, Dr. Selkregg and Mr. Gutierrez addressed the commission's authority, reporting directly to the Assembly and  
23 the Assembly having final authority.

24  
25 and the motion failed, 3-7.

26  
27 AYES: Birch, Starr and Coffey.  
28 NAYS: Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez and Selkregg.  
29

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

31  
32 14.E. Resolution No. AR 2009-118, a resolution of the Anchorage Assembly approving the **Heritage Land**  
33 **Bank 2009 Work Program and 2010-2014 Five-Year Management Plan**.  
34 1. Assembly Memorandum No. AM 269-2009.

35  
36 *(Clerk's Note: AR 2009-118 was Carried Over to June 9, 2009.)*

37  
38 14.F. Resolution No. AR 2009-119, a resolution appropriating a \$340,000 contribution from the Maintenance  
39 and Operations Department Areawide Service Area Fund (Fund 101) approved in the BP2009 General  
40 Government Operating Budget to the Areawide Service Area Capital Improvement Fund (Fund 401) to  
41 **establish a capital reserve fund for future roof repairs at the Sullivan Arena, Anchorage Museum,**  
42 **and Loussac Library**, Maintenance and Operations Department.  
43 1. Assembly Memorandum No. AM 270-2009.  
44

45  
46 *(Clerk's Note: AR 2009-119 was Carried Over to June 9, 2009.)*

47 14.G. Resolution No. AR 2009-120, a resolution of the Municipality of Anchorage accepting a Federal Transit  
48 Administration (FTA) Section 5309 Bus And Bus-Related Earmark allocations grant and appropriating  
49 \$259,000 to the Public Transportation Capital Fund (485) as additional funding to construct a  
50 **Paratransit Operations and Maintenance Center**.  
51 1. Assembly Memorandum No. AM 271-2009.  
52

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

54  
55 Ms. Johnston moved, to approve AR 2009-120.  
56 Ms. Gray-Jackson seconded,  
57 and this passed without objection, 10-0.  
58

59 14.H. Resolution No. AR 2009-130, a resolution of the Municipality of Anchorage appropriating \$7,111,699  
60 from Alaska Housing Finance Corporation (AHFC) as a supplemental grant to the State Categorical  
61 Grants Fund (231), to the Department of Neighborhoods to fund the **Weatherization Assistance**  
62 **Program**.  
63 1. Assembly Memorandum No. AM 278-2009.  
64

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

66  
67 Dr. Selkregg moved, to approve AR 2009-130.  
68 Ms. Gray-Jackson seconded,  
69

70 To Mr. Starr, Neighborhoods Director Corrine O'Neil responded the grant project did not involve union workers.

71  
72 and this passed without objection, 10-0.  
73

74 14.I. Resolution No. AR 2009-131, a resolution of the Anchorage Municipal Assembly **revising the 2009**  
75 **General Government Operating Budget** and appropriating \$241,480 from Areawide General Fund  
76 (101) Balance to reinstate certain positions, Assemblymembers Gray-Jackson, Gutierrez, Selkregg  
77 1. Assembly Memorandum No. AM 279-2009.  
78

79 *(Clerk's Note: AR 2009-131 was Carried Over to June 9, 2009.)*

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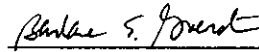
- 15. **SPECIAL ORDERS** There were none.
- 16. **UNFINISHED AGENDA** There was none.
- 17. **AUDIENCE PARTICIPATION** There was none.
- 18. **ASSEMBLY COMMENTS** There were none.
- 19. **EXECUTIVE SESSIONS** There were none.
- 20. **ADJOURNMENT**

Mr. Gutierrez moved, to adjourn the Regular Meeting of May 26, 2009.  
Mr. Coffey seconded,  
and there were no objections.

The Regular Assembly Meeting adjourned at 11:00 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.)