

1
2
3
4
5
6
7
8
9

**MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY**

**Assembly Chambers, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska**

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79

Minutes for the Regular Meeting of November 17, 2009

1. **CALL TO ORDER**

The Regular Assembly Meeting of November 17, 2009 was convened by Chair Ossiander at 5:05 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 Starr led the pledge.

4. **MINUTES OF PREVIOUS MEETINGS**

A. Regular Meeting – October 13, 2009.

Ms. Drummond moved, to approve the Regular Meeting Minutes of
Ms. Johnston seconded, October 13, 2009.
and this motion was passed, 11-0.

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

NAYS: None.

5. **MAYOR'S REPORT**

Mayor Dan Sullivan reported on the Alaska Conference of Mayors. He announced that the Alaska Municipal League (AML) conference started Wednesday November 18, 2009. He stated that he met with the Anchorage Legislative Caucus on November 16, 2009 and discussed their legislative priorities for the upcoming session.

6. **ASSEMBLY CHAIR'S REPORT**

Chair Ossiander stated that Mayor Sullivan had requested to hold items 11.D., 11.E. and 11.F. to begin at a time certain of 8:00pm. She stated that 11.J has an (A) version that will be discussed; 11.B. would be postponed until December 1, 2009, 13.C. would be postponed until January 19, 2010, 13.E. has an (S) version and 14.D. would be continued to December 1, 2009.

7. **COMMITTEE REPORTS**

Mr. Claman stated that the Players House of Rock filed for bankruptcy.

Ms. Gray-Jackson and Ms. Drummond reported on the National League of Cities conference that they had attended.

Ms. Johnston announced that the Budget and Finance Committee would not be meeting on November 19, 2009. The next meeting would be on December 17, 2009.

Dr. Selkregg announced that the Community and Economic Development Committee would not be meeting that week.

Mr. Coffey announced the next Title 21 Committee meeting would be December 3, 2009. They would be finishing section AMC21.07.090. The following meeting would be discussing AMC21.07.100.

Ms. Drummond announced that Ms. Gray-Jackson received a Diamond Level award for Leadership at the National League of Cities.

8. **ADDENDUM TO AGENDA**

Chair Ossiander read the Addendum items.

Mr. Coffey moved, to approve the Addendum items into the Consent Agenda.
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.

9. **CONSENT AGENDA**

1 Ms. Drummond moved, to approve the Consent Agenda.
2 Mr. Birch seconded,

3
4 Agenda items 9.A.1., 9.B.5., 9.D.6., 9.D.21. and 9.F.3. were pulled for discussion and separate vote.

5
6 **and this motion, as amended, was passed, 11-0.**

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

11
12 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

- 13 1. Resolution No. AR 2009-281, a resolution of the Anchorage Municipal Assembly recognizing
14 and honoring **Camp Fire USA Alaska Council** for its achievement in being selected a 2009
15 Families Count: Family Strengthening Award Winner, Assembly Chair Ossiander.

16
17 Ms. Drummond moved, to approve the AR 2009-281.
18 Mr. Coffey seconded,

19
20 **and this motion was passed, 11-0.**

21
22 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
23 Coffey.
24 NAYS: None.

25
26 Ms. Drummond read the resolution. Dr. Selkregg presented the resolution to Sarah Pate, President of Camp Fire.

27
28 **9.B. RESOLUTIONS FOR ACTION - OTHER**

- 29
30 1. Resolution No. AR 2009-274, a resolution of the Anchorage Municipal Assembly stating its
31 protest regarding a transfer Beverage Dispensary Liquor License #4694 and Restaurant
32 Designation Permit for Las Marg. LLC, Las Margaritas 2, located at 8001 Old Seward
33 Highway, and authorizing the Municipal Clerk to take certain action, Assembly Chair
34 Ossiander, Vice-Chair Drummond, And Assembly Public Safety Committee Chair Gutierrez.
35
36 2. Resolution No. AR 2009-275, a resolution of the Anchorage Municipal Assembly stating its
37 protest regarding a new Restaurant Eating Place Liquor License #4942 and Restaurant
38 Designation Permit for Ernesto & Ricardo's Grill LLC, Ernesto & Ricardo's Grill Mexican
39 Family Restaurant, located at 5121 Arctic Blvd #A, and authorizing the Municipal Clerk to
40 take certain action, Assembly Chair Ossiander, Vice-Chair Drummond, and Assembly Public
41 Safety Committee Chair Gutierrez.
42
43 3. Resolution No. AR 2009-278, a resolution of the Municipality of Anchorage appropriating the
44 sum of \$33,000 from Anticipated Unearned Program Revenues from the Areawide General
45 Fund (101) to the 2009 General Operating Budget (Fund 101), Purchasing Department, for
46 the payment of fees and expenses associated with the disposal of surplus/excess municipal
47 property.
48 a. Assembly Memorandum No. AM 633-2009.
49
50 4. Resolution No. AR 2009-282, a resolution of the Municipality of Anchorage appropriating
51 \$100,000 from the Alaska Department of Health and Social Services as a supplemental
52 grant to the State Categorical Grants Fund (231), for the provision of public health
53 preparedness and response for bioterrorism in the Department of Health and Human
54 Services.
55 a. Assembly Memorandum No. AM 650-2009.
56
57 5. Resolution No. AR 2009-283, a resolution of the Anchorage Municipal Assembly designating
58 January 18, 2010 as Martin Luther King, Jr. Day of Service, Assembly Chair Ossiander,
59 Assembly Vice-Chair Drummond, Assemblymembers Birch, Claman, Coffey, Flynn,
60 Gutierrez, Gray-Jackson, Johnston, Selkregg, Starr and Mayor Sullivan. (addendum)

61
62 Mr. Claman moved, to approve AR 2009-283.
63 Mr. Gutierrez seconded,

64
65 Mr. Claman discussed the importance of community service on Martin Luther King Day of Service. Sidney Billingslea,
66 President of the Alaska Bar Association spoke to the resolution.

67
68 **and this motion was passed, 11-0.**

69
70 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
71 Coffey.
72 NAYS: None.

- 73
74 6. Resolution No. AR 2008-284, a resolution of the Municipality of Anchorage appropriating a
75 grant in the amount of \$80,000 from the State of Alaska, Department of Transportation,
76 Alaska Highway Safety Office, for a Traffic Safety Resource Prosecutor, Department of
77 Law. (addendum)
78 a. Assembly Memorandum No. AM 669-2009.
79

7. Resolution No. AR 2008-285, a resolution of the Municipality of Anchorage appropriating \$76,446 as an appropriation from the Areawide General Fund (101) Balance to the Heritage Land Bank/Real Estate Services Division's 2009 Operating Budget Fund (101) for lease payments for municipal leased building space in the Heritage Land Bank/Real Estate Services Division. (addendum)
 - a. Assembly Memorandum No. AM 670-2009.
8. Resolution No. AR 2008-286, a resolution of the Municipality of Anchorage, Alaska, approving a sanitary sewer main extension identified as the Pump Station 53 (Sanitary) Sewer Extension and providing for assessment of benefited properties at time of service connection, Anchorage Water & Wastewater Utility. (addendum)
 - a. Assembly Memorandum No. AM 671-2009.

9.C. BID AWARDS

9.D. NEW BUSINESS

1. Assembly Memorandum No. AM 636-2009, **Anchorage Memorial Park Cemetery Advisory Board** appointments (Jerry A. Strang and Ernest E. Hall), Mayor's Office.
2. Assembly Memorandum No. AM 651-2009, **Animal Control Appeals Board** appointment (James Sheridan), Mayor's Office.
3. Assembly Memorandum No. AM 652-2009, **Arts Advisory Commission** appointments (Joshua P. Fink, Dawn Linton-Warren, and Anne-Marie Cotter), Mayor's Office.
4. Assembly Memorandum No. AM 637-2009, **Eagle River-Chugiak Parks and Recreation Service Area Board of Supervisors** appointment (Alexandra R. Hill, Birchwood Community Council), Mayor's Office.
5. Assembly Memorandum No. AM 638-2009, **Emergency Medical Service Board** appointment (Kenneth A. Marriott II, M.D.), Mayor's Office.
6. Assembly Memorandum No. AM 653-2009, **Board of Ethics** appointments (Thomas J. Burgess and Keith N. Silver), Mayor's Office.

Dr. Selkregg moved, to approve AM 653-2009.
Mr. Claman seconded,

Dr. Selkregg and Mayor Sullivan discussed the new appointments.

and this motion was passed, 6-5.

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

Mr. Flynn moved, to reconsider AM 653-2009.
Mr. Coffey seconded,

and this motion failed, 5-6.

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

7. Assembly Memorandum No. AM 649-2009, **Heritage Land Bank Advisory Commission** appointments (Eva Loken and Dianna Hiibner), Mayor's Office.
8. Assembly Memorandum No. AM 654-2009, **Historic Preservation Commission** appointment (Darrell L. Lewis), Mayor's Office.
9. Assembly Memorandum No. AM 645-2009, **Housing and Neighborhood Development Commission** appointments (Debbi Newgent, Gabriel D. Layman, and Father Norman Henry Victor Elliott), Mayor's Office.
10. Assembly Memorandum No. AM 666-2009, **Military and Veterans Affairs Commission** appointments (Ric Davidge, Daniel B. Toomey, Zulene Ohman Simmons, MSN, ANP, and Kevin E. Barry, MHA, RT(R)(N)), Mayor's Office.
11. Assembly Memorandum No. AM 639-2009, **Mt. View Community Recreation Center Advisory Board** appointment (Marjorie I. Chord), Mayor's Office.
12. Assembly Memorandum No. AM 640-2009, **Parks and Recreation Commission** appointments (Tim Benintendi, Jonathan R.B. Dyson, Carl A. Propes Jr., and Joey Lynne Caterinichio), Mayor's Office.
13. Assembly Memorandum No. AM 655-2009, **Port Commission** appointments (Thaddeus Owens, Wilbur O'Brien, Bradley G. Kroon), Mayor's Office.

- 1 14. Assembly Memorandum No. AM 641-2009, Public Facilities Advisory Commission
2 appointment (Ronald Jordan), Mayor's Office.
- 3
- 4 15. Assembly Memorandum No. AM 642-2009, Public Safety Advisory Commission
5 appointments (Sharon Chamard and James M. Nolan), Mayor's Office.
- 6
- 7 16. Assembly Memorandum No. AM 656-2009, Public Transit Advisory Board appointments
8 (Timothy M. Sullivan, Sr., Mary Fairbanks, and Patrick Reinhart), Mayor's Office.
- 9
- 10 17. Assembly Memorandum No. AM 657-2009, School Budget Advisory Commission
11 appointments (Elizabeth Vazquez, Gregory J. Gursey, and Shirley M. Nelson), Mayor's
12 Office.
- 13
- 14 18. Assembly Memorandum No. AM 658-2009, Senior Citizens Advisory Commission
15 appointments (Jan Knutson, Charles "Chuck" Edwards, Karen E. Casanovas, and Stuart C.
16 Rader, Esquire), Mayor's Office.
- 17
- 18 19. Assembly Memorandum No. AM 659-2009, Sister Cities Commission appointments
19 (Father Norman Henry Victor Elliott, Angelina Estrada-Burney, Judith L. Helzer, Charlene
20 Howe, and Colette La Rose), Mayor's Office.
- 21
- 22 20. Assembly Memorandum No. AM 660-2009, Transportation Commission appointments
23 (Bernadette Bradley and John S. O'Day), Mayor's Office.
- 24
- 25 21. Assembly Memorandum No. AM 643-2009, Executive Appointment (Marilyn Stewart-
26 Richardson, Director-Office of Equal Opportunity), Mayor's Office.
- 27

28 Ms. Gray-Jackson moved, to approve AM 643-2009.
29 Ms. Johnston seconded,

30
31 Ms. Stewart-Richardson answered questions from Ms. Gray-Jackson, Mr. Gutierrez and Dr. Selkregg.

32
33 **and this motion was passed, 11-0.**

34
35 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
36 Coffey.
37 NAYS: None.

- 38
- 39 22. Assembly Memorandum No. AM 628-2009, 2010/2011 Liquor License Renewals: Pepe's
40 Turnagain House #2805 – Beverage Dispensary; Loyal Order of Moose Lodge 1534 - #750;
41 Club; Goldrush Liquors #4364-Package Store; Don Jose's Mexican Restaurant #4755-
42 Restaurant/Eating Place (Midtown, Northeast and Turnagain Arm Community Councils),
43 Clerk's Office.
- 44
- 45 23. Assembly Memorandum No. AM 630-2009, 2010/2011 Liquor License Renewal: 515 Club
46 **(Not Operating) #398** – Beverage Dispensary (Downtown Community Council), Clerk's
47 Office.
- 48
- 49 24. Assembly Memorandum No. AM 644-2009, 2010/2011 Liquor License Renewals: Bruins
50 #1043, Avenue Bar #1184, Upper One #1187, Red Robin Burger & Spirits Emporium 2
51 #3304, Henri Hawaii #4835-Beverage Dispensary; Top of the World #1157, Chartroom
52 #1414 - Beverage Dispensary-Duplicate; Anchorage Marriott Hotel #3945, Hilton Garden Inn
53 #4236, Homewood Suites #4354, Chili's Too #4403, Legends #4404 - Beverage Dispensary-
54 Tourism (Downtown, Midtown and Sand Lake Community Councils), Clerk's Office.
- 55
- 56 25. Assembly Memorandum No. AM 647-2009, authorization for a grant agreement with the
57 Abused Women's Aid In Crisis, Inc. for \$226,670 to provide **Domestic Violence Victim**
58 **support services**, Health and Human Services.
- 59
- 60 26. Assembly Memorandum No. AM 668-2009, Change Order No. 1 to Purchase Order No.
61 290983 with Janssen Contracting, Inc. for the Ben Boeke Roof Replacement & Seismic
62 Upgrades Project for the Municipality of Anchorage, Maintenance & Operations Department
63 (\$259,323), Purchasing. (addendum)
- 64

65 **9.E. INFORMATION AND REPORTS**

- 66
- 67 1. Information Memorandum No. AIM 112-2009, September 2009 Financial Reports, Office of
68 Management and Budget.
- 69
- 70 2. Information Memorandum No. AIM 113-2009, contracts awarded between \$50,000 and
71 **\$500,000 through formal competitive processes** for the month of October 2009,
72 Purchasing.
- 73
- 74 3. Information Memorandum No. AIM 114-2009, Sole Source Procurement Report for the
75 month of October 2009, Purchasing.
- 76
- 77 4. Information Memorandum No. AIM 115-2009, Change of Scope of Work for Gas-Fed Value-
78 Added Technical Conference, Office of Community Planning and Development. (addendum)
- 79

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80

1. Ordinance No. AO 2009-128, an ordinance of the Anchorage Assembly amending the zoning map and providing for the rezone of approximately 12 acres from I-1 (Light Industrial District) to B-3 (General Business District) for **Doubletree Center Subdivision, Tract A, Block 1, Fragment Lots 1-5**; generally located west of C Street and north of West International Airport Road (Midtown Community Council) (Planning and Zoning Commission Case 2009-105), Planning Department. P.H. 12-15-09.
 - a. Assembly Memorandum No. AM 646-2009.
2. Ordinance No. AO 2009-129, an ordinance amending Anchorage Municipal Code Section 11.70.060 to **increase existing fares in the public transportation system** to fund increases in operations costs, Public Transportation Department. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 648-2009.
3. Ordinance No. AO 2009-130, an ordinance of the Anchorage Municipal Assembly amending Anchorage Code Section 21.40.130 to **allow large domestic animal facilities on certain large lots** in the R-O District as permitted accessory uses and structures and as a conditional use, comparable to the R-6 Suburban Residential District (Large Lot), Assembly Chair Ossiander. **REFER TO THE PLANNING AND ZONING COMMISSION.**

Mr. Coffey moved, to introduce AO 2009-130.
Ms. Johnston seconded,
Mr. Birch concurring third,

and this motion was passed, 11-0.

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

Ms. Drummond moved, to set Public Hearing for February 16, 2010.
Mr. Gutierrez seconded,

and this motion was passed, 11-0.

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

4. Ordinance No. AO 2009-131, an ordinance authorizing a **lease, for the use and maintenance of telecommunication facilities**, located on a portion of Tract A-2, Brendlwood Subdivision between Anchorage Water and Wastewater Utility and ACS Wireless Inc., Anchorage Water and Wastewater Utility. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 661-2009.
5. Ordinance No. AO 2009-132, an ordinance authorizing a disposal by **sale of approximately nine (9) acres of Municipality of Anchorage/Anchorage Water and Wastewater Utility property**, Tract 4, International East Subdivision, at fair market value to Chugach Election Association for utility use, Anchorage Water and Wastewater Utility. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 662-2009.
6. Ordinance No. AO 2009-133, an ordinance repealing Anchorage Municipal Code Section 12.15.012, and repealing and reenacting Section 12.15.015 to **codify state law exemptions**, provide filing deadlines and outline the administrative and judicial appeal process, Assemblymembers Gray-Jackson and Gutierrez. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 663-2009.
7. Ordinance No. AO 2009-134, an omnibus ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations sections to **authorize electronic online (World Wide Web) publication in lieu of newspaper publication of notices**, including notices of certain ordinances, hearings, proposed regulations, meetings and meeting agendas, reports, position vacancies, invitations for bids, requests for proposals, and all other municipal communications to the general public and specific individuals, to the fullest extent allowed by federal and state law. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 664-2009.
8. Ordinance No. AO 2009-135, an ordinance of the Anchorage Assembly amending the zoning map and providing for the rezoning of approximately 1.15 acres from R-3 (Multi-Family Residential) District and PLI (Public Lands and Institutions) District to PLI (Public Lands and Institutions) District for **Conroy Rushton Subdivision #1, Block 9A, and Lintner Subdivision, Lot 35A**; generally located north of McRae Road and west of Woodland Drive (Spenard Community Council) (Planning and Zoning Commission Case 2009-080), Planning Department. P.H. 12-15-09.
 - a. Assembly Memorandum No. AM 665-2009.
9. Resolution No. AR 2009-271, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-3 (General Business District) for a package store use and license per AMC 21.40.180 D.8 for **Wal-Mart Super Store #2188**, located at 18600 Eagle River Road, within Eaglewood Subdivision, Tract A, generally located on the

southeast corner of Eagle River Road and Eagle River Loop Road, with certain conditions (Eagle River Valley Community Council (Case 2009-120), Assemblymembers Starr and Ossiander. P.H 12-15-09.

10. Resolution No. AR 2009-279, a resolution of the Municipality of Anchorage appropriating \$625,000 as a Memorandum of Agreement from the State of Alaska Department of Transportation to the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) for **reimbursable police services provided at road construction sites**. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 634-2009.
11. Resolution No. AR 2009-280, a resolution of the Municipality of Anchorage appropriating \$179,990 from the Department of Health and Human Services, Health Resources and Services Administration and appropriating \$7,694 from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department 2009 Operating Budget as a contribution to the Federal Categorical Grants Fund (241) Anchorage Police Department, for the purchase of **Automated External Defibrillators**. P.H. 12-1-09.
 - a. Assembly Memorandum No. AM 635-2009.
12. Ordinance No. AO 2009-136, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Drinking Water Fund an aggregate amount of Not To Exceed \$15,548,000 for the purpose of financing various AWWU Water Capital Improvement Projects, Anchorage Water & Wastewater Utility. P.H. 12-1-09. (addendum)
 - a. Assembly Memorandum No. AM 673-2009.
13. Ordinance No. AO 2009-137, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing from the State of Alaska Clean Water Fund an aggregate amount Not To Exceed \$6,206,400 for the purpose of financing various AWWU Wastewater Capital Improvement Projects, Anchorage Water & Wastewater Utility. P.H. 12-1-09. (addendum)
 - a. Assembly Memorandum No. AM 674-2009.
14. Ordinance No. AO 2009-138, an ordinance authorizing acquisition of real property by Anchorage Water & Wastewater Utility of an approximate two (2) acre portion of Lot 1A, Block 1, Knik Heights Subdivision West Addition, at fair market value Not To Exceed \$216,000 from Chugach Electric Association for a public water reservoir. P.H. 12-1-09. (addendum)
 - a. Assembly Memorandum AM 675-2009.
15. Resolution No. AR 2009-287, a resolution of the Municipality of Anchorage, Alaska, approving the Girdwood Water Improvements Phase II-B Transmission Main and providing for assessment of benefited properties at time of service connection, Anchorage Water & Wastewater Utility. P.H. 12-15-09. (addendum)
 - a. Assembly Memorandum AM 672-2009.

END OF CONSENT AGENDA

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

- A. Assembly Memorandum No. AM 577-2009, Anchorage Water and Wastewater Utility Authority Board of Directors appointment (George J. Vakalis), Mayor's Office.
(POSTPONED FROM 10-27-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT TO AMC 31.10.020 C.)

Mr. Coffey moved, to approve AM 577-2009.
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.

- B. Assembly Memorandum No. AM 624-2009, Anchorage Water and Wastewater Utility Board of Directors appointment (Andrew H. Eker), Mayor's Office.
(POSTPONED FROM 11-3-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT TO AMC 31.10.020 C.)

Mr. Coffey moved, to approve AM 624-2009.
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.

1 C. Assembly Memorandum No. AM 579-2009, Zoning Board of Examiners and Appeals appointment
2 (Joshua P. Fink), Mayor's Office.
3 (POSTPONED FROM 10-27-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT
4 TO AMC 21.10.010 B.)
5

6 Mr. Coffey moved, to approve AM 579-2009.
7 Dr. Selkregg seconded,
8

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 Mr. Claman moved, to change the order of the day to take up 11.D., 11.E. and
16 Mr. Gutierrez seconded, 11.F. to a time certain of 8:00pm.
17

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

19
20 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
21 Coffey.
22 NAYS: None.
23
24

25 D. Ordinance No. AO 2009-116, an ordinance of the Municipality of Anchorage adopting and
26 appropriating funds for the **2010 General Government Operating Budget** for the Municipality of
27 Anchorage, Office of Management and Budget.
28 1. Assembly Memorandum No. AM 537-2009.
29 (FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED
30 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)
31

32 Ms. Johnston moved, to approve AO 2009-116.
33 Ms. Drummond seconded,
34

35 Mr. Claman moved, to amend AO 2009-116 Maintenance and Operations
36 Mr. Gutierrez seconded, Department - Tax Cap Change-Debt Services- Delete
37 refunding of ARDSA Bond in the amount of \$12,500,000
38 from the 101 Fund.
39

40 Mr. Starr and OMB Director Cheryl Frasca discussed the impact of this amendment on the Tax Cap. Mr. Gutierrez,
41 Ms. Drummond and Chief Fiscal Officer Lucinda Mahoney discussed refinancing the bond. Mayor Sullivan stated that
42 the Administration opposed the amendment.
43

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

45
46 AYES: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg.
47 NAYS: Johnston, Ossiander, Birch, Starr and Coffey.
48
49

50 Mr. Coffey moved, to change the order of the day to take up 14.M.
51 Ms. Drummond seconded,
52

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

60 Ms. Drummond moved, to amend AO 2009-116 Assembly Department to Provide
61 Mr. Gutierrez seconded, for a grant to the Federation of Community Councils
62 (FCC) in the amount of \$98,000 from the 101 fund.
63

64 Mr. Flynn, Chair Ossiander, Mr. Gutierrez, Dr. Selkregg and Mr. Coffey discussed managing Federation of
65 Community Council (FCC) functions through the Municipal Clerk's Office. FCC President Dick Tremaine stated that
66 the clerical functions discussed would be cheaper if done by the FCC rather than the Clerk's Office.
67

68 **and this motion was passed, 7-4.**

69
70 AYES: Claman, Gray-Jackson, Flynn, Johnston, Drummond, Gutierrez and Selkregg.
71 NAYS: Ossiander, Birch, Starr and Coffey.
72

73 Mr. Gray-Jackson moved, to amend AO 2009-116 Fire Department by Restoring
74 Mr. Gutierrez seconded, funding for the vacant Fire Investigator in the amount of
75 \$119,115 from the 131 fund.
76

77 Mr. Flynn and Fire Chief Mark Hall addressed the Fire Investigator position.
78

79 **and this motion failed, 5-6.**
80

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

3
4 Ms. Gray-Jackson moved, to amend AO 2009-116 Fire Department by Restoring
5 Ms. Drummond seconded, funding for Fire Inspector at the amount of \$120,124 and
6 estimated revenues of \$80,000 from the 131 Fund.
7

8
9 **and this motion was passed, 6-5.**

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

13
14 Ms. Gray-Jackson moved, to amend AO 2009-116 Health and Human Service
15 Mr. Gutierrez seconded, Department by Providing funding for a grant to the Mabel T.
16 Caverly Senior Center to be used for the Dental Work,
17 Hearing Aids, Eye Glasses and Prescriptions (DEAP)
18 Program in the amount of \$25,000 from the 101 Fund.
19

20 Health and Human Services Director Diane Ingle answered a question regarding Health and Human Services grants
21 from Mr. Flynn.

22
23 **and this motion failed, 5-6.**

24
25 AYES: Claman, Gray-Jackson, Drummond, Gutierrez and Selkregg.
26 NAYS: Flynn, Johnston, Ossiander, Birch, Starr and Coffey.

27
28 Ms. Gray-Jackson moved, to amend AO 2009-116 Library by Restoring funding to
29 Mr. Gutierrez seconded, provide for more hours at Girdwood, Muldoon, Dimond and
30 Chugiak/Eagle River Libraries and purchase of books and
31 materials in the amount of \$600,000 from the 101 fund.
32

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

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

37
38 Ms. Gray-Jackson moved, to amend AO 2009-116 Public Transportation by Eliminating
39 Dr. Selkregg seconded, Fare Increases at a revenue loss of \$115,000 from the 101
40 fund.
41

42 Ms. Gray-Jackson, Dr. Selkregg, Mr. Gutierrez and Mr. Coffey support this amendment.

43
44 **and this motion was passed, 9-2.**

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

48
49 Mr. Coffey moved, to combine amendments from the Combined
50 Ms. Johnston seconded, Assemblymember's proposed Amendments to the 2010
51 General Government Operating budget, Chair Ossiander's
52 Public Transportation amendment to add funding for pilot
53 program to provide local service to Chugiak-Eagle River
54 and the Administration's amendment for IGC's.
55

56
57 **and this motion was passed, 7-4.**

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

61
62 Mr. Starr and Mr. Flynn discussed restoring funding for Community Grants

63
64 Dr. Selkregg moved, to postpone debate on the aggregate.
65 Mr. Gutierrez seconded,
66

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

68
69 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
70 Coffey.
71 NAYS: None.

72
73 Mr. Coffey moved, to extend for the purpose of process only.
74 Ms. Johnston seconded,
75

76 **and this motion was passed, 10-1.**

77
78 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Starr, Selkregg and Coffey.
79 NAYS: Gutierrez.
80

Chair Ossiander announced a Special meeting for a budget Public Hearing on November 30, 2009 and a Special Meeting for budget discussion and vote on December 8, 2009.

- E. Resolution No. AR 2009-242, a resolution of the Municipality of Anchorage approving the **2010-2015 General Government Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 538-2009.
(FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)
- F. Ordinance No. AO 2009-117, an ordinance adopting the **2010 General Government Capital Improvement Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 539-2009.
(FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)
- G. Resolution No. AR 2009-243, a resolution of the Municipality of Anchorage approving the **2010-2015 Municipal Utilities/Enterprise Activities Capital Improvement Program**, Office of Management and Budget.
1. Assembly Memorandum No. AM 540-2009.
(FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)

Mr. Coffey moved, to approve AR 2009-243.
Ms. Johnston seconded,

Dr. Selkregg, Ms. Frasca, Mayor Sullivan and Mr. Coffey discussed funding for AEDC from the Utilities budget.

and this motion was passed, 11-0.

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

- H. 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.
(FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)

Mr. Claman moved, to change the order of the day to take up 11.H. at a time certain of 8:00pm.
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.

- I. 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.
(FIRST PUBLIC HEARING WAS CLOSED 10-27-09; SECOND PUBLIC HEARING WAS CLOSED 11-3-09; ACTION WAS POSTPONED FROM 11-3-09)

Mr. Coffey moved, to approve AO 2009-119.
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.

- J. 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; ACTION WAS POSTPONED FROM 11-3-09)

Ms. Johnston moved, to approve AIM 105-2009(A).
Mr. Flynn seconded,

and this motion was passed, 11-0.

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

1
2
3 K. Ordinance No. AO 2009-114, an ordinance to provisionally adopt new Sections 21.07.060,
4 **Transportation and Connectivity**; 21.07.070, **Neighborhood Protection Standards**; 21.07.080,
5 **Landscaping, Screening, and Fences**; 21.07.090, **Off-Street Parking and Loading**; and
6 21.07.100, **Exterior Lighting**, amending Anchorage Municipal Code Title 21 subject to concurrent
7 final passage and approval of all provisionally adopted chapters of Title 21 (Planning and Zoning
8 Commission Case No. 2007-153), Assemblymember Coffey.

9 1. Assembly Memorandum No. AM 530-2009.

10 2. Information Memorandum No. AIM 103-2009.

11 (PUBLIC HEARING WAS CLOSED 10-13-09 ON SECTIONS 060, 070 AND 080; BIFURCATED
12 AND MOVED AMENDMENTS TO 060, 070 AND 080; ACTION WAS FURTHER POSTPONED
13 FROM 10-13-09; ACTION ON SECTIONS 060, 070 AND 080 WAS CARRIED OVER FROM 10-27-
14 09 AND 11-3-09)

15
16 Mr. Starr moved, to amend AO 2009-114 by *inserting* at page 33, line 40 after
17 Mr. Coffey seconded, "development": except Chugiak/Eagle River.

18
19 **and this motion was passed, 11-0.**

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

23 NAYS: None.

24
25 Mr. Coffey moved, to amend AO 2009-114 with Amendment #1 from Assembly
26 Ms. Drummond seconded, Committee Document 7.2.U.

27
28 **and this motion was passed, 11-0.**

29
30 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
31 Coffey.

32 NAYS: None.

33
34 Mr. Coffey moved, to amend AO 2009-114 with Amendment #2 from Assembly
35 Dr. Selkregg seconded, Committee Document 7.2.U.

36
37 **and this motion, as amended, was passed, 11-0.**

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

41 NAYS: None.

42
43 Dr. Selkregg moved, to amend 7.2.U Amendment #2 by *inserting* at the end of
44 Ms. Drummond seconded, section iv. : Landscaped peninsulas or end islands shall not
45 be included in the calculation of the average width.

46
47 **and this motion was passed, 11-0.**

48
49 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
50 Coffey.

51 NAYS: None.

52
53 Mr. Coffey moved, to amend AO 2009-114 AO 2009-114 with Assembly
54 Ms. Johnston seconded, Committee Document 7.2.V.

55
56 Ms. Drummond, Dr. Selkregg, Mr. Coffey, Mr. Claman, Senior Planner Erika McConnell discussed dumpster service
57 and screening requirements in the alleys. Solid Waste Services Director Mark Madden discussed dumpster service in
58 alleys. Ms. Johnston and Mr. Madden discussed dumpsters on personal property.

59
60 **and this motion was passed, 11-0.**

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

64 NAYS: None.

65
66 Mr. Coffey moved, to amend AO 2009-114 with Amendment #6 from Assembly
67 Ms. Johnston seconded, Committee Document 7.2.U.

68
69 **and this motion was passed, 11-0.**

70
71 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
72 Coffey.

73 NAYS: None.

74
75 Mr. Coffey moved, to amend AO 2009-114 with Amendment #7 from Assembly
76 Ms. Johnston seconded, Committee Document 7.2.U.

77
78 **and this motion was passed, 11-0.**

79

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

4
5 Mr. Coffey moved, to amend AO 2009-114 with Amendment #8 from Assembly
6 Dr. Selkregg seconded, Committee Document 7.2.U.

7
8 **and this motion was passed, 11-0.**

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

13
14 Mr. Coffey moved, to amend AO 2009-114 with Amendment #9 from Assembly
15 Dr. Selkregg seconded, Committee Document 7.2.U.

16
17 **and this motion, as amended, was passed, 11-0.**

18
19 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
20 Coffey.
21 NAYS: None.

22
23 Dr. Selkregg moved, to amend 7.2.U Amendment #9 by replacing "sight-
24 Ms. Drummond seconded, obscured" with "screening".

25
26 Dr. Selkregg, Mr. Coffey and Ms. Drummond discussed this amendment. Mr. Coffey does not support this
27 amendment.

28
29 **and this motion was passed, 6-5.**

30
31 AYES: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg
32 NAYS: Johnston, Ossiander, Birch, Starr, and Coffey.

33
34 Mr. Coffey moved, to amend AO 2009-114 with Amendment #10 from
35 Dr. Selkregg seconded, Assembly Committee Document 7.2.U.

36
37 **and this motion was passed, 11-0.**

38
39 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
40 Coffey.
41 NAYS: None.

42
43 Mr. Coffey moved, to amend AO 2009-114 with Amendment #11 from
44 Dr. Selkregg seconded, Assembly Committee Document 7.2.U.

45
46 **and this motion was passed, 11-0.**

47
48 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
49 Coffey.
50 NAYS: None.

51
52 Mr. Coffey moved, to amend AO 2009-114 with Amendment #12 from
53 Dr. Selkregg seconded, Assembly Committee Document 7.2.U.

54
55 Mr. Starr, Ms. McConnell, Mr. Coffey and Mr. Gutierrez discussed Off-Street Loading Areas.

56
57 Mr. Coffey moved, to table Amendment #12.

58
59 **and this motion was passed, 11-0.**

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

64
65 Mr. Coffey moved, to amend AO 2009-114 with Amendment #13 from
66 Dr. Selkregg seconded, Assembly Committee Document 7.2.U.

67
68 **and this motion was passed, 11-0.**

69
70 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
71 Coffey.
72 NAYS: None.

73
74 Mr. Coffey moved, to amend AO 2009-114 with Amendment #14 from
75 Ms. Drummond seconded, Assembly Committee Document 7.2.U.

76
77 **and this motion was passed, 11-0.**

78
79 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
80 Coffey.

1 NAYS: None.

2
3 Mr. Coffey moved, to amend AO 2009-114 with Amendment #15 from
4 Dr. Selkregg seconded, Assembly Committee Document 7.2.U.

5
6 Mr. Starr, Ms. McConnell and Dr. Selkregg discussed front yard fencing height requirements.

7
8 and this motion was passed, 11-0.

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

12 NAYS: None.

13
14 Mr. Coffey moved, to amend AO 2009-114 with Amendment #16 from
15 Ms. Drummond seconded, Assembly Committee Document 7.2.U.

16
17
18 and this motion was passed, 9-3.

19
20 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch and Gutierrez,

21 NAYS: Starr, Selkregg and Coffey.

22
23 Mr. Coffey moved, to amend AO 2009-114 Table 21.07-2:
24 Ms. Drummond seconded, 1. Where the "R-3" row meets the "R-2M, R-2F" and "R-4,
25 R-
26 4A" columns, add superscript 9 to the "L2" requirement.
27 2. Delete the "L2" requirement in the following boxes:
28 - Where the "R-3" row meets the "R-3" column
29 - Where the "R-4, R-4A" row meets the "R-4, R-4A"
30 column
31 - Where the "B-3, RO" row meets the "B-3, RO" column
32 3. In the Notes section at the end of the table (on page 22),
33 amend note 9 as follows: "The L2 requirement only
34 applies
35 on [on]lots greater[smaller] than one acre [,the L2 width-
36 requirement shall be reduced to five feet].
37

38 and this motion was passed, 11-0.

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

42 NAYS: None.

43
44 Mr. Coffey moved, to approve provisionally 21.07.060, 21.07.070 and
45 Dr. Selkregg seconded, 21.07.080.

46
47 and this motion was passed, 11-0.

48
49 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
50 Coffey.

51 NAYS: None.

52
53
54 **12. APPEARANCE REQUESTS**

55
56 A. **Anthony Estabrook**, regarding pedestrian crosswalk safety and bus stop seating.

57
58 Mr. Estabrook discussed that there are no cross-walks within a half mile of the bus stops. He stated that 53 people
59 have been hit by cars since 2009. Ms. Drummond discussed the traffic light at Reeves and Lake Otis. Mr. Estabrook
60 stated that a crossing should be at Lake Otis, North of Dowling by Party Time Liquors.

61
62 **13. CONTINUED PUBLIC HEARINGS**

63
64 A. Resolution No. AR 2009-246, a resolution of the Municipality of Anchorage appropriating \$1,519,838
65 from the Alaska Department of Health and Social Services for the **Child Care Licensing Program** in
66 the Department of Health and Human Services.

67 1. Assembly Memorandum No. AM 548-2009.
68 (CARRIED OVER FROM 10-27-09 AND 11-3-09)

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

71
72 Mr. Gutierrez moved, to approve AR 2009-246.

73 Ms. Drummond seconded,

74 and this motion was passed, 11-0.

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

78 NAYS: None

79

1 B. Ordinance No. AO 2009-114, an ordinance to provisionally adopt new Sections 21.07.060,
2 **Transportation and Connectivity**; 21.07.070, **Neighborhood Protection Standards**; 21.07.080,
3 **Landscaping, Screening, and Fences**; 21.07.090, **Off-Street Parking and Loading**; and
4 21.07.100, **Exterior Lighting**, amending Anchorage Municipal Code Title 21 subject to concurrent
5 final passage and approval of all provisionally adopted chapters of Title 21 (Planning and Zoning
6 Commission Case No. 2007-153), Assemblymember Coffey.
7 1. Assembly Memorandum No. AM 530-2009.
8 2. Information Memorandum No. AIM 103-2009.
9 (PUBLIC HEARING WAS CLOSED 10-13-09 ON SECTIONS 060, 070 AND 080; BIFURCATED
10 AND MOVED AMENDMENTS TO 060, 070 AND 080; ACTION WAS FURTHER POSTPONED
11 FROM 10-13-09; ACTION ON SECTIONS 060, 070 AND 080 WAS CARRIED OVER FROM 10-27-
12 09 AND 11-3-09; RECONSIDERED ON 10-13-09 AND PUBLIC HEARING WAS CONTINUED ON
13 SECTIONS 090 AND 100 TO 11-3-09; CARRIED OVER FRO 11-3-09)

14 Chair Ossiander opened Public Hearing, on sections AMC 21.07.090 and AMC 21.07.100. There was no one to
15 testify.

16 Ms. Drummond moved, to continue Public Hearing to December 1, 2009.
17 Mr. Gutierrez seconded,
18 and this motion was passed, 11-0.

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

22 C. Ordinance No. AO 2009-55, an ordinance of the Anchorage Assembly amending the zoning map,
23 and providing for the rezoning of approximately 2.65 acres from R-3 (Multiple-Family Residential
24 District) to B-3 (General Business District), for **Lots 1-12, Block 1, and Block 2, Lots 1A, 10, S ½ of**
25 **Lot 11, N ½ of Lot 11, and Lot 12, Sunny Acres Subdivision**; generally located east of Muldoon
26 Road between East 10th Avenue and East 12th Court (Northeast Community Council) (Planning and
27 Zoning Commission Case 2009-003), Assemblymember Selkregg.
28 (CARRIED OVER FROM 6-9-09 AND 6-16-09; CONTINUED FROM 6-16-09 AND 7-7-09; AND 7-
29 21-09; CARRIED OVER FROM 10-27-09 AND 11-3-09)

30 Chair Ossiander opened Public Hearing.
31 AINSLIE PHILLIPS testified on behalf of the Northeast Community Council against the rezone.
32 Chair Ossiander closed Public Hearing.

33 Dr. Selkregg moved, to continue Public Hearing to January 19, 2009.
34 Mr. Gutierrez seconded,
35 and this motion was passed, 11-0.

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

39 D. Ordinance No. AO 2009-122, an ordinance amending Anchorage Municipal Code Section 8.15.010
40 and the Fine Table in Section 14.60.030 to add a **civil violation alternative for thefts under \$50,**
41 **excluding alcoholic beverages**, Department of Law.
42 1. Assembly Memorandum No. AM 561-2009.
43 (CARRIED OVER FROM 10-27-09 AND 11-3-09)

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

45 Dr. Selkregg moved, to approve AO 2009-122.
46 Mr. Gutierrez seconded,
47 and this motion was passed, 11-0.

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

51 E. Ordinance No. AO 2009-71, an ordinance repealing and re-enacting Anchorage Municipal Code
52 Chapter 8.80 regarding **fees for excessive police responses**, Department of Law,
53 Assemblymember Selkregg.
54 1. Assembly Memorandum No. AM 311-2009.
55 2. Ordinance No. AO 2009-71(S), an ordinance repealing and re-enacting Anchorage Municipal
56 Code Chapter 8.80 regarding fees for excessive police responses, Assemblymember
57 Selkregg.
58 3. Assembly Memorandum No. AM 311-2009(A).
59 (CARRIED OVER FROM 6-9-09 AND 6-16-09; CONTINUED FROM 6-16-09, 7-7-09, 9-15-09 AND
60 10-13-09; CARRIED OVER FROM 10-27-09 AND 11-3-09)

61 Chair Ossiander opened Public Hearing.
62 JOHN PATTEE testified regarding his concerns on the ordinance.

1
2 SILVIA VILLAMIDES, director of Anchorage CHARR, testified in support of the ordinance.

3
4 STEVE SHAW testified in support of the ordinance.

5
6 CHRIS WARREN, Golden Lion Hotel representative, testified about his concerns regarding hotels.

7
8 DORIAN POWELL, Chilkoot Charlies General Manager, testified regarding his concerns on the ordinance.

9
10 Chair Ossiander closed Public Hearing.

11
12 Dr. Selkregg moved, to approve AO 2009-71(S).
13 Mr. Coffey seconded,

14
15 Acting Police Chief Steve Smith discussed the discretion of Police Officers called out to businesses. Mr. Coffey and
16 Chief Smith discussed businesses that are generating a high level of Police calls. Mr. Claman and Municipal Attorney
17 Dennis Wheeler discussed trespassing scenarios.

18
19 Ms. Drummond moved, to continue discussion and action until after the next agenda
20 Mr. Coffey seconded, item.

21
22 **and this motion was passed, 11-0.**

23
24 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
25 Coffey.
26 NAYS: None

27
28 Dr. Selkregg moved, to amend AO 2009-71(S) Page 5, Line 20 by *inserting:*
29 Ms. Drummond seconded, 8.80.020J. The Municipality will provide a courtesy notice in
30 writing to the owner or tenant of a commercial property or
31 commercial unit when the total number of police responses
32 exceeds 80 in a calendar year. Notice may be by mail and
33 need not be certified. Failure to provide notice under this
34 subsection shall not prevent the assessment of fees under
35 this chapter.

36
37 **and this motion was passed, 11-0.**

38
39 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
40 Coffey.
41 NAYS: None

42
43 Mr. Claman moved, to amend AO 2009-71(S) Page 3, Line 38 by *inserting:*
44 Mr. Coffey seconded, d. An inebriated person preparing to operate a motor
45 vehicle upon leaving the premises.

46
47 **and this motion was passed, 11-0.**

48
49 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
50 Coffey.
51 NAYS: None

52
53 **and the main motion, as amended, 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
60 **14. NEW PUBLIC HEARINGS**

- 61
62 A. Ordinance No. AO 2009-123, an ordinance of the Municipality of Anchorage, Alaska, providing for,
63 authorizing and approving the issuance of **Water Revenue Refunding Bonds** for the Anchorage
64 Water Utility in one or more series in the aggregate principal amount of Not To Exceed \$63,000,000
65 for the purpose of providing funds to refund certain outstanding water revenue bonds, Finance
66 Department.
67 1. Assembly Memorandum No. AM 620-2009.

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

70
71 Mr. Coffey moved, to approve AO 2009-123.
72 Ms. Gray-Jackson 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

- 1 B. Resolution No. AR 2009-254, a resolution of the Municipality of Anchorage accepting and
2 appropriating **2009 State of Alaska Legislative Grants per Senate Bill 75** (\$21,000,000), Office of
3 Management and Budget.
4 1. Assembly Memorandum No. AM 571-2009.
- 5
6 C. Ordinance No. AO 2009-125, an ordinance authorizing **renewal of an exclusive use permit to the**
7 **United States Coast Guard** for portions of Lots 9-A and 12-B in the Port of Anchorage Subdivision,
8 Port of Anchorage.
9 1. Assembly Memorandum No. AM 622-2009.
- 10
11 D. Ordinance No. AO 2009-124, an ordinance authorizing **disposal of Heritage Land Bank Parcel 5-**
12 **026, Lot 1, Kincaid West Subdivision**, to the Anchorage School District pursuant to Anchorage
13 Municipal Code Section 25.40.015, Heritage Land Bank.
1 1. Assembly Memorandum No. AM 621-2009.
- 14
15 E. Resolution No. AR 2009-269, a resolution of the Municipality of Anchorage accepting a U.S.
16 Environmental Protection Agency (EPA) Brownfields Cleanup Grant in the amount of \$200,000 for
17 the **Peacock Cleaners Site Remediation Project**, and moving \$44,000 from the Areawide Fund
18 (101) to the Areawide Capital Fund (401) as cost share support, Heritage Land Bank/Real Estate
19 Services.
20 1. Assembly Memorandum No. AM 627-2009.

21
22
23 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

24
25 Ms. Johnston moved, to approve AR 2009-269.
26 Mr. Coffey seconded,

27
28 Office of Community Planning & Development Executive Director Greg Jones stated that this Resolution is for a
29 detailed assessment of the site.

30
31 **and this motion was passed, 11-0.**

32
33 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
34 Coffey.

35 NAYS: None

- 36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
- F. Resolution No. AR 2009-255, a resolution of the Anchorage Municipal Assembly appropriating
\$200,000 from the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice
and Delinquency Prevention and \$8,550 as a contribution from the 2009 Anchorage Police
Operating Budget, Anchorage Metropolitan Police Service Area Fund (151), to the Federal
Categorical Grants Fund (241), Anchorage Police Department, for the purpose of **continuation of**
the Alaska Internet Crimes Against Children Task Force.
1. Assembly Memorandum No. AM 572-2009.
 - G. Resolution No. AR 2009-266, a resolution of the Municipality of Anchorage appropriating \$142,725
from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$6,098
as a contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police
Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
for **Impaired Driving Enforcement**.
1. Assembly Memorandum No. AM 619-2009.
 - H. Resolution No. AR 2009-256, a resolution of the Municipality of Anchorage appropriating \$1,462,556
from the State of Alaska, Department of Health and Social Services as a grant to the State
Categorical Grants Fund (231) to provide **Women, Infants and Children Supplemental Nutrition**
Services in the Department of Health and Human Services.
1. Assembly Memorandum No. AM 573-2009.
 - I. Resolution No. AR 2009-257, a resolution of the Municipality of Anchorage appropriating \$976,890
from the U.S. Department of Health and Human Services to the Federal Categorical Grants Fund
(241), for **Family Planning Services** in the Department of Health and Human Services.
1. Assembly Memorandum No. AM 574-2009.
 - J. Resolution No. AR 2009-260, a resolution of the Municipality of Anchorage appropriating \$296,714
from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants
Fund (241) and \$252,225 from the Alaska Housing Finance Corporation to State Categorical Grants
Fund (231) and \$711 as a contribution from the 2009 Department of Health and Human Services
General Government Operating Budget Fund (101) to the State Categorical Grants Fund (231) and
\$207 as a contribution from the 2009 Department of Health and Human Services General Operating
Budget Fund (101) to the State Categorical Grants Fund (231) to provide the **LINK Homeless**
Assistance Project in the Department of Health and Human Services.
1. Assembly Memorandum No. AM 607-2009.
 - K. Resolution No. AR 2009-258, a resolution of the Municipality of Anchorage **adopting the 2010**
Housing and Community Development Annual Action Plan, which constitutes the application to
the U.S. Department of Housing and Urban Development (HUD) for the Community Development
Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency
Shelter Grant (ESG). This resolution seeks to appropriate the annual entitlement grants from HUD,
Program Income and Recaptured Funds in the amount of \$1,888,650 of 2010 Projected CDBG
Entitlement, \$85,000 of Projected CDBG Program Income Funds and \$70,440 in Received CDBG

1 Program Income Funds, \$1,081,372 of 2010 Projected HOME Entitlement, \$50,000 of Projected
2 HOME Program Income/Recaptured Funds, and \$90,000 of 2010 ESG Entitlement, and to
3 appropriate to said funds to the Federal Categorical Grants Fund (241) to the Department of
4 Neighborhoods.

5 1. Assembly Memorandum No. AM 575-2009.

6
7 Chair Ossiander opened Public Hearing.

8
9 MIKE COURTNEY, Housing Director for Neighborworks Anchorage, testified in support of the resolution.

10
11 STEVE SHAW testified in support of this Resolution.

12
13 Chair Ossiander closed Public Hearing.

14
15 Ms. Gray-Jackson moved, to approve AR 2009-258.
16 Ms. Johnston seconded,
17 **and this motion was passed, 11-0.**

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

21 NAYS: None

22
23 L. Resolution No. AR 2009-261, a resolution of the Municipality of Anchorage appropriating \$2,688,900
24 in **Energy Efficiency and Conservation Block Grant funding (EECBG)** from the United States
25 Department of Energy (DOE) as allocated under the American Recovery and Reinvestment Act of
26 2009 as a grant to the Federal Categorical Grants Fund (241) to the Department of Neighborhoods
27 to administer for energy efficiency improvements to municipal facilities, retrofit park and street
28 lighting, and commission a Commuter Rail Study between Anchorage and the Matanuska-Susitna
29 Borough.

30 1. Assembly Memorandum No. AM 608-2009.

31
32 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

33
34 Mr. Coffey moved, to approve AR 2009-261.
35 Ms. Johnston seconded,

36
37 Mr. Starr and Municipal Manager George Vakalis discussed the expectations of this block grant.
38 **and this motion was passed, 11-0.**

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

42 NAYS: None

43
44 M. Resolution No. AR 2009-276, a resolution of the Anchorage Municipal Assembly approving an
45 alcoholic beverages conditional use for a beverage dispensary use and license in the B-3 (General
46 Business District) District for Victor Hurlado and Jose Diaz dba **Three Amigos Mexican Restaurant**
47 located at 360 Boniface Parkway, Suite Number A 30-31, Wonder Park Number 8, Tract B; generally
48 located south of Caribou Avenue on the west side of Boniface Parkway (Russian Jack Community
49 Council) (Case 2009-133), Planning Department.

50 1. Assembly Memorandum No. AM 631-2009.

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

53
54 Mr. Coffey moved, to approve AR 2009-276.
55 Ms. Johnston 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 N. Resolution No. AR 2009-277, a resolution of the Anchorage Municipal Assembly approving an
64 alcoholic beverages conditional use for a package store use and License Number 4558 in the B-3 SL
65 (General Business with Special Limitations) District for Liquor Stores USA North dba **Brown Jug**;
66 located at 1106 North Muldoon Road, Building H, Suite 110, Gateway Subdivision, Tract A,
67 Fragment Lot 16; generally located at the northwest corner of Muldoon Road and the Glenn Highway
68 (Northeast Community Council) (Case 2009-142), Planning Department.

69 1. Assembly Memorandum No. AM 632-2009.

70
71 Chair Ossiander opened Public Hearing.

72
73 STU GRENIER, North East Community Council Alcohol Chair, testified against the Conditional Use Permit unless
74 Brown Jug is required to check all ID's.

75
76 AINSIE PHILLIPS, Northeast Community Council, testified against this liquor license.

77
78 TIM SULLIVAN, program coordinator for Weed and Seed, testified against this liquor license in the North East
79 Community Council area.

- 1 O.C. MADDEN, Brown Jug Director of Operations, testified about Brown Jug.
- 2
- 3 BOB KLEIN, Brown Jug Director of Sales and Marketing, testified regarding Brown Jug checking all ID's.
- 4
- 5 JOHN RALSTON testified about checking identification of customers over the age of 30
- 6
- 7 KEVIN SMESTAD testified in support of liquor stores checking identification for all customers.
- 8
- 9 SANDRA HAYES testified in support of liquor stores checking identification for all customers
- 10
- 11 DONALD HENNESSEY testified in support of liquor stores checking identification for all customers
- 12
- 13 STEVE SHAW testified in support of liquor stores checking identification for all customers.

Chair Ossiander closed Public Hearing.

- 17 Mr. Gutierrez moved, to approve AR 2009-277.
- 18 Ms. Drummond seconded,
- 19
- 20 Mr. Gutierrez moved, to amend AR 2009-277 on page 2, line 4 by *inserting* a new
- 21 Dr. Selkregg seconded, section 6 and renumbering subsequent numbers:
- 22 6. Valid identification will be required for all on premise
- 23 sales of alcoholic beverages.
- 24

Mr. Flynn discussed Alaska State Legislation regarding marked identifications of those who should not be purchasing alcohol. Mr. Coffey stated that rather than an amendment to the conditional use permit an ordinance should be enacted.

and this motion was passed, 8-3.

- 31 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Gutierrez and Selkregg.
- 32 NAYS: Birch, Starr and Coffey.
- 33

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

- 36 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
- 37 Coffey.
- 38 NAYS: None.
- 39

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

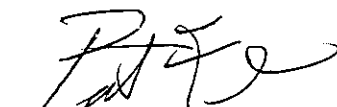
18. ASSEMBLY COMMENTS There were none.

19. EXECUTIVE SESSIONS There were none.

20. ADJOURNMENT

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

- 53 Mr. Starr moved, to adjourn the Regular Meeting of November 17, 2009.
- 54 Ms. Drummond seconded,
- 55 and this was approved without objection.
- 56
- 57
- 58
- 59
- 60
- 61
- 62
- 63
- 64



DEBBIE OSSIANDER, Assembly Chair

ATTEST:



BARBARA GRUENSTEIN, Municipal Clerk

Date Minutes Approved: February 2, 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.)

