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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 November 3, 2009

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1. CALL TO ORDER

The Regular Assembly Meeting of November 3, 2009 was convened by Chair Ossiander at 5:02 p.m.

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

PRESENT: Matt Claman, 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 Johnston led the pledge.

4. MINUTES OF PREVIOUS MEETINGS There were none.

5. MAYOR'S REPORT

Mayor Sullivan attended the opening of the new Walmart Superstore Extension in South Anchorage. This new extension provided 100 additional jobs. Walmart also donated money to local nonprofits. He announced that on Wednesday, November 4, 2009 the Clitheroe Center had its grand opening. Mayor Sullivan played in the Mayor versus Ma'o Tosi basketball game on October 30, 2009. Mayor Sullivan won the game.

6. ASSEMBLY CHAIR'S REPORT

Chair Ossiander announced there would be a continuation of the budget worksession on Friday, November 6, 2009 focusing on the Enterprise Budget. There was a public hearing scheduled for November 13, 2009 in which the Assembly would discuss budget amendments and on November 17, 2009 the assembly was scheduled to vote on the budget.

The Assembly received the veto of AR 2009-270 on November 2, 2009. The Assembly had 21 days to take action and override the veto.

Continued Public Hearing items AO 2009-120 and AO 2009-246 would be held prior to the budget Public Hearings. Chair Ossiander announced that some Public Hearing items would be postponed to a later date.

7. COMMITTEE REPORTS

Ms. Johnston announced that there would be a Budget and Finance committee meeting on November 12, 2009 to discuss budget amendments.

Ms. Drummond announced that Service High School would be dedicating their little theater to Marine Lance Cpl. Grant Fraser on Thursday, November 5, 2009.

Mr. Coffey reported there would be a Title 21 committee meeting on Thursday, November 5, 2009 to review AMC Chapter 07.090. He also reported the Energy Task Force has continued to meet on a weekly basis.

8. ADDENDUM TO AGENDA

There were no Addendum items. Laid on the Table items AR 2009-273 and AR 2009-272 were added and assigned to the Agenda, number(s) 9.A.1 and 9.B.7., respectively.

Mr. Coffey moved, to approve the inclusion of the Laid on the Table items into
Mr. Claman seconded, the Consent Agenda
and this motion was passed, 11-0.

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

9. CONSENT AGENDA

Mr. Coffey moved, to approve the Consent Agenda.
Ms. Johnston seconded,

Agenda items 9.A.1., 9.E.1., 9.E.3., 9.F.5., 9.F.7. and 9.F.11 were pulled for discussion and separate vote.

and this motion, as amended, was passed, 11-0.

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

1 NAYS: None.

2
3 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

- 4 1. Resolution No. AR 2009-273, a resolution of the Anchorage Municipal Assembly Honoring
5 and Remembering Corporal Gregory M.W. Fleury. (Laid on the Table)

6
7 Ms. Drummond moved, to approve AR 2009-273.
8 Mr. Coffey seconded,
9 **and this motion was passed, 11-0.**

10
11 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
12 Coffey.
13 NAYS: None.

14
15 Chair Ossiander read the resolution.

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

- 19
20 1. Resolution No. AR 2009-259, a resolution of the Anchorage Municipal Assembly stating its
21 protest regarding a Transfer of Package Store Liquor License #4558 for Liquor Stores USA
22 North, Inc, Brown Jug, located at 1106 North Muldoon Road #110, and authorizing the
23 Municipal Clerk to take certain action, Assembly Chair Ossiander, Vice-Chair Drummond,
24 and Assembly Public Safety Committee Chair Gutierrez.
25
26 2. Resolution No. AR 2009-262, a resolution of the Municipality of Anchorage appropriating
27 \$45,375 from the State of Alaska, Department of Transportation & Public Facilities; and
28 appropriating \$1,937 as a contribution from the 2009 Anchorage Police Operating Budget,
29 Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants
30 Fund (231) Anchorage Police Department, for Seat Belt Enforcement.
31 a. Assembly Memorandum No. AM 615-2009.
32
33 3. Resolution No. AR 2009-263, a resolution of the Municipality of Anchorage appropriating
34 \$38,500 as a grant from the State of Alaska, Department of Commerce, Community and
35 Economic Development, to the State Categorical Grant Fund (231) for continuing
36 implementation of the Anchorage Coastal Management Program, Planning Department.
37 a. Assembly Memorandum No. AM 616-2009.
38
39 4. Resolution No. AR 2009-264, a resolution of the Anchorage Municipal Assembly
40 appropriating a portion of excess land sale revenue in the amount of \$44,800 and revising
41 the 2009 Real Estate Services Operating Budget, Real Estate Services.
42 a. Assembly Memorandum No. AM 617-2009.
43
44 5. Resolution No. AR 2009-267, a resolution of the Municipality of Anchorage appropriating
45 \$75,000 of revenues from the Alaska Center for the Performing Arts (ACPA) Capital Reserve
46 Account within the Areawide General Capital Improvement Fund (401) for facility
47 improvements at the ACPA, Office of Community Planning and Development.
48 a. Assembly Memorandum No. AM 625-2009.
49
50 6. Resolution No. AR 2009-268, a resolution of the Municipality of Anchorage appropriating
51 \$31,800 from the U.S. Environmental Protection Agency to the Federal Categorical Grants
52 Fund (241) for the Anchorage Air Toxics Monitoring Project in the Department of Health and
53 Human Services.
54 a. Assembly Memorandum No. AM 626-2009.
55
56 7. Resolution No. AR 2009-272, a resolution of the Anchorage Municipal Assembly
57 Commending the Success of the Dena'ina Civic and Convention Center.
58

59
60 **9.C. BID AWARDS**

- 61
62 1. Assembly Memorandum No. AM 606-2009, recommendation of award to NC Machinery Co.
63 and Construction Machinery Industrial LLC to furnish a Waste Disposal Crawler Tractor,
64 Landfill Compactor and a Waste Disposal Front End Wheel Loader to the Municipality of
65 Anchorage, Solid Waste Services (SWS) (ITB 29-B053) (\$2,921,596), Purchasing.
66

67 **9.D. NEW BUSINESS**

- 68
69 1. Assembly Memorandum No. AM 609-2009, **Emergency Medical Service Board**
70 appointment (Ella Crowley, RN, CEN), Mayor's Office.
71
72 2. Assembly Memorandum No. AM 610-2009, **Historic Preservation Commission**
73 appointment (John N. Crittenden, AIA), Mayor's Office.
74
75 3. Assembly Memorandum No. AM 611-2009, **Investment Advisory Commission**
76 appointments (Michael J. Hurley, Raymond J. Kaufman and Karen A. Jordan, CPC, QPA,
77 QKA, ERPA), Mayor's Office.
78
79 4. Assembly Memorandum No. AM 612-2009, **Municipal Pre-Funding Investment Board**
80 appointment (Lucinda Mahoney, MBA, AVA), Mayor's Office.

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- 5. Assembly Memorandum No. AM 601-2009, 2008/2009 **Manhattan Pizza #4817**-Transfer of a Restaurant Eating Place Liquor License and Application for a Restaurant Designation Permit (Spenard Community Council), Clerk's Office.
- 6. Assembly Memorandum No. AM 602-2009, **2010/2011 Liquor License Renewals**: Shopper's Cache #2535-Package Store; Chiang Mai Ultimate Thai Restaurant #4459, Manhattan Pizza #4817-Restaurant/Eating Place (Chugiak, Midtown and Spenard Community Councils), Clerk's Office.
- 7. Assembly Memorandum No. AM 603-2009, **2010/2011 Liquor License Renewals**: Sea Galley/Pepper Mill Restaurant #3599 – Beverage Dispensary-Duplicate (Midtown Community Council), Clerk's Office.
- 8. Assembly Memorandum No. AM 613-2009, Change Order No. 2 to Purchase Order No. 281621 with SR Bales Construction, Inc. for the **Mountain View Library Renovation Project** for the Municipality of Anchorage, Maintenance & Operations Department (\$475,063.83), Purchasing.
- 9. Assembly Memorandum No. AM 614-2009, Change Order No. 1 to Purchase Order No. 290385 with World Wide Roofing & Construction Company, Inc. for the **Clitheroe Detox Center Renovation Project** for the Municipality of Anchorage, Maintenance & Operations Department (\$81,901.42), Purchasing.
- 10. Assembly Memorandum No. AM 604-2009, Contract Amendment No. 6 to professional services contract with Hattenburg Dilley & Linnell, LLC (HDL) for **Capital Improvement Projects** for the Municipality of Anchorage, Merrill Field Airport; Contract No. 270305 (\$475,114).
- 11. Assembly Memorandum No. AM 605-2009, an **amendment to lease with United States Coast Guard increasing annual rent**, based on appraisal from \$192,000 to \$239,856, Port of Anchorage.

9.E. INFORMATION AND REPORTS

- 1. Information Memorandum No. AIM 105-2009, **Fund Balance Use**, Finance Department/Controller.
 - a. Information Memorandum No. AIM 105-2009(A), Fund Balance Use, Finance Department/Controller.
(CARRIED OVER FROM 10-27-09)

Ms. Johnston moved, to postpone to November 17, 2009.
Mr. Flynn seconded,

Ms. Johnston requested that this item be added to the November 13, 2009 Worksession.

and this motion was passed, 11-0.

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

- 2. Information Memorandum No. AIM 110-2009, Notice of Pending Contract Amendment, Roger Hickel Contracting, Inc., **Independence Drive Roadway Improvements, PM&E Project No. 04-019, Independence Drive Surface Rehab–Abbott Rd to Colony Loop**, Project Management & Engineering.
- 3. Information Memorandum No. AIM 111-2009, Notice of Award to Southcentral Construction, Inc., **Anchorage Regional Landfill Cell 10 Expansion Project, Phase 1** for the Municipality of Anchorage, Solid Waste Services Department (SWS) (ITB 29-C049) (\$1,704,190), Purchasing.

Ms. Drummond moved, to accept AIM 111-2009.
Mr. Flynn seconded,

Mr. Coffey moved, to amend AIM 111-2009, line 17 by *changing it to read*:
Ms. Johnston seconded, Marathon Construction ~~\$1,179,450~~ \$1,779,450
and this motion was passed, 11-0.

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

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

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

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2 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**
3

- 4 1. Ordinance No. AO 2009-123, an ordinance of the Municipality of Anchorage, Alaska,
5 providing for, authorizing and approving the issuance of **Water Revenue Refunding Bonds**
6 for the Anchorage Water Utility in one or more series in the aggregate principal amount of
7 Not To Exceed \$63,000,000 for the purpose of providing funds to refund certain outstanding
8 water revenue bonds, Finance Department. P.H. 11-17-09.
9 a. Assembly Memorandum No. AM 620-2009.
- 10
11 2. Ordinance No. AO 2009-124, an ordinance authorizing **disposal of Heritage Land Bank**
12 **Parcel 5-026, Lot 1, Kincaid West Subdivision**, to the Anchorage School District pursuant
13 to Anchorage Municipal Code Section 25.40.015, Heritage Land Bank. P.H. 11-17-09.
14 a. Assembly Memorandum No. AM 621-2009.
- 15
16 3. Ordinance No. AO 2009-125, an ordinance authorizing **renewal of an exclusive use permit**
17 **to the United States Coast Guard** for portions of Lots 9-A and 12-B in the Port of
18 Anchorage Subdivision, Port of Anchorage. P.H. 11-17-09.
19 a. Assembly Memorandum No. AM 622-2009.
- 20
21 4. Ordinance No. AO 2009-126, an ordinance adopting the **Turnagain Arm Comprehensive**
22 **Plan** as an element of the Comprehensive Plan, and amending Anchorage Municipal Code
23 Section 21.05.030 B., and AO 2006-172, Attachment A, to revise provisionally adopted
24 Anchorage Municipal Code Section 21.01.080, Planning Department. P.H. 12-1-09.
25 a. Assembly Memorandum No. AM 623-2009.
- 26
27 5. Ordinance No. AO 2009-127, an omnibus ordinance amending Anchorage Municipal Code
28 and Anchorage Municipal Code of Regulations sections to **authorize electronic online**
29 **(World Wide Web) publication in lieu of newspaper publication of notices**, including
30 notices of certain ordinances, hearings, proposed regulations, meetings and meeting
31 agendas, reports, position vacancies, invitations for bids, requests for proposals, and all
32 other municipal communications to the general public and specific individuals, to the fullest
33 extent allowed by federal and state law, Department of Law. P.H. 12-1-09.
34 a. Assembly Memorandum No. AM 629-2009.
- 35
36 6. Resolution No. AR 2009-260, a resolution of the Municipality of Anchorage appropriating
37 \$296,714 from the U.S. Department of Housing and Urban Development to the Federal
38 Categorical Grants Fund (241) and \$252,225 from the Alaska Housing Finance Corporation
39 to State Categorical Grants Fund (231) and \$711 as a contribution from the 2009
40 Department of Health and Human Services General Government Operating Budget Fund
41 (101) to the State Categorical Grants Fund (231) and \$207 as a contribution from the 2009
42 Department of Health and Human Services General Operating Budget Fund (101) to the
43 State Categorical Grants Fund (231) to provide the **LINK Homeless Assistance Project** in
44 the Department of Health and Human Services. P.H. 11-17-09.
45 a. Assembly Memorandum No. AM 607-2009.
- 46
47 7. Resolution No. AR 2009-265, a resolution of the Municipality of Anchorage appropriating
48 \$194,143 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151)
49 to the **Police Investigation Fund** (257) within the Anchorage Police Department. P.H. 11-
50 17-09.
51 a. Assembly Memorandum No. AM 618-2009.
- 52
53 8. Resolution No. AR 2009-266, a resolution of the Municipality of Anchorage appropriating
54 \$142,725 from the State of Alaska, Department of Transportation & Public Facilities; and
55 appropriating \$6,098 as a contribution from the 2009 Anchorage Police Operating Budget,
56 Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants
57 Fund (231) Anchorage Police Department, for **Impaired Driving Enforcement**. P.H. 11-17-
58 09.
59 a. Assembly Memorandum No. AM 619-2009.
- 60
61 9. Resolution No. AR 2009-269, a resolution of the Municipality of Anchorage accepting a U.S.
62 Environmental Protection Agency (EPA) Brownfields Cleanup Grant in the amount of
63 \$200,000 for the **Peacock Cleaners Site Remediation Project**, and moving \$44,000 from
64 the Areawide Fund (101) to the Areawide Capital Fund (401) as cost share support, Heritage
65 Land Bank/Real Estate Services. P.H. 11-17-09.
66 a. Assembly Memorandum No. AM 627-2009.
- 67
68 10. Assembly Memorandum No. AM 624-2009, **Anchorage Water and Wastewater Utility**
69 **Board of Directors** appointment (Andrew H. Eker), Mayor's Office. **Public Comment:** 11-
70 17-09.
- 71
72 11. Assembly Memorandum No. AM 578-2009, **Zoning Board of Examiners and Appeals**
73 appointments (Thomas Van Flein and Mike Marsh), Mayor's Office. **Public Comment:** 11-
74 17-09.

75 (CARRIED OVER FROM 10-27-09)

76
77 **END OF CONSENT AGENDA**

78
79
80 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

1
2 A. Ordinance No. AO 2009-110, an ordinance of the Anchorage Municipal Assembly amending
3 Anchorage Municipal Code Section 6.10.085, Appropriations During Fiscal Year, to provide for public
4 hearing on budget reductions in excess of \$100,000 in any category, Assemblymembers Gray-
5 Jackson, Gutierrez and Drummond.
6 (PUBLIC HEARING WAS CLOSED 9-29-09; ACTION WAS POSTPONED FROM 9-9-09; CARRIED
7 OVER FROM 10-27-09)

8
9 Ms. Gray-Jackson moved, to postpone action to December 1, 2009.
10 Ms. Drummond seconded,

11 **and this motion was passed, 11-0.**

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

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19 B. Resolution No. AR 2009-244, a resolution of the Municipality of Anchorage adopting the 2010-2015
20 Six Year Fiscal Program, Finance Department.
21 1. Assembly Memorandum No. AM 542-2009.
22 2. Assembly Memorandum No. AM 542-2009(A), Updated 2010-2015 Six Year Fiscal Program,
23 Finance Department.
24 (PUBLIC HEARING WAS CLOSED 10-27-09; ACTION WAS POSTPONED FROM 10-27-09)

25
26 Dr. Selkregg moved, to approve AR 2009-273(A).
27 Mr. Gutierrez seconded,

28
29 Dr. Selkregg moved, to amend AR 2009-224(A) by *inserting* amendments from
30 Mr. Gutierrez seconded, Dr. Selkregg.

31
32 Mr. Starr did not support the amendments. Dr. Selkregg discussed her amendments. Ms. Gray-Jackson supported
33 the amendments. Mr. Coffey discussed property taxes and did not support the amendments. Mr. Claman stated
34 that the Six-Year Program is included in the Municipal Charter. He supported the amendments. Ms. Johnston did not
35 support the amendments.

36
37 **and this motion was passed, 6-5.**

38
39 AYES: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg.
40 NAYS: Johnston, Ossiander, Birch, Starr and Coffey.

41
42 Mr. Claman moved, to amend AR 2009-224(A) floor amendment #13 by
43 Dr. Selkregg seconded, *changing* it to read:
44 AR 2009-224(A) floor amendment #13, by *changing* it to
45 read:
46 [~~Scenario Three~~—which reflects a middle path between
47 scenario 1 and 2—is not addressed in this document.
48 However, the projections and potential strategies for
49 Scenario Three may be added to the Six Year Program
50 after the 2010 budget process is completed.]
51 The Mayor has chosen two fiscal projections that provide
52 different scenarios for analysis. Each scenario details the
53 assumptions and impacts for review. Other viable
54 projections and strategies are not included in the Mayor's
55 analysis.

56
57 **and this motion was passed, 11-0.**

58
59 Mayor Sullivan vetoed Dr. Selkregg's Amendments as amended.

60
61 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
62 Coffey.
63 NAYS: None

64
65 Ms. Drummond moved, to amend AR 2009-224(A) by *inserting* floor amendment
66 Dr. Selkregg seconded, #14 to read:
67 In accordance with the Tri-Borough Anti Gang & Youth
68 Violence Policy Team goals sustained by Anchorage United
69 for Youth, the municipality is committed to seeking
70 partnerships with community organizations that collaborate
71 to enhance the health and productivity of Anchorage's youth
72 through:
73
74 Decreasing Youth Substance Use
75 Increasing Graduation Rates
76 Decreasing Truancy and Delinquency

77
78 Mr. Starr inquired about the partnership in the context of the fiscal program. Ms. Drummond stated that this was
79 created to ensure that the efforts on behalf of the youth were effective. Mr. Coffey stated he did not support this
80 amendment. Dr. Selkregg stated that the amendments to the Six-Year Program were to address whole issues of the

1 community. Mr. Gutierrez stated that the amendment addressed a recognized priority. Mr. Claman stated that he
2 supported this amendment. Mr. Birch stated he did not support this amendment. Mayor Sullivan stated that he did not
3 support this amendment. Mr. Claman inquired what would happen if the Assembly did not approve the Six-Year
4 Fiscal Program. Assembly Counsel Julia Tucker stated that the Administration would work on a new Six-Year Fiscal
5 Program to submit to the assembly.

6
7 **and this motion was passed, 6-5.**

8
9 AYES: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg.
10 NAYS: Johnston, Ossiander, Birch, Starr and Coffey.

11
12 Mayor Sullivan vetoed floor amendment #14.

13
14 Dr. Selkregg discussed the Six-Year Fiscal Program. She stated that the Program did not address certain important
15 priorities. Dr. Selkregg and Mr. Gutierrez did not support the Six-Year Fiscal Program without the amendments.

16
17 **and the main motion was passed, 6-5.**

18
19 AYES: Flynn, Johnston, Ossiander, Birch, Starr and Coffey.
20 NAYS: Claman, Gray-Jackson, Drummond, Gutierrez and Selkregg.

21
22 Ms. Drummond moved, to change order of the day to take up 13.A., 13.C., 14.A.,
23 Ms. Johnston seconded, 14.B., 14.C., 14.D., 14.E. and 14.F.

24
25 **and this motion was passed, 11-0.**

26
27 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
28 Coffey.
29 NAYS: None

30
31
32 Mr. Coffey moved, to reconsider AR 2009-244(A).

33
34 **and this motion failed, 0-11.**

35
36 AYES: None
37 NAYS: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
38 Coffey.

39
40
41 **12. APPEARANCE REQUESTS** There were none.

42
43 **13. CONTINUED PUBLIC HEARINGS**

44
45 A. Ordinance No. AO 2009-120, an ordinance authorizing a **non-exclusive telecommunications and**
46 **electrical easement within Kincaid Park** (Tax #011-191-01), Section Lots 6 and 7, SE ¼ Section
47 8, Township 12 North, Range 4 West, Seward Meridian, Alaska, Third Judicial District, State of
48 Alaska, to Chugach Electric Association, Inc., Project Management and Engineering.
49 1. Assembly Memorandum No. AM 544-2009.
50 (CARRIED OVER FROM 10-27-09)

51
52 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

53
54 Ms. Johnston moved, to approve AO 2009-120.
55 Mr. Coffey seconded,
56 **and this motion was passed, 11-0.**

57
58 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
59 Coffey.
60 NAYS: None

61
62
63 B. Resolution No. AR 2009-246, a resolution of the Municipality of Anchorage appropriating \$1,519,838
64 from the Alaska Department of Health and Social Services for the **Child Care Licensing Program** in
65 the Department of Health and Human Services.
66 1. Assembly Memorandum No. AM 548-2009.
67 (CARRIED OVER FROM 10-27-09)

68
69 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

70
71 Dr. Selkregg moved, to approve AR 2009-246.
72 Mr. Coffey seconded,
73 **and this motion was passed, 11-0.**

74
75 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
76 Coffey.
77 NAYS: None

78
79 C. Resolution No. AR 2009-247, a resolution of the Municipality of Anchorage appropriating \$227,500
80 as a donation from the Anchorage Park Foundation to the Municipality of Anchorage Miscellaneous

Operational Grants Fund (261) for the purpose of **funding the Anchorage Bowl Parks and Recreation Youth Employment in Parks**, Anchorage Bowl Parks & Recreation Department.

1. Assembly Memorandum No. AM 549-2009.

(CARRIED OVER FROM 10-27-09)

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

Mr. Flynn moved, to approve AR 2009-247.
Ms. Johnston seconded,
and this motion was passed, 11-0.

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

NAYS: None

Mayor Sullivan stated that the Administration was willing to work with the Parks Foundation for funding.

D. Ordinance No. AO 2009-114, an ordinance to provisionally adopt new Sections 21.07.060, **Transportation and Connectivity**; 21.07.070, **Neighborhood Protection Standards**; 21.07.080, **Landscaping, Screening, and Fences**; 21.07.090, **Off-Street Parking and Loading**; and 21.07.100, **Exterior Lighting**, amending Anchorage Municipal Code Title 21 subject to concurrent final passage and approval of all provisionally adopted chapters of Title 21 (Planning and Zoning Commission Case No. 2007-153), Assemblymember Coffey.

1. Assembly Memorandum No. AM 530-2009.

2. Information Memorandum No. AIM 103-2009.

(PUBLIC HEARING WAS CLOSED 10-13-09 ON SECTIONS 060, 070 AND 080; BIFURCATED AND MOVED AMENDMENTS TO 060, 070 AND 080; ACTION WAS FURTHER POSTPONED FROM 10-13-09; ACTION ON SECTIONS 060, 070 AND 080 WAS CARRIED OVER FROM 10-27-09; RECONSIDERED ON 10-13-09 AND PUBLIC HEARING WAS CONTINUED ON SECTIONS 090 AND 100 TO 11-3-09)

E. 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 10th Avenue and East 12th 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; AND 7-21-09; CARRIED OVER FROM 10-27-09)

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

Mr. Coffey moved, to continue Public Hearing to January 12, 2010.
Ms. Johnston seconded,
and this motion was passed, 10-0-1.

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

NAYS: None.

EXCUSED: Birch.

F. Ordinance No. AO 2009-122, an ordinance amending Anchorage Municipal Code Section 8.15.010 and the Fine Table in Section 14.60.030 to add a **civil violation alternative for thefts under \$50, excluding alcoholic beverages**, Department of Law.

1. Assembly Memorandum No. AM 561-2009.

(CARRIED OVER FROM 10-27-09)

G. Ordinance No. AO 2009-71, an ordinance repealing and re-enacting Anchorage Municipal Code Chapter 8.80 regarding **fees for excessive police responses**, Department of Law, Assemblymember Selkregg.

1. Assembly Memorandum No. AM 311-2009.

2. Ordinance No. AO 2009-71(S), an ordinance repealing and re-enacting Anchorage Municipal Code Chapter 8.80 regarding fees for excessive police responses, Assemblymember Selkregg.

3. Assembly Memorandum No. AM 311-2009(A).

(CARRIED OVER FROM 6-9-09 AND 6-16-09; CONTINUED FROM 6-16-09, 7-7-09, 9-15-09 AND 10-13-09; CARRIED OVER FROM 10-27-09)

H. Ordinance No. AO 2009-108, an ordinance amending Anchorage Municipal Code Chapter 10.50, **Alcoholic Beverages**, providing for an **extended Closing Safety Hour Program** on a limited basis for certain premises licensed by the State Alcoholic Beverage Control Board, setting the registration fee, penalties and corrective action for program violation, Assemblymember Flynn.
(CONTINUED FROM 10-13-09; CARRIED OVER FROM 10-27-09)

Chair Ossiander opened Public Hearing.

PAUL KENDALL testified against the extended closing safety hour.

LYNETTE MORENO-HINZ testified in support of the extended closing hour.

1
2 Mr. Flynn moved, to continue Public Hearing to December 15, 2009.
3 Ms. Johnston seconded,
4 and this motion was passed, 10-0-1.

5
6 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez, Starr, Selkregg and Coffey.
7 NAYS: None.
8 EXCUSED: Birch.

- 9
10 I. Resolution No. AR 2009-221, a resolution of the Anchorage Municipal Assembly **revising and**
11 **appropriating funds for the 2009 General Government Operating Budget**, Assemblymembers Gray-
12 Jackson, Gutierrez and Drummond.
13 1. Assembly Memorandum No. AM 513-2009.
14 2. Resolution No. AR 2009-221(S), a resolution of the Anchorage Municipal Assembly revising
15 and appropriating funds for the 2009 General Government Operating Budget,
16 Assemblymembers Gray-Jackson, Gutierrez and Drummond.
17 3. Assembly Memorandum No. AM 535-2009.
18 (CONTINUED FROM 9-29-09; CARRIED OVER FROM 10-27-09)

19
20 Chair Ossiander opened Public Hearing.

21
22 PAUL KENDALL testified.

23
24 Ms. Gray-Jackson discussed a memo she had distributed in regards to budget revision history.

25
26 Ms. Gray-Jackson moved, to continue Public Hearing to December 1, 2009.
27 Mr. Gutierrez seconded,
28 and this motion was passed, 10-0-1.

29
30 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez, Starr, Selkregg and Coffey.
31 NAYS: None.
32 EXCUSED: Birch.

- 33
34 J. Ordinance No. AO 2009-115, an ordinance of the Anchorage Municipal Assembly amending Anchorage
35 Municipal Code Chapter 6.40, **Reports and Audits**, Assemblymember Claman and Assembly Chair
36 Ossiander.
37 (CARRIED OVER FROM 10-27-09)

38
39 Chair Ossiander opened Public Hearing. There was no one to testify.

40
41 Mr. Flynn moved, to continue Public Hearing to December 1, 2009.
42 Ms. Johnston seconded,
43 and this motion was passed, 10-0-1.

44
45 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez, Starr, Selkregg and Coffey.
46 NAYS: None.
47 EXCUSED: Birch.

48
49 **14. NEW PUBLIC HEARINGS**

50
51 Mr. Flynn moved, to combine Public Hearing for items 14.A., 14.B. and 14.C.
52 Mr. Coffey seconded,
53 and this motion was passed, 11-0.

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

- 58
59 A. **SECOND PUBLIC HEARING: Ordinance No. AO 2009-116**, an ordinance of the Municipality of
60 Anchorage adopting and appropriating funds for the **2010 General Government Operating Budget**
61 for the Municipality of Anchorage, Office of Management and Budget.
62 1. Assembly Memorandum No. AM 537-2009.

63
64 Chair Ossiander opened Public Hearing.

65
66 WENDY EGGLESTON testified against cutting the Anchorage Animal Care & Control Budget.

67
68 BOB LUPO testified in support of a payroll tax.

69
70 TOM LAYOU testified in support of funding the arts.

71
72 JEAN ROSSTON testified in support of funding the arts.

73
74 TIM PEARSON testified in support of funding the arts and libraries.

75
76 ALLI HARVEY testified about funding large projects while cutting public transportation. She testified against raising
77 rates and cutting routes.

78
79 ROBERT BUCHANON testified in support of Mayor Sullivan's budget and does not support funding the arts with tax
80 dollars.

- 1
- 2 RUTH BOTSTEIN testified in support of funding the parks and arts.
- 3
- 4 STUART GRENIER testified that a high percentage of the APD Budget is going to the public inebriate program.
- 5
- 6 DEANNA ST LOUIS testified against cutting routes and times for AnchorRides.
- 7
- 8 DARYL NELSON testified against cutting the Public Transportation budget.
- 9
- 10 SYBLE THOMAS testified against cutting AnchorRIDES routes.
- 11
- 12 MELODY DYE testified against cutting the Public Transportation budget.
- 13
- JOANNE PHILLIPS testified in support of funding Campfire.
- 14
- 15 SHELI DODSON testified in support of funding Campfire.
- 16
- 17
- 18 CODIE COSTELLO testified in support of funding the arts.
- 19
- 20 JUNIE KIM testified in support of funding the arts.
- 21
- 22 NANCY HARBOUR testified in support of funding the Municipal Arts Commission.
- 23
- 24 JESSICA CLER testified against cutting funds for the Public Transportation and Library budgets.
- 25
- 26 BARB ROSETTI testified in support of funding Campfire and additional after school programs.
- 27
- 28 SANDRA HAYES testified in support of funding the arts and against cutting the Public Transportation budget.
- 29
- 30 STEVE SILVERSTEIN testified in support of funding the arts.
- 31
- 32 LAURA O'LACY testified against cutting the Public Transportation budget.
- 33
- 34 JIM CURRAN testified against cutting the Library budget.
- 35
- 36 DEIRDRE CRONIN testified in support of funding the Youth Reception Center.
- 37
- 38 MICHAEL HURST testified in support of funding the arts.
- 39
- 40 RICHARD BRAUN testified against funding of the arts. Mr. Braun supports the Mayor's budget.
- 41
- 42 CHRISTINA EUBANKS testified in support of funding after school programs.
- 43
- 44 LENORA MORFURD testified against cutting the Public Transportation budget.
- 45
- 46 PAULA DAVIS testified in support of funding Campfire.
- 47
- 48 JANICE BANTA testified in support of funding Campfire.
- 49
- 50 MAXINE DOOGAN testified in support of funding arts, Library and Public Transportation.
- 51
- 52 SUSAN KLEIN testified in support of funding the Library and Public Transportation.
- 53
- 54 BROOKE HULL testified in support of funding Campfire.
- 55
- 56 PATIENCE FREDERIKSEN testified against cutting the Library budget and Municipal jobs.
- 57
- 58 BEV ALECK testified.
- 59
- 60 BOB GRIFFIN testified in support of the Mayor's budget.
- 61
- 62 RYAN KNIGHT testified in support of funding Public Transportation and the arts.
- 63
- 64 VIVIAN MENDENHALL testified in support of funding the arts.
- 65
- 66 RICHARD EMANUEL testified against cutting the Library budget.
- 67
- 68 TOM MCGRATH testified in support of the Mayor's budget.
- 69
- 70 GRANT HUNTER testified in support of the Mayor's budget.
- 71
- 72 HELENA NORTHSTAR testified against cutting the Public Transportation budget.
- 73
- 74 RANDY BEILFUSS testified in support of cutting the budget.
- 75
- 76 LISA FOX testified in support of the Mayor's budget.
- 77
- 78 BRYAN ZAK testified in support of funding Non-Profits.
- 79
- 80 DAVE DONLEY testified in support of the Mayor's budget.

1
2 CHRIS SCHUTTE testified in support of funding for the Covenant House and the arts.

3
4 CAROLINE BOLAR testified.

5
6 REBECCA BARKER testified in support of funding the Library, Campfire and Public Transportation.

7
8 ERIC LACHOWSKI testified in support of funding the Library and Public Transportation.

9
10 EDDIE BURKE testified against increasing property taxes.

11
12 VIC FISCHER testified against cutting quality of life budget items.

13
14 Ms. Drummond moved, to change the order of the day to take up 13.B., 13.E.,
15 Mr. Coffey seconded, 13.H., 13.I and 13.J.
16 **and this motion was passed, 11-0.**

17
18 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
19 Coffey.

20 NAYS: None.

21
22 Ms. Drummond moved, to extend the meeting until 11:30pm.
23 Mr. Coffey seconded,
24 **and this motion was passed, 10-0-1.**

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

27 NAYS: None.

28 EXCUSED: Birch

29
30 JANE ANGVIK testified in support of funding the Library and Public Transportation.

31
32 NEVA REECE testified against cutting quality of life budget items.

33
34 RICHARD KOLLER testified in support of the Mayor's budget.

35
36 LYNETTE MORENO-HINZ testified in support of funding a 100 year celebration of Anchorage.

37
38 MARK FISH testified against raising property taxes.

39
40 EMILY LEWIS testified in support of funding the Library and Public Transportation.

41
42 PAUL KENDALL testified.

43
44 CHERYL RICHARDSON testified in support of funding Public Transportation.

45
46 DEAN DUNSMORE testified.

47
48 DAN FLAHERTY testified in support of funding the Oscar Anderson House.

49
50 DAVID DUNSMORE testified against cutting quality of life budget items.

51
52 Chair Ossiander closed public hearing.

53
54 B. **SECOND PUBLIC HEARING: Resolution No. AR 2009-242**, a resolution of the Municipality of
55 Anchorage approving the **2010-2015 General Government Capital Improvement Program**, Office
56 of Management and Budget.

57 1. Assembly Memorandum No. AM 538-2009.

58
59 C. **SECOND PUBLIC HEARING: Ordinance No. AO 2009-117**, an ordinance adopting the **2010**
60 **General Government Capital Improvement Budget**, Office of Management and Budget.

61 1. Assembly Memorandum No. AM 539-2009.

62
63 Mr. Flynn moved, to combine Public Hearing for items 14.D., 14.E. and 14.F.
64 Ms. Drummond seconded,
65 **and this motion was passed, 10-0-1.**

66
67 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez, Starr, Selkregg and Coffey.

68 NAYS: None.

69 EXCUSED: Birch

70
71 D. **SECOND PUBLIC HEARING: Resolution No. AR 2009-243**, a resolution of the Municipality of
72 Anchorage approving the **2010-2015 Municipal Utilities/Enterprise Activities Capital**
73 **Improvement Program**, Office of Management and Budget.

74 1. Assembly Memorandum No. AM 540-2009.

75
76 Chair Ossiander opened Public Hearing.

77
78 LYNETTE MORENO-HINZ testified against raising the utility rates.

79
80 Chair Ossiander closed Public Hearing.

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E. **SECOND PUBLIC HEARING:** Ordinance No. AO 2009-118, an ordinance adopting and appropriating funds for the **Municipal Utilities/Enterprise Activities Operating Budget Fiscal Year 2010 Update and the 2010 Municipal Utilities/Enterprise Activities Capital Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 541-2009.

F. **SECOND PUBLIC HEARING:** Ordinance No. AO 2009-119, an ordinance adopting and appropriating funds for the **2010 Operating and Capital Budgets for the Anchorage Community Development Authority (ACDA)**, Office of Management and Budget.
1. Assembly Memorandum No. AM 543-2009.

15. **SPECIAL ORDERS**

A. Ordinance No. AR 2009-270, a resolution of the Anchorage Municipal Assembly relating to potential revenue sharing by the State of Alaska in 2010., Assembly Members Gray-Jackson, Drummond and Gutierrez. (Notice of VETO given by Mayor Sullivan on 11-2-09.)

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

17. **AUDIENCE PARTICIPATION**

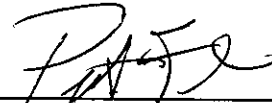
18. **ASSEMBLY COMMENTS** There were none.

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

20. **ADJOURNMENT**

Chair Ossiander adjourned the Regular Assembly Meeting at 11:15 p.m.

Mr. Flynn moved, to adjourn the Regular Meeting of November 3, 2009.
and this was approved without objection.



DEBBIE OSSIANDER, Assembly Chair

ATTEST:



BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: January 12, 2010.
MD/BG

(View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or contact the Minutes Clerk in Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4311.)

