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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 August 11, 2009**

14  
15 **1. CALL TO ORDER**  
16

17 The Regular Assembly Meeting of August 11, 2009 was convened by Chair Ossiander at 5:00 p.m.  
18

19 **2. ROLL CALL** A Quorum was achieved with Assemblymembers present.  
20

21 PRESENT: Matt Claman, Elvi Gray-Jackson, Patrick Flynn, Jennifer Johnston, Debbie Ossiander, Harriet  
22 Drummond, Chris Birch, Mike Gutierrez, William Starr, Sheila Selkregg and Dan Coffey.  
23 ABSENT: None.  
24

25 **3. PLEDGE OF ALLEGIANCE** Assemblymember Selkregg led the pledge.  
26

27 **4. MINUTES OF PREVIOUS MEETINGS**

28 4.A. Regular Meeting – May 12, 2009.  
29

30 Ms. Johnston moved, to approve the Regular Meeting Minutes of May 12, 2009.  
31 Mr. Flynn seconded,  
32 and the motion passed, 11-0.  
33

34 4.B. Regular Meeting – May 26, 2009.  
35

36 Ms. Johnston moved, to approve the Regular Meeting Minutes of May 26, 2009.  
37 Mr. Flynn seconded,  
38 and the motion passed, 11-0.  
39

40 **5. MAYOR'S REPORT**  
41

42 Mayor Sullivan reported on recent community events including the 40<sup>th</sup> Anniversary of the Alaska Zoo, the Mountain  
43 View Street Fair, the dedication of the Cook Inlet Housing Project in Mountain View and the opening of Walgreens in  
44 the Creekside Town Center. He reported that his Administration would be distributing proposed budget reductions to  
45 address the deficit.  
46

47 Mayor Sullivan recognized Auditor Peter Raiskums for his twenty-five years of service to the Municipality. Dr.  
48 Selkregg, Ms. Gray-Jackson and Chair Ossiander thanked Mr. Raiskums for his years of service.  
49

50 Anchorage Public Libraries Community Relations Coordinator Toni McPherson reported the Emergency Preparedness  
51 Fair was scheduled for September 12<sup>th</sup> at the Loussac Library.  
52

53 Mayor Sullivan recognized newly appointed and reappointed board and commission members present, including  
54 Robert Shake to the Municipal Light and Power Authority Board of Directors and Steve Hartlung and Jim Ricks to the  
55 Budget Advisory Commission.  
56

57 **6. ASSEMBLY CHAIR'S REPORT**  
58

59 Chair Ossiander reported there would be a budget worksession on August 14<sup>th</sup>. She announced that Mr. Claman and  
60 Mr. Starr had joined the Budget and Finance Committee to help address budget matters.  
61

62 **7. COMMITTEE REPORTS**  
63

64 Mr. Coffey reported that the Title 21 Committee would meet on August 12<sup>th</sup> from 1:30 to 4:00 p.m. to discuss the  
65 residential design criteria section in Chapter 7.  
66

67 Ms. Drummond reported that she and Ms. Johnston had attended a community forum on the safety of the Seward  
68 Highway presented by the State Department of Transportation at the Girdwood Community Center. She reported that  
69 she had welcomed thirty-six people from Sister City Chitose, Japan, for events in Anchorage.  
70

71 Ms. Johnston reported that the Budget and Finance Committee, with new members Mr. Claman and Mr. Starr, met  
72 with Office of Management and Budget Director Cheryl Frasca on August 10<sup>th</sup> to address the budget deficit.  
73

74 Mr. Flynn reported that in 2010 there would be sixteen fewer tour ships using Anchorage as a destination, involving  
75 72,000 fewer passengers visiting Southcentral Alaska, affecting air flights and hotels and impacting the city. A tourist  
76 summit would be held on August 20<sup>th</sup> to address methods of strengthening the industry in 2011.

Ms. Gray-Jackson reported the budget deficit had been reduced by nearly a million dollars. She reported the Campbell Park community had formed TBOP (*Take Back Our Parks*) a committee that would address the homeless and public inebriates. A TBOP meeting was scheduled for August 17<sup>th</sup>. She reported that the community and the Parks Department were addressing handicapped accessibility to city parks and playgrounds.

Mr. Claman reported that the Girdwood Fire Department was addressing the safety challenges on the Seward Highway. He reported the 2009 Girdwood Forest Fair had been a success.

**8. ADDENDUM TO AGENDA**

Mr. Claman moved, to approve the inclusion of the Addendum  
Ms. Johnston seconded, into the Consent Agenda.

AM 462-2009 and AO 2009-103 were added as Agenda numbers 9.D.18 and 9.F.21, respectively. Amendments to AR 2009-166 were also added as Agenda item 14.A.2.

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

**9. CONSENT AGENDA**

Mr. Coffey moved, to approve the Consent Agenda.  
Dr. Selkregg seconded,

Assemblymembers pulled items 9.B.2, 9.E.4, 9.F.1 and 9.D.12 for discussion and separate vote.

and the main motion, as amended, was passed without objection.

*(Clerk's Note: Mr. Coffey abstained from voting on AR 2009-191, item 9.D.12, due to a conflict of interest.)*

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

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

9.B.1. Resolution No. AR 2009-185, a resolution of the Municipality of Anchorage appropriating Eighteen Thousand Eight Hundred Twenty Nine Dollars (\$18,829) from the Department of Military and Veterans Affairs, Division of **Homeland Security and Emergency Management**, and contributing Six Hundred Seventy Nine Dollars (\$679) from Anchorage Metropolitan Police Service Area Fund (151) Anchorage Police 2009 Operating Budget to the Areawide General CIP Fund (401) Municipal Manager Department, Office of Emergency Management for this FY2008 reallocated State Homeland Security Grant Funding, Office of Emergency Management.

a. Assembly Memorandum No. AM 426-2009.

9.B.2. Resolution No. AR 2009-186, a resolution of the Anchorage Municipal Assembly authorizing a **Citizen Task Force** to review the nature and extent of discrimination based on sexual orientation and the potential for conflict with constitutional rights, Assemblymember Coffey.

Mr. Flynn moved, to *Change the Order of the Day* to take up 9.B.2, AR 2009-  
Mr. Coffey seconded, 186, immediately prior to taking up Agenda item 11.D,  
and the motion passed, 11-0. AO 2009-64.

*(Clerk's Note: Immediately prior to taking up AO 2009-64 the Assembly returned to 9.B.2 to take up AR 2009-186.)*

Mr. Coffey moved, to approve AR 2009-186.  
Ms. Johnston seconded,

Mr. Coffey addressed his proposed resolution authorizing a Citizen Task Force to review discrimination based on sexual orientation. Mr. Flynn, Dr. Selkregg, Mr. Gutierrez, Ms. Gray-Jackson, Ms. Johnston, Mr. Claman and Ms. Drummond addressed issues of creating a task force, already having had extensive Public Hearing, taking action that evening, addressing the task force after voting on the ordinance.

Ms. Drummond moved, to *postpone voting* on AR 2009-186 until after voting  
Mr. Claman seconded, on AO 2009-64.  
and this motion failed, 3-8.

AYES: Ossiander, Drummond and Birch.

NAYS: Claman, Gray-Jackson, Flynn, Johnston, Gutierrez, Starr, Selkregg and Coffey.

Chair Ossiander called for a vote on the motion to approve AR 2009-186.

and the main motion failed, 4-7.

AYES: Johnston, Ossiander, Birch and Coffey.

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

*(Clerk's Note: The Assembly returned to item 11.D. to take up AO 2009-64.)*

9.B.3. Resolution No. AR 2009-187, a resolution of the Anchorage Municipal Assembly requesting a **citizen naming panel** to honor longtime Alaskan Henry Aristide "Red" Boucher, Assemblymembers Coffey and Gray-Jackson.

1 9.B.4. Resolution No. AR 2009-195, a resolution authorizing Municipal Light & Power to negotiate and  
2 acquire, by purchase, exchange or other transfer agreements, **natural gas** to meet its short-term  
3 requirements notwithstanding Title 7, Municipal Light & Power.  
4

5 **9.C. BID AWARDS**

6 9.C.1. Assembly Memorandum No. AM 458-2009, recommendation of award to multiple contractors to  
7 provide **miscellaneous residential facility maintenance services** on an "as-required" basis to the  
8 Municipality of Anchorage, Department of Neighborhoods, Weatherization Program (ITB 29-B037)  
9 (\$3,200,000), Purchasing. (**Addendum**)  
10

11 **9.D. NEW BUSINESS**

- 12 9.D.1. Assembly Memorandum No. AM 422-2009, 2008/2009 **Thai Town Restaurant #4378**-Transfer of a  
Restaurant Eating Place Liquor License and Application for a Restaurant Designation Permit (Spenard  
Community Council), Clerk's Office.  
15 9.D.2. Assembly Memorandum No. AM 423-2009, 2009 **True North Cellars #4931** Application for a New  
Wholesale Malt, Beverage/Wine Liquor License (Taku/Campbell Community Council), Clerk's Office.  
16 9.D.3. Assembly Memorandum No. AM 424-2009, 2008/2009 **Goldrush Liquor #4364** Transfer of ownership  
17 (stock transfer) for a Package Store Liquor License (Taku/Campbell Community Council), Clerk's  
18 Office.  
19 9.D.4. Assembly Memorandum No. AM 425-2009, 2009 **EI Tango #4930**-New Restaurant Eating Place  
20 License and Restaurant Designation Permit (Midtown Community Council), Clerk's Office.  
21 9.D.5. Assembly Memorandum No. AM 440-2009, **Executive Appointment** (Gregory L. Jones - Director,  
22 Office of Economic and Community Development), Employee Relations.  
23 9.D.6. Assembly Memorandum No. AM 442-2009, **Municipal Light and Power Authority Board of**  
24 **Directors Appointment** (Robert L. Shake), Mayor's Office.  
25 9.D.7. Assembly Memorandum No. AM 443-2009, **Budget Advisory Commission Appointments** (Steve  
26 Hartung and James Ricks), Mayor's Office.  
27 9.D.8. Assembly Memorandum No. AM 450-2009, **Municipal Light and Power Authority Board of**  
28 **Directors Appointment** (George J. Vakalis), Mayor's Office.  
29 9.D.9. Assembly Memorandum No. AM 451-2009, **AWWU Authority Board of Directors Appointment**  
30 (George J. Vakalis), Mayor's Office.  
31 9.D.10. Assembly Memorandum No. AM 438-2009, Change Order No. 2 to Contract with Point MacKenzie  
32 Construction & Management, Inc. **Totem Sports Field Turf** and irrigation improvements, Project No.  
33 06-05 (\$71,793,40) (PM&E).  
34 9.D.11. Assembly Memorandum No. AM 453-2009, Authorization of a Sole Source **Proprietary Lease**  
35 **Agreement** Between the Municipality of Anchorage (MOA) and Secretary of the U.S. Army. Heritage  
36 Land Bank, Real Estates Services.  
37 9.D.12. Assembly Memorandum No. AM 427-2009, a memorandum of understanding (MOU) between the  
38 Alaska Department of Environmental Conservation (ADEC) and the Municipality of Anchorage for **Air**  
39 **Quality Control**, Health & Human Services.  
40

41  
42 Chair Ossiander reported the Assembly had previously determined that Mr. Coffey had a conflict of interest because of  
43 his association with Express Lube Stations and he would abstain from voting on this matter. There were no objections.  
44

- 45 9.D.13. Assembly Memorandum No. AM 430-2009, Approval of Amendment No. 4 to Western Construction &  
46 Equipment (Contract 26M&O272) to Increase the Contract by \$47,000 for the Period Ending August  
47 31, 2009 for the Amount Not to Exceed (NTE) \$722,000 for Year Round Road Maintenance and  
48 Summer Work Program on an "As Required" Basis Within the **Birch Tree/Elmore Limited Road**  
49 **Service Area** (LRSA), Street Maintenance.  
50 9.D.14. Assembly Memorandum No. AM 432-2009, Approval of Amendment No. 8 to Alaska Pollution Control  
51 (PO NO. 251081) to Increase the Contract by \$275,000 for the Period Ending August 31, 2009 for a  
52 Total Amount Not to Exceed (NTE) \$2,605,000 to Fund 2009 Year Round Road Maintenance Services  
53 and Summer Work Program Within the **Upper O'Malley Limited Road Service Area** (LRSA), (Fund  
54 143), Street Maintenance.  
55 9.D.15. Assembly Memorandum No. AM 434-2009, Authorization to enter into a Local Match Agreement with  
56 the Alaska Department of Transportation & Public Facilities for the Construction of the **Chester Creek**  
57 **Trail Connection and UAA Spur**, PM&E Project No. 96-19 (\$581,543).  
58 9.D.16. Assembly Memorandum No. AM 454-2009, Recommendation to **lease two acres of property** located  
59 at East 3<sup>rd</sup> Avenue and Latouche Street for Ninety (90) days from Alleva Investments, LLC, to the  
60 Municipal Light & Power Utility (ML&P) (\$15,000).  
61 9.D.17. Assembly Memorandum No. AM 457-2009, Change Order No. 2 to Vendor Contract No. 28MLP156  
62 with Twin Peaks Construction to provide **asphalt & concrete patch services** on an "as required"  
63 basis for the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (\$250,000),  
64 Purchasing. (**Addendum**)  
65 9.D.18. Assembly Memorandum No. AM 462-2009, **Executive Appointments** (Celeste Hodge - Director,  
66 Office of Equal Opportunity; Dennis A. Wheeler - Municipal Attorney), Mayor. (**Laid on the Table**)  
67

68 **9.E. INFORMATION AND REPORTS**

- 69 9.E.1. Information Memorandum No. AIM 78-2009, **re-implementation of annual budgeting** and  
70 termination of biennial budgeting for General Government and Utilities, Office of Management and  
71 Budget.  
72 9.E.2. Information Memorandum No. AIM 79-2009, Anchorage Fire Department **Wildfire Mitigation**  
73 **Program** 2009 Projects and Funding summary, Fire Department.  
74 9.E.3. Information Memorandum No. AIM 80-2009, **Monthly Investment Report** to the Assembly – June  
75 2009.  
76 9.E.4. Information Memorandum No. AIM 81-2009, **June 2009 Financial Reports**, Office of Management  
77 and Budget.  
78

1 Mr. Claman moved, to accept AIM 81-2009.  
2 Ms. Johnston seconded,

3  
4 Ms. Johnston reported that she would be addressing budget issues of contributions to nonprofits and vacant positions.  
5 Mr. Coffey reported that he would be comparing current revenue projections, department expenditures and use of  
6 overtime with budgets of past years.

7  
8 and the motion passed, 11-0.

9  
10 9.E.5. Information Memorandum No. AIM 82-2009, Notice of Award to SeaCoast Construction Co., Inc. for  
11 **Traffic Calming Improvements** 2009 for the Municipality of Anchorage, Project Management &  
12 Engineering.

13  
14 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

15 9.F.1. Ordinance No. AO 2009-92, an ordinance of the Anchorage Assembly amending the zoning map and  
16 providing for the **rezoning of approximately 43,858** square feet from B-3 (general business district)  
17 to r-2m (multiple-family residential district) for Lot 54 less the North 150 feet, T14N, R2W, Section 11;  
18 generally located south of Artillery Road, and east of the Glenn Highway and VFW Road, Community  
19 Planning and Development. (*Public Hearing 9-15-09*)  
20 a. Assembly Memorandum No. AM 431-2009.

21  
22 Mr. Starr moved, to introduce AO 2009-92 with Public Hearing set for  
23 Mr. Coffey seconded, September 15, 2009.  
24 Mr. Flynn was the concurring third.

25  
26 9.F.2. Ordinance No. AO 2009-93, an ordinance authorizing a non-exclusive **telecommunications and**  
27 **electrical easement** within the Chester Valley School Subdivision (Tax #006-218-02), Plat number  
28 69-137, Anchorage Recording District, Third Judicial District, State of Alaska, to Chugach Electric  
29 Association, Inc., Project Management and Engineering. (*Public Hearing 8-25-09*)  
30 a. Assembly Memorandum No. AM 435-2009.

31 9.F.3. Ordinance No. AO 2009-94, an ordinance authorizing a non-exclusive **telecommunications and**  
32 **electrical easement** within parcel #230, Lot 23, Section 9, Township 12 North, Range 3 West,  
33 Seward Meridian, Alaska, Third Judicial District, State of Alaska, to Chugach Electric Association, Inc.,  
34 Project Management & Engineering. (*Public Hearing 8-25-09*)  
35 a. Assembly Memorandum No. AM 436-2009.

36 9.F.4. Ordinance No. AO 2009-95, an ordinance adopting a Planned Community Master Development Plan  
37 And Design Standards for an approximate 47 acre site zoned PC (Planned Community) District per  
38 AO 85-65 for Tract A, Skyline View Subdivision, per Plat No. P-508; Lot 3 of Block 1 and Lot 1 of  
39 Block 5, 1st Addition to **Skyline View Subdivision** per Plat No. 69-41; the remainder of Government  
40 Lot 6 being more particularly defined as: Government Lot 6 of Section 16, T15N, R1W, S.M. AK,  
41 excepting therefrom all that part of Skyline View Subdivision divided into lots, blocks, tracts, alleys,  
42 and streets Per Plat No. P-508, and Lots 1 and 2 of Block 1 of the 1st Addition to Skyline View  
43 Subdivision Per Plat No. 69-41; that parcel of land being The Southerly 50.00 Feet of the Westerly  
44 606.00 Feet of Government Lot 6 of Section 16, T15N, R1W, S.M. AK as shown on the Skyline View  
45 Subdivision Plat No. P-508; Government Lot 10 of Section 16, T15N, R1W, S.M. AK; Sec 1/4 of the  
46 SW 1/4 of the NE 1/4 of Section 16, T15N, R1W, S.M. AK, excepting therefrom Lot 3 of Block 1, Lot 1  
47 of Block 5, and the Mountain Ash Right-Of-Way of the 1st Addition Skyline View Subdivision Per Plat  
48 No. 69-41; S 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4 of Section 16, T15N, R1W, S.M. AK,  
49 excepting therefrom Lots 2 and 3 of Block 1 of the 1st Addition to Skyline View Subdivision Per Plat  
50 No. 69-41; Generally located East of Loretta French Park, North Of Chugiak and on the East Side of  
51 the Old Glenn Highway. (Chugiak Community Council) (Planning and Zoning Case 2009-73). *Public*  
52 *Hearing 9-15-09*)  
53 a. Assembly Memorandum No. AM 437-2009.

54 9.F.5. Ordinance No. AO 2009-96, an ordinance authorizing the Municipality to grant a **telecommunications**  
55 **and electrical easement** across parcel 2, Lot 3 (Tax No. 006-151-02), and Parcel 4, lot 2 (Tax No.  
56 006-151-04), Markstrom Subdivision, Plat No. P-570, Anchorage Recording District, Third Judicial  
57 District, State of Alaska, and to Chugach Electric Association, Inc. (*Public Hearing 8-25-09*)  
58 a. Assembly Memorandum No. 445-2009.

59 9.F.6. Ordinance No. AO 2009-97, an ordinance amending Anchorage Municipal Code to **delete Chapter**  
60 **21.60** in its entirety, and authorizing subsection 21.04080D to be effective immediately, Planning  
61 Department. (*Public Hearing 8-25-09*)  
62 a. Assembly Memorandum No. AM 446-2009.

63 9.F.7. Ordinance No. AO 2009-98, an ordinance of the Municipality of Anchorage Alaska, authorizing and  
64 providing for the borrowing from the State of Alaska Clean Water Fund an aggregate amount not to  
65 exceed \$27,134,000 for the purpose of financing a portion of the costs of various **AWWU 2009 Capital**  
66 **Improvement Budget (CIB)** Wastewater improvements Projects and providing for related matters,  
67 AWWU. (*Public Hearing 8-25-09*)  
68 a. Assembly Memorandum No. AM 447-2009.

69 9.F.8. Ordinance No. AO 2009-99, an ordinance of the Municipality of Anchorage Alaska, authorizing and  
70 providing for the borrowing from the State of Alaska Clean Water Fund an aggregate amount not to  
71 exceed \$28,612,000 for the purpose of financing a portion of the costs of various **AWWU 2009 Capital**  
72 **Improvement Budget (CIB)** Wastewater improvements Projects and providing for related matters,  
73 AWWU. (*Public Hearing 8-25-09*)  
74 a. Assembly Memorandum No. AM 448-2009.

75 9.F.9. Ordinance No. AO 2009-100, an ordinance amending Anchorage Municipal Code Section 4.50.070,  
76 **Education and Workforce Advisory Commission** to change the name of the Commission to School  
77 Budget Advisory Commission, Employee Relations. (*Public Hearing 8-25-09*)  
78 a. Assembly Memorandum No. 452-2009.

- 1 9.F.10. Resolution No. AR 2009-188, a resolution appropriating One Hundred Seventy-Four Thousand Eight  
2 hundred Forty-One Dollars (\$174,841) from amendment Number two to a transfer of responsibilities  
3 agreement (TORA) between the State of Alaska, Department of Transportation and Public Facilities  
4 (ADOT&PF) and the Municipality of Anchorage (MOA) to the State Categorical Grants Fund (231)  
5 under the Municipal Traffic Department for the **Traffic Control Signalization 07-09 Project**, Traffic  
6 Department. (*Public Hearing 8-25-09*)  
7 a. Assembly Memorandum No. AM 429-2009.
- 8 9.F.11. Resolution No. AR 2009-189, a resolution of the Municipality of Anchorage appropriating Two  
9 Hundred Fifty-eight Thousand Two Hundred Thirty-eight Dollars (\$258,238) from the Department of  
10 Housing and Urban Development (HUD) as supplemental grant funding to the Federal Categorical  
11 Grants Fund (241) to the Department of Neighborhoods to fund the **Home Investment Partnerships**  
12 **Program** (HOME), Department of Neighborhoods. (*Public Hearing 8-25-09*)  
13 a. Assembly Memorandum No. AM 433-2009.
- 14 9.F.12. Resolution No. AR 2009-191, a resolution of the Anchorage Municipal Assembly appropriating Four  
15 Hundred Thirty Seven Thousand Two Hundred Sixty Five Dollars (\$437,265) from the Department of  
16 Justice, Office of Justice Programs, American Recovery and Reinvestment Act, Office of Juvenile  
17 Justice and Delinquency Prevention and Fifteen Thousand Eight Hundred Thirty Five Dollars  
18 (\$15,835) as a contribution from the 2009 Anchorage Police Operating Budget, Anchorage  
19 Metropolitan Police Service Area Fund (151), to the Federal Categorical Grants Fund (241),  
20 Anchorage Police Department, for the purpose of continuation of the **Alaska Internet Crimes Against**  
21 **Children Task Force**, Anchorage Police Department. (*Public Hearing 8-25-09*)  
22 a. Assembly Memorandum No. AM 439-2009.
- 23 9.F.13. Resolution No. AR 2009-192, a resolution of the Municipality of Anchorage appropriating Forty-Three  
24 Thousand One Hundred Sixty-Two Dollars (\$43,162) of proceeds from vehicle insurance recoveries  
25 Sixty-nine Thousand Seventy-Five Dollars (\$69,075) from the Areawide General Fund (101), Public  
26 Transportation Department, and as a contribution to the Public Transportation Capital Fund (485),  
27 Public Transportation Department and a Federal Transit Administration (FTA) grant of Five Million  
28 One Hundred Thirty-Nine Thousand Four Hundred Seventy Dollars (\$5,139,470) to the Public  
29 Transportation Capital Fund (485), Public Transportation Department, for **capital assistance**, Public  
30 Transportation Department. (*Public Hearing 8-25-09*)  
31 a. Assembly Memorandum No. AM 441-2009.
- 32 9.F.14. Resolution No. AR 2009-193, a resolution of the Municipality of Anchorage appropriating a Federal  
33 Transit Administration grant, funded from the 2009 American Recovery and Reinvestment Act (ARRA),  
34 of Five Million Nine Hundred Sixty Thousand Three Hundred Ten Dollars (\$5,960,310) and a  
35 contribution of Twenty-Seven Thousand Three Hundred Two Dollars (\$27,302) from the 2009  
36 Areawide General Fund (101) and Twenty-Seven Thousand Three Hundred One Dollars (\$27,301)  
37 from the 2010 Areawide General Fund (101) to the Public Transportation Capital Fund (485), Public  
38 Transportation Department, for capital assistance this grant includes Five Hundred Thousand  
39 DOLLARS (\$500,000) support to the **Areawide General Fund** (101), Public Transportation  
40 Department, for preventive/capital maintenance approved in AR No. 2009-109(S) on April 28, 2009,  
41 Public Transportation Department. (*Public Hearing 8-25-09*)  
42 a. Assembly memorandum No. AM 444-2009.
- 43 9.F.15. Resolution No. AR 2009-194, a resolution of the Municipality of Anchorage appropriating Nine  
44 Hundred Ten Thousand Four Hundred Eighty-Nine Dollars (\$910,489) from the State of Alaska,  
45 Department of Health and Social Services and Two Hundred Seventy Thousand Dollars (\$270,000)  
46 from the 2009 General Government Operating Budget, Department of Health and Human Services  
47 Areawide General Fund (101) to the State Categorical Grants Fund (231), to fund the **Human**  
48 **Services Community Matching Grant Program** in the Department of Health and Human Services,  
49 Department of Health and Human Services. (*Public Hearing 8-25-09*)  
50 a. Assembly Memorandum No. AM 449-2009.
- 51 9.F.16. Resolution No. AR 2009-196, a resolution of the Anchorage Municipal Assembly appropriating a One  
52 Million Five Hundred Sixteen Thousand Eight Hundred Eighty Dollars (\$1,516,880) contribution  
53 approved in the 2009 Operating Budget from the Office of Economic And Community Development's  
54 Eagle River-Chugiak Parks and Recreation Service Area Fund (162), to the **Eagle River-Chugiak**  
55 **Parks and Recreation Service Area Fund** (162), to the Eagle River-Chugiak Parks and Recreation  
56 Service Area Capital Improvement Project Fund (462) for capital maintenance and improvements,  
57 Office of Economic & Community Development. (*Public Hearing 8-25-09*)  
58 a. Assembly Memorandum No. AM 453-2009.
- 59 9.F.17. Resolution NO. AR 2009-197, a resolution of the Municipality of Anchorage adopting substantial  
60 amendment five of the **2008 Housing and Community Development Annual Action Plan**, which  
61 constitutes the application to the U.S. Department of Housing and Urban Development (HUD) for the  
62 Community Development Block Grant (CDBG-R) funding as allocated under the American Recovery  
63 and Reinvestment Act of 2009. This resolution seeks to appropriate grand funds from HUD in the  
64 amount of Five Hundred Seven Thousand Eight Hundred Twelve Dollars (\$507,812) in CDBG-R funds  
65 and to appropriate said funds to the Federal Categorical Grants Fund (241) Department of  
66 Neighborhoods, Department of Neighborhoods. (*Public Hearing 8-25-09*)  
67 a. Assembly Memorandum AM 455-2009.
- 68 9.F.18. Ordinance No. AO 2009-101, an ordinance amending, repealing and re-enacting sections of  
69 Anchorage Municipal Code Chapter 3.20 relating to **Organization of the Executive Branch**, Mayor's  
70 Office. (*Public Hearing 8-25-09*)  
71 a. Assembly Memorandum No. AM 459-2009. (*Addendum*)
- 72 9.F.19. Ordinance No. AO 2009-102, an ordinance amending the **effective date of AO No. 2009-40(S)** which  
73 repealed and re-enacted Anchorage Municipal Code Chapter 16.60 regarding the Anchorage Food  
74 Code and amended the related Fine Schedule in Section 14.60.030, Health and Human Services.  
75 (*Public Hearing 8-25-09*) (*Addendum*)  
76 a. Assembly Memorandum No. AM 460-2009.
- 77 9.F.20. Assembly Memorandum No. AM 456-2009, **Planning and Zoning Commission appointments**  
78 (Richard Morrison, Stacey Dean), Mayor's Office. *Public Comment to 8-25-09. (Addendum)*

- 9.F.21. Ordinance No. AO 2009-103, an ordinance waiving Anchorage Municipal Code Sections 3.30.179 and 3.30.168, **Employment of Relatives**, for appointment and Confirmation of Mark Hall to Chief, Anchorage Fire Department. (*Public Hearing 8-25-09*) (**Laid on the Table**)
1. Assembly Memorandum No. AM 463-2009.

**END OF CONSENT AGENDA**

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

- 11.A. Ordinance No. AO 2008-100, an ordinance amending Anchorage Municipal Code Sections 3.87.020, 3.87.050, 3.87.060 and 3.87.070, to provide a **Retiree Medical Funding Program** for certain police officers and fire fighters, Finance.
1. Assembly Memorandum No. AM 560-2008.
  2. Ordinance No. AO 2008-100(S), an ordinance amending Anchorage Municipal Code Sections 3.87.020, 3.87.050, 3.87.060 and 3.87.070, to provide a Retiree Medical Funding Program for certain police officers and fire fighters, Finance. (*Public Hearing was Closed 10-28-08; Action was Postponed from 10-28-08, 11-18-08, 12-16-08, 1-20-09, 5-12-09, 5-26-09 and 6-23-09*)

Mr. Coffey moved, to approve AO 2008-100(S).  
Ms. Drummond seconded,

Mr. Coffey, Mayor Sullivan, Municipal Attorney Dennis Wheeler and Office of Management and Budget Director Cheryl Frasca addressed the S-version, program costs, using reserve funds, pending litigation, fund balance, needing a fund certification for the S-version and the current budget deficit.

Mr. Birch, Mr. Coffey, Ms. Frasca, Mr. Claman, Mr. Flynn, Ms. Gray-Jackson, Ms. Drummond, Police and Fire Retiree Medical Trust Plan Administrator Lorne Bretz, Mr. Gutierrez and Dr. Selkregg addressed the current budget deficit, further burdening the taxpayers, needing additional cuts to all departments, addressing this matter in the 2010 Budget, the financial status of the city, moving forward with the ordinance, the lawsuit being dismissed, the workers deserving the compensation, public safety employees risking their lives and making significant sacrifices, having an obligation to provide health insurance and workman compensation, the city already having made a cash settlement and the current status of the eighty employees.

Mr. Coffey moved, to amend AO 2008-100(S) on Page 3, Lines 13-16, by  
Ms. Johnston seconded, deleting: [~~b. Fire fighters with presumed disabilities will be~~  
and this was approved without objection. considered class 1 members for purposes of calculating the  
monthly discount in section 3.87.050 A.1.]

Mr. Coffey moved, to amend AO 2008-100(S) on Page 3, Lines 24-27, by  
Ms. Johnston seconded, deleting to read:  
C. If the spouse and dependents of a member are participating in the active municipal police or fire health insurance plan upon the death of the member, the surviving spouse and dependents may continue participation in the plan until funds in the member's account are exhausted [~~or until attaining age 65, whichever is later. However the surviving spouse and dependents are ineligible for the monthly discount described in 3.87.050 A.1.]~~

And, on Page 3, Lines 35-41, by deleting to read:  
D. If the spouse and dependents of a member are not participating in the active municipal police or fire health insurance plan upon the death of the member, the surviving spouse and dependents may enroll in [such] the plan during the annual open enrollment period immediately following the member's date of death, provided that there are funds in the member's account [and] or the surviving spouse [~~has not attained age 65, or the dependents would still qualify as the member's dependents if the member was alive. However, the surviving spouse and dependents are ineligible for the monthly discount described in section 3.87.050 A.1. The surviving spouse~~] and dependent shall submit proof of insurability.

Ms. Gray-Jackson, Mr. Bretz, Mr. Coffey, Mr. Claman, Mr. Gutierrez, Mr. Birch, Ms. Drummond and Dr. Selkregg addressed affordable health insurance, including surviving spouses and dependents, coverage limitations, a contract change impacting the outcome of the lawsuit, the amendment being appropriate and scheduling a worksession.

and the motion failed, 1-10.

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

Mr. Coffey, Dr. Selkregg, Ms. Johnston, Mr. Gutierrez and Chair Ossiander addressed the policy, the increased costs of insurance coverage, expecting the public to pay, coverage for surviving widows, the certification of funds, having a larger deficit in 2010, having to cut city services, being able to afford the program, the city honoring contractual agreements and balancing the budget.

1  
2 and the main motion, as amended, was approved, 9-2.

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

6  
7 11.B. Resolution No. AR 2008-185, a resolution of the Anchorage Municipal Assembly supporting the  
8 approval of an increase in the employer contribution to the **Police and Fire Retirees Medical**  
9 **Benefits**, Finance. (*Public Hearing was Closed 10-28-08; Action was Postponed from 10-28-08, 11-*  
10 *18-08, 12-16-08, 1-20-09, 5-12-09, 5-26-09 and 6-23-09*)

11  
12 Mr. Flynn moved, to approve AR 2008-185.  
13 Ms. Johnston seconded,  
14 and the motion passed, 10-1.

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

18  
19 11.C. Assembly Memorandum No. AM 369-2009, Change Order No. 1 to Purchase Order No. 284145 with  
20 The Boutet Company (Boutet) to provide services to develop a **Municipal Light & Power (ML&P)**  
21 **Transition Plan** for the Municipality of Anchorage, Municipal Light & Power Utility (Utility) (\$60,000),  
22 Purchasing. (*Postponed from 6-23-09 and 7-21-09*)

23  
24 Mr. Coffey moved, to postpone indefinitely AM 369-2009.  
25 Ms. Johnston seconded,

26  
27 Mr. Coffey stated the Administration wanted to take a closer look at the matter.

28  
29 and the motion passed without objection, 11-0.

30  
31 Ms. Drummond moved, to Change the Order of the Day to take up AR 2009-162,  
32 Mr. Coffey seconded, Agenda item 14.F.  
33 and there were no objections.

34  
35 11.D. Ordinance No. AO 2009-64, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
36 Code Chapters 5.10 **Equal Rights Commission** and 5.20 **Unlawful Discriminatory Practices**.

- 37 1. Ordinance No. AO 2009-64(S), an ordinance of the Anchorage Municipal Assembly  
38 amending Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20  
39 Unlawful Discriminatory Practices.  
40 2. Assembly Memorandum No. AM 342-2009.  
41 3. Ordinance No. AO 2009-64(S-1), an ordinance of the Anchorage Municipal Assembly  
42 amending Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20 Unlawful  
43 Discriminatory Practices, Assembly Chair Ossiander. (*Carried Over from 6-9-09, 6-16-09, 6-*  
44 *17-09, 6-23-09 and 7-7-09, Public Hearing Closed; Action was Carried Over To 8-11-09*)  
45 4. Ordinance No. AO 2009-64(S-2), an ordinance of the Anchorage Municipal Assembly  
46 amending Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20 Unlawful  
47 Discriminatory Practices, Assemblymember Flynn. (*Carried Over from 6-9-09, 6-16-09, 6-17-*  
48 *09, 6-23-09 and 7-7-09; Public Hearing was Closed 7-21-09*)

49  
50 (*Clerk's Note: See item 9.B.2 for related Assembly discussion and action on AR 2009-186. Upon completion of AR*  
51 *2009-186 the Assembly returned to take up AO 2009-64.*)

52  
53 Mr. Flynn moved, to approve AO 2009-64(S-2).  
54 Mr. Gutierrez seconded,

55  
56 Mr. Flynn explained his proposed changes included in AO 2009-64(S-2). He, Dr. Selkregg, Ms. Johnston, Mr. Birch,  
57 Mr. Gutierrez, Mr. Claman, Mr. Starr, Ms. Gray-Jackson, Ms. Drummond and Chair Ossiander addressed hearing from  
58 the public, this being more of a social judgment issue, the reality of discrimination and suffering, living in a community  
59 with respect, the silent majority, discrimination cases heard by the city and the state, the Assembly needing to address  
60 more important issues, discrimination being immoral, helping homosexual friends, protecting equal rights for all people,  
61 Anchorage being a tolerant and diverse community, Code language, voters deciding the matter, the Anchorage School  
62 District (ASD) successfully addressing sexual orientation in the ASD, affecting churches and small businesses,  
63 homosexuals keeping quiet to protect themselves, federal law offering protection, researching how other cities had  
64 addressed the matter, Code change not addressing civility and the expense of installing additional bathrooms.

65  
66 Dr. Selkregg moved,  
67 Mr. Gutierrez seconded,  
68 and the motion was approved, 11-0.

69 to amend AO 2009-64(S-2) on Page 8, Section 9, Lines 22-  
70 23, AMC 5.20.08 **Lawful practices**, by changing to read:  
71 B. Other provisions of this chapter notwithstanding,  
72 employers or operators of public accommodations may:  
73 1. Maintain and enforce gender-segregated restrooms,  
74 **and nothing in this chapter shall be deemed to**  
75 **require the provision of special facilities to**  
76 **accommodate sexual orientation or gender**  
77 **identity.**

78  
79 Dr. Selkregg moved,  
80 Mr. Gutierrez seconded,  
81 and the motion passed, 11-0.

82 to amend AO 2009-64(S-2) on Page 8, Section 9, Lines 24-  
83 25, AMC 5.20.08 **Lawful practices**, by changing to read:  
84 2. Impose reasonable dress codes, work rules, codes of

conduct, or other rules of general application, **and nothing in this chapter shall be deemed to require special accommodation for sexual orientation or gender identity.**

Mr. Gutierrez commended Chair Ossiander for her handling of this sensitive issue with such grace and dignity.

and the main motion, as amended, passed, 7-4.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Drummond, Gutierrez and Selkregg.

NAYS: Ossiander, Birch, Starr and Coffey.

Mr. Flynn moved for immediate reconsideration and urged a NO-vote.

Mr. Flynn moved, for *immediate reconsideration* of AO 2009-64(S-2), as  
Mr. Gutierrez seconded, amended.  
and this motion failed unanimously, 0-11.

Mr. Coffey moved, to *Change the Order of the Day* to take up AO 2009-86 and  
Mr. Claman seconded, AO 2009-87, items 14.C and 14.D, at the end of the Agenda.  
and the motion passed without objection.

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

13. **CONTINUED PUBLIC HEARINGS**

13.A. Ordinance No. AO 2009-74, an ordinance amending provisions of Anchorage Code Chapter 12.35 related to deteriorated property and to provide for **waiver of certain municipal fees as an economic development incentive**, Assemblymembers Flynn and Birch. (*Continued from 7-7-09*)

1. Floor Amendment #1 to AO 2009-74 Workforce housing 081109.
2. Floor Amendment #2 to AO 2009-74. (*Deleting SWS*).

To Mr. Flynn and Dr. Selkregg, Municipal Manager George Vakalis addressed needing to establish criteria for setting standards for the waiver. Chair Ossiander opened Continued Public Hearing. There was no one to testify.

Mr. Flynn moved, to *continue* AO 2009-74 Continued Public Hearing to  
Mr. Coffey seconded, September 29, 2009.  
and the motion passed, 11-0.

13.B. Ordinance No. AO 2009-55, an ordinance of the Anchorage Assembly amending the zoning map, and providing for the rezoning of approximately 2.65 acres from R-3 (Multiple-Family Residential District) to B-3 (General Business District), for **Lots 1-12, Block 1, and Block 2, Lots 1A, 10, S ½ of Lot 11, N ½ of Lot 11, and Lot 12, Sunny Acres Subdivision**; generally located east of Muldoon Road between East 10<sup>th</sup> Avenue and East 12<sup>th</sup> Court (Northeast Community Council) (Planning and Zoning Commission Case 2009-003), Assemblymember Selkregg. (*Carried Over from 6-9-09 and 6-16-09; Continued from 6-16-09 and 7-7-09*)

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

Dr. Selkregg moved, to *continue* AO 2009-55 Continued Public Hearing to  
Mr. Coffey seconded, October 27, 2009.  
and the motion passed, 11-0.

13.C. 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 and Selkregg.

1. Information Memorandum No. AIM 50-2009.
2. Resolution No. AR 2009-126(S), 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 and Selkregg. (*Continued from 6-23-09 & 7-21-09*)

Chair Ossiander opened Public Hearing.

JOHN BUCHHOLDT supported the tax exemption and letting Mr. Marlow developing the deteriorated property, which would result in revitalizing this area of Anchorage.

MARC MARLOW supported the S-version which would allow property tax relief for development in a deteriorated area of Anchorage. He urged a YES-vote. He responded to questions from Mr. Gutierrez and Mr. Coffey.

MICHAEL TULLIUS testified in support of granting the tax exemption for the development of the deteriorated property.

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

Mr. Coffey moved, to approve AR 2009-126(S).  
Dr. Selkregg seconded,

1 Mr. Gutierrez reported that he had previously declared a potential conflict of interest due to his association with the  
2 Catholic Archdiocese, which was a landowner in the deteriorated property. The Assembly had determined and the  
3 Chair had ruled that he did not have a conflict of interest. Chair Ossiander responded that she would keep her ruling  
4 that Mr. Gutierrez had no conflict of interest. There were no objections.  
5

6 Mr. Coffey moved,  
7 Dr. Selkregg seconded,

to approve Amendment #1, amending AR 2009-126(S),  
Section 1, Page 5, Lines 1-7, *by changing* to read:  
a. Development of the Property shall be subject to public site plan review by the Planning and Zoning Commission.  
The parcel, or larger unit of a phased development of which the parcel is a part, must be developed in compliance with an approved site plan [the project description contained in the application, which], with conceptual site plan, is attached to this Resolution as Exhibit B. Development of the Property shall conform to the Anchorage Downtown Comprehensive Plan adopted December 11, 2007 (AO 2007-113.).

And, amending Section 1, Page 6, Lines 8-28 *by adding* to read:

h. The policy decision to grant exemptions and deferrals pursuant to this Resolution is based on an evaluation of data concerning the economics of the proposed project as presented in the application submitted to the Chief Fiscal Officer and the determination, based on that data, that the exemptions and deferrals are necessary to induce development of the Property. Therefore, the exemptions and deferral are expressly conditioned upon the requirement that the owner(s) or developer(s) shall provide for review by the Chief Fiscal Officer copies of all loan applications or investment proposals, together with supporting financial data including *pro formas*, submitted to any prospective lender or investor, so that the Chief Fiscal Officer can confirm that the data and analysis presented therein is consistent with the data presented in the application. This material must be provided to the Chief Fiscal Officer no later than thirty (30) days after its submission to the prospective lender or investor. The owner(s) or developer(s) shall annually submit a financial performance report, including an income and expense budget showing performance against the budget, and a status report on the inclusion of work force housing, showing occupancy and financial performance. If the material is not provided, or if the material provided is inconsistent with what was presented in the application for exemptions and deferrals and demonstrates that the exemptions and/or deferrals are not necessary to induce development of the Property or the development is not in compliance with terms of approval, the Chief Fiscal Officer shall give notice to the owner(s) of record and to the Assembly that the exemptions and deferrals are revoked.

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53  
54 Mr. Coffey explained the proposed tax exemption and the development of the deteriorated property. He, Dr. Selkregg,  
55 Mr. Claman and Chair Ossiander addressed the exemption, shifting the tax burden to taxpayers, development being  
56 dependent upon the exemption, a tax deferral being appropriate and the area being challenging to develop.  
57

58 Mr. Flynn stated he had previously declared a possible conflict of interest because his step-sister had discussed being  
59 a potential tenant in a development owned by Mr. Marlow. Chair Ossiander questioned Mr. Flynn about aspects of his  
60 potential conflict and she ruled that Mr. Flynn did not have a conflict of interest in the matter. There was no objection.  
61

62 To Chair Ossiander, Municipal Manager George Vakalis responded that the Administration supported the resolution.  
63 Mayor Sullivan responded that he had not participated in the matter because when he was an Assemblymember the  
64 Assembly had determined and the Chair had ruled that he had had a conflict of interest.

6  
6  
67  
68 and the motion to amend passed without objection.

68 Mr. Flynn urged support of developing the deteriorated property, which would improve an area of Downtown.

69  
70 and the main motion, as amended, passed without objection, 11-0.  
71

#### 72 14. NEW PUBLIC HEARINGS

73 14.A. Resolution No. AR 2009-166, a resolution of the Municipality of Anchorage, Alaska, confirming and  
74 levying assessments for the water special improvements within **Levy Upon Connection (LUC) Roll**  
75 **09-W-1**, setting date of payment and providing for penalties and interest in the event of delinquency,  
76 Anchorage Water & Wastewater Utility.

- 77 1. Assembly Memorandum No. AM 393-2009.
- 78 2. AWWU Amendments to AR 2009-166. *(Laid on the Table)*

1  
2 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

3  
4 Mr. Coffey moved, to approve AR 2009-166.  
5 Ms. Johnston seconded,

6  
7 Mr. Flynn moved, to amend AR 2009-166 on Page 1, Lines 25-28, *by changing*  
8 Mr. Coffey seconded, to read: Section 3: Assessments shall be paid in annual  
9 and this passed without objection, 11-0. installments, in accordance with the Anchorage Water Utility  
0 Tariff. The first installment is due by [~~October 31, 2009~~  
1 November 30, 2009 and is payable on the same day of each  
2 subsequent year. Interest on unpaid installments starts to  
3 accrue on [~~October 1, 2009~~ November 1, 2009.

4  
5 and the main motion, as amended, passed, 11-0.

6  
7 14.B. Ordinance No. AO 2009-88, an ordinance amending Anchorage Municipal Code Sections 17.05.010,  
8 17.05.040, 17.25.010, 17.25.040, 17.40.020, 17.40.030, 17.40.040, 17.40.085, 17.40.090, 17.70.010,  
9 and 17.70.020, to address **aggressive animals** by enhancing enforcement capabilities and increasing  
0 penalties, Health and Human Services.  
1 1. Assembly Memorandum No. AM 394-2009.

2  
3 Chair Ossiander opened Public Hearing.

4  
5 NEIL KOENIGER, Animal Advisory Board Chair, addressed that a small child died from an attack of an aggressive  
6 animal and he explained the proposed changes to Code that would tighten up existing laws. He responded to  
7 questions from Mr. Coffey, Dr. Selkregg and Mr. Birch.

8  
9 JIM BUFFY testified that his eight-year old daughter was chased and bitten in her yard by a neighbor's large dog. He  
0 stated the dog could be vicious, but Animal Control was limited in what could be done. He supported the ordinance.

1  
2 PAUL D. KENDALL supported using a restraining order to keep animals under control.

3  
4 There was no additional testimony and Chair Ossiander closed Public Hearing.

5  
6 Mr. Gutierrez moved, to approve AO 2009-88.  
7 Mr. Coffey seconded,  
8 and the motion passed, 10-0,  
9 with Ms. Johnston temporarily out of Chambers at the time of the vote.

10  
11 14.C. Ordinance No. AO 2009-86, an ordinance submitting a ballot proposition to the qualified voters of the  
12 Municipality of Anchorage at the Regular Municipal Election of April 6, 2010, to **amend the**  
13 **Anchorage Municipal Charter Article II, Bill of Rights, Paragraph (7)**, to expand the rights  
14 guaranteed to the people of Anchorage by prohibiting discrimination based upon sexual orientation,  
15 Mayor's Office.

16  
17 Mr. Claman moved, to *combine* Public Hearing for AO 2009-86 and AO 2009-87,  
18 Mr. Coffey seconded, Agenda items 14.C and 14.D.  
19 and this was approved without objection.

20  
21 Mr. Claman stated that it was his intention that the ordinances be either voted down or postponed indefinitely. Chair  
22 Ossiander opened Combined Public Hearing.

23  
24 MIKE MASON testified in support of the Assembly taking action that evening.

25  
26 SUSAN NIMAN testified that people deserved to be free from discrimination, but she opposed this matter being on the  
27 ballot.

28  
29 TIM PEARSON testified that he supported the Assembly vote on AO 2009-64 and hoped that the matter was over and  
30 done with.

31  
32 KATHY SWICK testified that she supported having a vote to prove how the community felt and she supported  
33 protection from discrimination.

34  
35 BLAUN DESPAULDINGUS KENNICK opposed homosexuality, which was against God's Will.

36  
37 MARY MORGAN testified that getting this on the ballot was not the best solution.

38  
39 PAUL D. KENDALL testified that polling the community would show the truth and that this matter was beyond the  
40 Assembly's realm.

41  
42 There was no additional testimony and Chair Ossiander closed Combined Public Hearing.

43  
44 Mr. Claman moved, to *postpone indefinitely* AO 2009-86.  
45 Mr. Flynn seconded,  
46 and the motion passed, 11-0.

- 1 14.D. Ordinance No. AO 2009-87, an ordinance submitting a ballot proposition to the qualified voters of the  
2 Municipality of Anchorage, at the Regular Municipal Election of April 6, 2010, to **amend Anchorage**  
3 **Municipal Charter Article XVII, Section 17.01, Equal Rights**, to expand Assembly authority to enact  
4 ordinances prohibiting discrimination based on sexual orientation, Mayor's Office.

5  
6 (Clerk's Note: See 14.C for details of Combined Public Hearing of AO 2009-86 and AO 2009-87.)

7  
8 Mr. Claman moved, to postpone AO 2009-87.  
9 Mr. Flynn seconded,  
10 and the motion passed, 11-0.

- 11  
12 14.E. Ordinance No. AO 2009-91, an ordinance authorizing the fourth and final renewal option of  
the **lease of Lot 7-B, Port of Anchorage Subdivision**, totaling 380,559 square feet, to  
Tesoro Alaska Company, Port of Anchorage.

13  
14 1. Assembly Memorandum No. AM 412-2009.

15  
16 Chair Ossiander opened Public Hearing.

17  
18 PAUL D. KENDALL testified that there should be consideration of using the property to help improve energy  
19 conservation at the port.

20  
21 There was no additional testimony and Chair Ossiander closed Public Hearing.

22  
23 Mr. Coffey moved, to approve AO 2009-91.  
24 Dr. Selkregg seconded,  
25 and the motion passed, 11-0.

- 26  
27 14.F. Resolution No. AR 2009-162, a resolution of the Municipality of Anchorage providing for an  
28 **increase from the American Recovery and Reinvestment Act (ARRA) in the amount of**  
29 **\$85,084,160 to the Anchorage School District Budget for FY 2009-2010**, Anchorage  
30 School District.

- 31  
32 1. Assembly Memorandum No. AM 375-2009.  
33 2. Resolution No. AR 2009-162(S), a resolution of the Municipality of Anchorage providing for an  
34 increase from the American Recovery and Reinvestment Act (ARRA) in the amount of  
35 \$85,084,160 to the Anchorage School District Budget for FY 2009-2010.  
36 3. Assembly Memorandum No. AM 375-2009(A).

37  
38 Chair Ossiander opened Public Hearing.

39  
40 CAROL COMEAU, Anchorage School District (ASD) Superintendent and JOHN STEINER, Anchorage School Board  
41 (ASB) President, addressed their support for federal stimulus funding, school reform and one-time spending for  
42 opportunities that would not create additional expense. To Mr. Birch, Mr. Steiner and Ms. Comeau addressed not  
43 using the money to resolve the city's budget shortfall and a continued open discussion about budget challenges.

44  
45 PAUL D. KENDALL testified the ASD Budget was absurd and the ASD was out of order. The Assembly needed to  
46 focus on the family. He urged a NO-vote.

47  
48 MIKE MASON testified that the stimulus money needed to be spent or it would be lost. He supported having more  
49 technology and better learning environments to better educate students, which would create economic activity.

50  
51 DEBRA WRIGHT testified society had a responsibility to educate children and she supported getting the funds, which  
52 would make society better.

53  
54 MARY MORGAN stated that the budget deficit could be resolved by allowing students to graduate with a tenth grade  
55 education.

56  
57 LARRY HALL testified that this money was not free and would be paid for by the people. It did not take a billion dollar  
58 school budget to educate kids.

59  
60 KATHY SWICK testified in support of responsible education and urged the ASD to require all students to pass a logic  
61 class for graduation. She was concerned that graduating students did not have a basic education.

62  
63 There was no additional testimony and Chair Ossiander closed Public Hearing.

64  
65 Ms. Drummond moved, to approve AR 2009-162(S).  
66 Mr. Claman seconded,  
67 and the motion passed without objection, 11-0.

- 68  
69 14.G. Resolution No. AR 2009-173, a resolution of the Municipality of Anchorage appropriating \$140,656  
70 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$5,092  
71 as a contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police  
72 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,  
73 for **Impaired Driving Enforcement**.

74 1. Assembly Memorandum No. AM 409-2009.

75  
76 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

77  
78 Dr. Selkregg moved, to approve AR 2009-173.

