MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of July 21, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of July 21, 2009 was convened by Chair Ossiander at 5:03 p.m.

2. ROLL CALL

A Quorum was achieved with Assembly members present.

PRESENT: Matt Claman (participating telephonically), Elvi Gray-Jackson, Patrick Flynn, Jennifer Johnston, Debbie Ossiander, Harriet Drummond, Chris Birch, Mike Gutierrez, William Starr and Dan Coffey.

ABSENT: Sheila Selkregg, excused.

3. PLEDGE OF ALLEGIANCE

Assembly member Starr led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

There were none.

5. MAYOR'S REPORT

Mayor Sullivan reported that he had attended organized events in the communities of Mountain View and Fairview and noted their dedication, involvement and contributions in the community. He introduced newly appointed Communications Director Sarah Erkman. Youth Employment in Parks (YEP) Coordinator Beth Nordlund introduced forty-seven YEP employees who were recognized for their work.

6. ASSEMBLY CHAIR’S REPORT

Chair Ossiander requested a moment of silence to remember former Assembly member Alain Tesche, who passed away on July 14th.

7. COMMITTEE REPORTS

Mr. Coffey reported the Title 21 Committee would meet on July 22nd and July 29th to discuss off-street parking.

Mr. Gutierrez reported the Minority Community Police Task Force met on July 10th to address homelessness and chronic public inebriates. A Special Public Safety Committee Meeting was held on July 20th to discuss the transfer of a liquor license for 222, Inc.

Mr. Birch reported he had attended the three-day Arctic Slope Economic Development Summit in Point Hope which was attended by representatives from the Arctic Northwest and North Slope Boroughs.

Ms. Johnston reported the Finance Committee had met with the Administration to discuss the budget.

Mr. Flynn reported the Anchorage Convention and Visitors Bureau reported there was concern about the loss of tour ships visiting Southcentral Alaska. That, along with other economic factors, raised concern for the tourist industry.

Ms. Gray-Jackson reported she had held a public meeting on July 20th with constituents from the Campbell Park area to discuss inebriates and homelessness. They were joined by representatives from the State, municipal departments, the Fire Chief and the rescue mission to discuss solutions and to set up a task force to address public concerns.

8. ADDENDUM TO AGENDA


Ms. Drummond moved, Mr. Coffey seconded, to approve the inclusion of the Addendum items into the Consent Agenda.

and the motion was passed, 11-0

9. CONSENT AGENDA

Ms. Johnston moved, Ms. Gray-Jackson seconded, to approve the Consent Agenda.


and the motion, as amended, was passed without objection, 10-0,
9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2009-177, a resolution of the Anchorage Municipal Assembly recognizing and honoring Nellien Budd for 25 years of service to the community as a municipal employee, Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

9.A.2. Resolution No. AR 2009-176, a resolution of the Anchorage Municipal Assembly recognizing and honoring Fred Carpenter for his 33 years of service to the community as a municipal employee, Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

Mr. Flynn moved, to approve AR 2009-176.
Mr. Coffey seconded, and the motion passed without objection, 10-0.
with Dr. Selkregg as an excused absence.

Mr. Flynn read and Ms. Drummond presented the resolution to Fred Carpenter, honoring him for his thirty-three years of service with the Municipality and serving through five Administrations, including as Information Technology Director. Mr. Carpenter thanked the Assembly and recognized fellow employees he had worked with over the years. Ms. Gray-Jackson, Mayor Sullivan and Mr. Coffey thanked him for his service.

9.A.3. Resolution No. AR 2009-180, a resolution of the Anchorage Municipal Assembly recognizing and honoring Thomas P. Nelson for his 35 years of service with the Municipality of Anchorage, Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

Mr. Coffey moved, to approve AR 2009-180.
Ms. Johnston seconded, and the motion passed without objection, 10-0.
with Dr. Selkregg as an excused absence.

Chair Osiander read and Mr. Coffey presented the resolution to Tom Nelson, honoring him for his thirty-five years of service with the Municipality and serving through nine Administrations, including as Planning Director. Mr. Nelson stated that working with the Assembly and the community had been rewarding. Ms. Gray-Jackson, Mayor Sullivan, Mr. Coffey, Mr. Gutierrez, Ms. Claman, Ms. Drummond and Chair Osiander thanked him for his service.

9.A.4. Resolution No. AR 2009-179, a resolution of the Municipality of Anchorage recognizing and honoring Sharon Weddleton for over five years of service as a municipal employee, Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

Ms. Johnston moved, to approve AR 2009-179.
Mr. Starr seconded,
and the motion passed without objection, 10-0.
with Dr. Selkregg as an excused absence.

Mr. Starr read and Ms. Johnston presented the resolution to Sharon Weddleton, honoring her for her years of service with the Municipality, including as Chief Fiscal Officer. Ms. Weddleton stated that working for the city had been rewarding. Mayor Sullivan, Ms. Johnston, Mr. Starr, Mr. Claman, Ms. Gray-Jackson, Ms. Drummond and Chair Osiander thanked her for her service.

9.A.5. Resolution No. AR 2009-181, a resolution of the Anchorage Municipal Assembly recognizing and honoring James N. Reeves for three years of service to the Municipality of Anchorage as the Municipal Attorney and head of the Municipality of Anchorage Department of Law. Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

Mr. Flynn moved, to approve AR 2009-181.
Ms. Johnston seconded, and the motion passed without objection, 10-0.
with Dr. Selkregg as an excused absence.

Ms. Drummond read and Mr. Flynn presented the resolution to Jim Reeves, honoring him for his years of service as the Municipal Attorney. Mr. Reeves stated that he had enjoyed working with the Assembly and the Administration. Ms. Johnston, Chair Osiander, Mr. Claman, Ms. Gray-Jackson and Mr. Coffey thanked him for his service.

9.A.6. Resolution No. AR 2009-178, a resolution of the Anchorage Municipal Assembly welcoming the Chitose (Japan) City Official Delegation to Anchorage (USA), Mayor Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Osiander, Selkregg and Starr. (Addendum)

9.A.7. Resolution No. AR 2009-184, a resolution of the Anchorage Municipal Assembly recognizing and remembering Allan Tesche for his passionate and dedicated service to the Community, Assemblymembers Claman, Gray-Jackson, Flynn, Johnston, Osiander, Drummond, Birch, Gutierrez, Starr, Selkregg, Coffey and Mayor Sullivan. (Laid on the Table)

Ms. Gray-Jackson moved, to approve AR 2009-184.
Mr. Gutierrez seconded, and the motion passed without objection, 10-0.
with Dr. Selkregg as an excused absence.

Mr. Gutierrez read and Ms. Gray-Jackson presented the resolution to Mary Tesche, recognizing and remembering her father Allan Tesche for his dedicated service to the community as an Assemblymember.

9. B. RESOLUTIONS FOR ACTION - OTHER

9.B.1 Resolution No. AR 2009-182, a resolution of the Anchorage Municipal Assembly honoring longtime Alaskans Billie Moore and Polly Kallenberg and requesting a citizen naming panel. Assembly Chair Osiander. (Laid on the Table)

a. Assembly Memorandum No. AM 419-2009
b. Assembly Informational Memorandum No. 77-2009.

9.C. BID AWARDS

9.C.1 Assembly Memorandum No. AM 417-2009, recommendation of award to Janssen Contracting, Inc. for the Ben Booke Roof Replacement & Seismic Upgrades Project for the Municipality of Anchorage, Maintenance & Operations Department (ITB 29-C022) ($899,887), Purchasing. (Addendum)

9.C.2 Assembly Memorandum No. AM 418-2009, recommendation of award to Renegade Equipment, LLC for Muirwood Area Storm Improvements, Project No. 05-37, for the Municipality of Anchorage, Project Management & Engineering Department (ITB 29-C027) ($961,568), Purchasing. (Addendum)

9.C.3 Memorandum No. AM 420-2009, recommendation of Award to Construction Unlimited, Inc. for Spenard Road Reconstruction Phase I -- Chester Creek to Hillcrest Drive. Project No. 03-22, for the Municipality of Anchorage, Project Management & Engineering Department (ITB 29-C031) ($2,147,476.60). (Laid on the Table)

9.C.4 Memorandum No. AM 421-2009, recommendation of Award to North Star Paving & Construction, Inc. for Leawood Drive/Roy Street Reconstruction R.D., Project No. 04-36, for the Municipality of Anchorage, Project Management & Engineering Department (ITB B29—C034) ($1,516,435.10). (Laid on the Table)

9.D. NEW BUSINESS


9.D.2 Assembly Memorandum No. AM 415-2009, cooperative purchase of a KingFish Dual-Mode Cellular Phone Surveillance and Tracking System from Harris Corporation for Municipality of Anchorage, Anchorage Police Department ($119,200), Purchasing.

Mr. Gutierrez moved, to approve AM 415-2009.
Ms. Johnston seconded.

Mr. Gutierrez, Anchorage Police Chief Rob Heun and Mr. Starr addressed special service to track cell phone locations, requiring a warrant, assisting with arrests and tracking missing persons. Mr. Starr urged approval.

and the motion passed without objection, 9-0,
with Dr. Selkregg as an excused absence,
and Mr. Coffey temporarily out of Chambers at the time of the vote.

9.D.3. Assembly Memorandum No. AM 416-2009, Executive Appointments (Larry D. Crawford, Chief of Staff; Cheryl L. Frasca, Office of Management and Budget Director; Nancy B. Usere, Employee Relations Director; George J. Vakalis, Municipal Manager), Employee Relations Department. (Addendum)

Mr. Gutierrez moved, to approve AM 416-2009.
Ms. Johnston seconded.

Mr. Gutierrez and Mayor Sullivan addressed new executive positions and reduced salaries.

and the motion passed without objection, 9-0,
with Dr. Selkregg as an excused absence,
and Mr. Coffey temporarily out of Chambers at the time of the vote.

9.E. INFORMATION AND REPORTS


9.E.2. Information Memorandum No. AIM 75-2009, contracts awarded between $50,000 and $500,000 through formal competitive processes for the month of June 2009, Purchasing.


9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

9.F.1. Ordinance No. AO 2009-90, an ordinance of the Anchorage Assembly amending the zoning map and providing for the rezoning of approximately 40,500 square feet from R-4 (Multiple-Family Residential District) to B-3 SL (General Business District) with Special Limitations for Mountain View Subdivision, Block 2, Lot 2 N1/2, Lot 3 E1/3 N1/2; Lot 3 W1/3 N1/2; and Lot 3 W1/3 N1/2; generally located on Mountain View Drive, east of Taylor Street, south of Richmond Avenue and west of Price Street (Mountain View Community Council) (Planning and Zoning Commission Case 2009-060), Planning Department. (Public Hearing 8-25-09)

9.F.2. Ordinance No. AO 2009-91, an ordinance authorizing the fourth and final renewal option of the lease
of Lot 7-B, Port of Anchorage Subdivision, totaling 380,559 square feet, to Tesoro Alaska
Company, Port of Anchorage. (Public Hearing 8-11-09)
A. Assembly Memorandum No. AM 412-2009.

9.F.3. Resolution No. AR 2009-162, a resolution of the Municipality of Anchorage providing for an increase
from the American Recovery and Reinvestment Act (ARRA) in the amount of $50,084,160 to the
A. Assembly Memorandum No. AM 375-2009. (Public Hearing 8-11-09)

Ms. Gray-Jackson moved, to introduce AR 2009-162 with Public Hearing
Mr. Gutierrez was the concurring third.

Ms. Gray-Jackson, Anchorage School District (ASD) Assistant Superintendent for Support Services Michael Abbott,
Anchorage School Board President John Steiner and ASD Assistant Superintendent for Instruction Ed Graff addressed
the budget and stimulus funds from the American Recovery and Reinvestment Act (ARRA). Mr. Starr and Mr. Birch
commented on ASD projects, adding employees and having a sustainable budget.

9.F.4. Resolution No. AR 2009-173, a resolution of the Municipality of Anchorage appropriating $140,656
from the State of Alaska, Department of Transportation & Public Facilities, and appropriating $5,092
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. (Public Hearing 8-11-09)
A. Assembly Memorandum No. AM 409-2009.

9.F.5. Resolution No. AR 2009-174, a resolution of the Municipality of Anchorage adopting Substantial
Amendment One to the Housing and Community Development 2009 Action Plan, Department of
Affordable Neighborhoods. (Public Hearing 8-11-09)
A. Assembly Memorandum No. AM 410-2009.

transfer of ownership of beverage dispensary liquor license #3009 to 222, Inc. (LaVerne M. Thacker,
Jr. President, Public Safety Committee Chair Gutierrez, on behalf of the Public Safety Committee.
(Laid on the Table)
A. Letter to the State of Alaska ABC Board, LaVerne Thacker, Jr.
B. LaVerne Thacker, Jr., Liquor License History.

Mr. Coffey moved, to introduce AR 2009-183 with Public Hearing set for
Ms. Gray-Jackson was the concurring third.

Mr. Gutierrez reported on the Public Safety Committee's review and recommendations.

END OF CONSENT AGENDA

OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Assembly Memorandum No. AM 399-2009. Change Order No. 1 to Purchase Order No. 264145 with
The Boutet Company (Boutet) to provide services to develop a Municipal Light & Power (MLP)
Transition Plan for the Municipality of Anchorage, Municipal Light & Power Utility (Utility) ($60,000),
Purchasing. (Postponed from 6-23-09)

Mr. Gutierrez seconded,
and the motion passed without objection, 10-0,
with Dr. Seilkregg as an excused absence.

11.B. Assembly Memorandum No. AM 399-2009, cooperative purchase agreement for professional
information technology services with Resource Data, Inc. (RDI) in support of the HP3000
Replacement Project for the Municipality of Anchorage, Municipal Light & Power (MLP) ($315,335),
Purchasing. (Postponed from 7-7-09)

Mr. Coffey moved, to postpone indefinitely AM 399-2009.
Ms. Johnston seconded,
and the motion passed without objection, 10-0,
with Dr. Seilkregg as an excused absence.

11.C. Ordinance No. AO 2009-43, an ordinance to amend Anchorage Municipal Code Chapter 14 60 to
update references, fines, and provide consistency; amend Section 8.20.030 to clarify fines for
separate offenses; amend Section 8.75.065 C. to correct a code reference; amend Section 8.75.090
to confer jurisdiction on the Administrative Hearing Officer (AHO), amend Sections 9.20.085 and
15.20.100 F. to remove AHO jurisdiction references; amend Section 25.70.050 A. to update the
maximum fine; and amend Section 26.10.070 for consistency with previous amendments, Department
of Law. (Public Hearing was Closed 6-23-09. Action was Postponed from 6-23-09 and 7-7-09)

Mr. Coffey and Acting Municipal Attorney Rhonda Fehten Westover addressed the matter.

Mr. Coffey moved, to postpone indefinitely AO 2009-43.
Mr. Starr seconded,
and the motion passed without objection, 10-0,
with Dr. Seilkregg as an excused absence.

1. Assembly Memorandum No. AM 326-2009. (Public Hearing was Closed 7-7-09; Action was Postponed from 7-7-09)

Chair Ossianer reported Public Hearing was closed and there was a motion to approve on the floor from July 7th.

Mr. Coffey had moved, to approve AO 2009-80.
Ms. Johnston had seconded.
and the motion passed without objection, 10-0,
with Dr. Selkregg as an excused absence.

11.E. Resolution No. AR 2009-163, a resolution ratifying a Letter of Agreement, amending the Collective Bargaining Agreement between the Municipality of Anchorage and the Public Employees, Local 71 (L71), Employee Relations. (Public Hearing was Closed 7-7-09; Action was Carried Over from 7-7-09)

1. Assembly Memorandum No. AM 382-2009

Chair Ossianer reported Public Hearing was closed and there was a motion to approve on the floor from July 7th.

Mr. Coffey had moved, to approve AR 2009-163.
Ms. Johnston had seconded.
Employee Relations Director Nancy Usersa and Acting Labor Relations Director Lisa Arnold addressed the amendment costs and pay increases. Mr. Coffey and Mr. Birch addressed their concerns about additional and future costs.

and this motion was passed, 6-4.

AYES: Claman (participating telephonically), Gray-Jackson, Flynn, Ossianer, Drummond and Gutierrez.
NAYS: Johnston, Birch, Starr and Coffey.
ABSENT: Selkregg, excused.

11.F. Ordinance No. AO 2009-135(S), an ordinance amending Anchorage Municipal Code Chapter 3.70 regarding Assembly Approval of Collective Bargaining Agreements, Amendments and Administrative Letters retroactive to December 1, 2006, Assembly Vice-Chair Coffey. (Public Hearing was Closed 1-20-09; Action was Postponed from 1-20-09, 2-24-09, 3-24-09 and 6-9-09)

Mr. Coffey and Mr. Starr addressed the proposed change, changes being problematic, getting this done right and postponing to August 25th.

Mr. Coffey moved, to postpone AO 2009-135(S) Public Hearing
Mr. Birch seconded, to August 25, 2009
and the motion passed, 10-0,
with Dr. Selkregg as an excused absence.

11.G. Ordinance No. AO 2009-16, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 8, Penal Code, by adding a new section in Chapter 8.75 addressing unauthorized implementation of labor agreements, Vice-Chair Coffey and Assemblymember Starr. (Public Hearing was Closed 2-24-09; Action was Postponed from 2-24-09, 3-24-09 and 6-9-09)

Mr. Coffey moved, to postpone AO 2009-16 Public Hearing to
and the motion passed, 10-0,
with Dr. Selkregg as an excused absence.

12. APPEARANCE REQUESTS There were none.

13. CONTINUED PUBLIC HEARINGS

13.A. Resolution No. AR 2009-126, a resolution of the Anchorage Municipal Assembly conditionally granting a ten-year real property tax exemption and a five-year tax deferral consecutive to the exemption for certain deteriorated property, subject to stated conditions and limitations, Assemblymembers Coffey and Selkregg.
1. Information Memorandum No. AM 50-2009. (Continued from 6-23-09)

Chair Ossianer opened Public Hearing and there was no one to testify. Mr. Coffey addressed continuing.

Mr. Coffey moved, to continue AR 2009-126 Public Hearing to August 11, 2009.
Ms. Johnston seconded,
and this passed without objection, 10-0,
with Dr. Selkregg as an excused absence.

2. Ordinance No. AO 2009-26(S), an ordinance of the Anchorage Municipal Assembly to amend Anchorage Municipal Code and the zoning map of the Municipality of Anchorage by enacting
a new Chapter 21.66, establishing the Downtown Eagle River Overlay District, Planning
Department.


Chair Ossianer opened Public Hearing.

MICHAEL MELELIO, former President of the Chugiak Chamber of Commerce and owner of a small business in Eagle
River, testified the process had involved community input, a public survey, public presentations and all area community
Councils to determine improvements for making the downtown district friendly to businesses and the community.

There was no additional testimony and Chair Ossianer closed Public Hearing.

Mr. Starr moved,
Mr. Coffey seconded,
to approve AO 2009-26(S)

Mr. Starr addressed the needed and well thought out redevelopment to the Eagle River Downtown Center.

Mr. Starr moved,
Mr. Birch seconded;
to approve Amendment #1, amending AR 2009-26(S),
in Section 1, beginning on Page 2, Line 42, through Page 4,
Line 23 (to include an amended boundary description and an
amended Downtown Eagle River Overlay District Boundary
Map 21.66-A) to read:

21.66.010 Scope, goals and boundary description.
C. Boundary description of district. The Eagle River
Overlay District shall encompass the area described within
the following bounds, as identified on the Downtown Eagle
River Overlay District Boundary Map 21.66-A:

From a point of beginning at the northwest corner of Tract S-
1-B of Timber Ridge Units Subdivision, as found on Grid
NW0251, proceeding east on the south side of Farm Avenue,
crossing the Old Glenn Highway and continuing east along
the north property line of lot 1-B, Block 12, Walter G Pippel
Subdivision, Addition 2, to the northeast corner of lot 1-B,
then proceeding southwest along the eastern boundaries of
lots 1-B and 1-A to the intersection with North Eagle River
Loop Road, then crossing North Eagle River Loop Road to
the northeast corner of lot 7C-1 of Block 11, then proceeding
southwest along the eastern boundaries of lots 7C-1 and 7B-2
to the intersection with Hanson Drive, then crossing Hanson
Drive to the northeast corner of lot 10 of Block 7, boundary of
lot 1-B, Block 12 to the intersection with the north side of
Horseshoe Drive, then following Horseshoe Drive along the
frontage of lots 2, 3, 4, 5, 12, 11, and 10 of Block 12, to the
intersection with the Eagle River Loop Road Right-of-Way,
then crossing Eagle River Loop Road to the northeast corner
of lot 4 of Block 11, then southwest along the eastern
boundary of lots 4 and 17 of Block 11 to the intersection with
Hanson Drive, then crossing Hanson Drive to the northeast
corner of Lot 7 of Block 7, then west along the south side of
Hanson Drive to the intersection with the northeast corner of
Tract A of the Martin Business Park, then south along the
eastern boundary of Tract A to the intersection with Easy
Street, then crossing Easy Street to the northwest corner of
Lot 12 of Block 5 and then south along the western boundary
of lots 12 and 1 of Block 5, crossing Park Place Street and
proceeding south along the western boundaries of 1 and 12
of Block 6 to the intersection with Coronado Road, then
proceeding east on the south side of Coronado Road to the
northwest corner of Lot 5 of the Sunny Slopes Subdivision,
then south along the western boundaries of lots 5, 6, 15, 16,
25, 26, 35, 36, 41, 48, 49, and 65 to the intersection with
Monte Road, then crossing Monte Road to the south side,
then proceeding west on Monte Road to the northwest corner
of lot 17 of Ashley Park Subdivision, then proceeding south
along the western boundaries of lots 17, 16, 15, 14, 13, and
12 to the intersection with Lynne Drive, then west on Lynne
Drive to the Old Glenn Highway, then proceeding south on
the west side of Eagle River Elementary School and
continuing south along the east side of Eagle River Road to
the southwest corner of the Eagle River Elementary School
property, then proceeding west across Eagle River Road to
the eastern edge of the New Glenn Highway Right-of-Way,
then north northwest along the eastern edge of the New
Glenn Highway to the intersection with the southwest corner
of Tract B-5 of Eagle Glenn South Subdivision, then east to
the intersection with Regency Road, then north across
Regency Road and continuing northwest along the west side
of Regency Road to the northwest corner of Tract B-9, then
Mr. Flynn, Mr. Starr and Mr. Coffey addressed the boundary changes, new standards, appropriate designs, effects to businesses and what was the best for the community.

and the motion passed without objection, 10-0.

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

with Dr. Seikregg as an excused absence.


2. Ordinance No. AO 2009-40(S), an ordinance repealing Anchorage Municipal Code Chapter 16.60 regarding the Anchorage Food Code and repealing the Anchorage Municipal Code of Regulations 16.60 regarding Food and Food Facilities and re-enacting Chapter 16.60 and amending the Fine Schedule in Section 14.60.030, Health and Human Services. (Continued from 5-12-09, 5-26-09 and 6-23-09)

Chair Ossianer opened Public Hearing.

JACK AMON, owner of Marx Brothers Café and speaking for the Alaska Cabaret, Hotel, Restaurant and Retailer’s Association (CHARA), reported on the industry’s proposed changes to improve food safety. He responded to questions from Mr. Coffey and Ms. Drummond concerning food borne illnesses.

KIMBERLY STRYKER, with the State Division of Environmental Health, addressed State Statutes and improving food safety standards. She responded to questions from Mr. Gutierrez, Mr. Flynn and Ms. Drummond concerning statistics and effective precautionary measures.

There was no additional testimony and Chair Ossianer closed Public Hearing. Ms. Drummond assumed the Chair.

Mr. Flynn moved, Ms. Gray-Jackson seconded, to approve AO 2009-40(S).

Ms. Ossianer moved, Mr. Coffey seconded, to approve Amendment #1, amending AO 2009-40(S), Section 1, Page 19, Line 5, AMC Section 15.60.140, by adding a new subsection A and by renumbering the remaining to read as follows:

A. Section 3-301.11 of the 2005 FDA Model Food Code is adopted with the following amendment to paragraph (B) of Section 3-301.11 (paragraph (A) is set out for context only; paragraphs (C) and (D) are not affected and therefore not set out):

3-301.11 Preventing Contamination from Hands.

(A) Food employees shall wash their hands as specified under Section 2-301.12.

(B) Except when washing fruits and vegetables as specified under Section 3-302.15, or when garnishing beverages, or as specified in paragraph (D) of this section, food employees may not contact ready-to-eat food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment.

[D]. Section 3-402.11 of the 2005 FDA Model Food Code shall not be adopted, is optional, provided the operator complies with section 14.60.260 of the Anchorage Food Code.

AYES: Claman (participating telephonically), Gray-Jackson, Flynn, Johnston, Ossianer, Drummond, Birch, Starr and Coffey.

NAYS: Gutierrez.

ABSENT: Selkregg, excused.

and the main motion, as amended, passed, 10-0,
with Dr. Selkregg as an excused absence.

(Clerk’s Note: Ms. Ossianer resumed the Chair.)


3. Ordinance No. AO 2009-64(S-1), an ordinance of the Anchorage Municipal Assembly amending Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20 Unlawful Discriminatory Practices, Assembly Chair Ossianer. (Carried Over from 6-9-09, 6-16-09, 6-17-09, 6-23-09 and 7-7-09)

Mr. Drummond moved, to Change the Order of the Day to take up AO 2009-64 at the end of the Agenda.

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

(Clerk’s Note: Following completion of item 14.B, the Assembly returned to take up Continued Public Hearing.)

Chair Ossianer opened Continued Public Hearing.

LARRY MICHAEL testified.

DAVID NEWTON testified.

ELIZABETH EDMUNDSON testified.

KAREN DICKERSON testified.

BETHANY INFANZOU testified.

DONALD ROSS testified.

LORETTA HALL testified.

TED KIELHN testified.

GINA SENKO testified.

FRANCES MERRILL testified.

AMBER SAWYER testified.

LORIE STOORZA testified.

KAREN RELPH testified.

JACKIE HARTMAN testified.

PAMELA R. KELLY testified.

DAVID PAUL BEISEMEYER testified.

LYNNE SANGSTER testified.

REBECCA KASTEN testified.

KATHLEEN SWICK testified.

MATTHEW SERRES testified.

TIFFANY D. MCCLAIN testified.

LOIS UITDEFLESCH testified.

BILLY LATTA testified.

TROY L. CARLOCK testified.

CHRISSY BELL testified.
DON POYNTER testified.
TIM PEARSON testified.
JUDITH STEPHANIE MAGNUS testified.
PAMELA BEILFUSS testified.
ROBYN HENRY testified.
MARILYN COWLES testified.
KEN COWLES testified.
MARISA NORDSTROM testified.
FEYTON M. BURRELL testified.
MARY PATTERSON testified.
JULIE SCHMIDT testified.
GAYLE SCHUH testified.
SHERMEKA HINTON testified.
BRIAN HINTON testified.
FLOYD DAMRON testified.
JUERGEN WUERTH testified.
S.E. GLASNOCK testified.
KELI BOOHER testified.
ERIK PETERSON testified.
DAVID BRETZ testified.
MICHELLE JOHNSON testified.
HEATHER HARRIS testified.
KEVIN STORY testified.
ESTER SARRETT testified.
EMILY KNOWLES testified.
NANCY DENNIS testified.
SUSAN WINGROVE testified.
DeBEAR SHORE testified.
CAROLYN TOUVINEN testified.
KALEN SAXTON testified.
CHRIS KUNZLER testified.
LISANDRA ORTIZ CAMACHO testified.
GRACE MERRITT testified.
SHANNON R. BELL testified.
KATHERINE ARNOLD testified.
MARCI DRUSDZEL testified.
BRITTANY GOODNIGHT testified.

Mr. Coffey moved, to extend the Meeting to complete Continued Public Hearing.
Mr. Gutierrez seconded.
and this was passed, 8-0,
with Mr. Birch and Mr. Starr opposing.
and Dr. Selkregg as an excused absence.
DEAN DUNSMORE testified.
LINDA PERKINS testified.
CINA LOPEZ testified.
MAXINE DOOGAN testified.
HEATHER JAMES testified.
RICHARD HOOD testified.
EUGENE HARNETT testified.

There was no additional public testimony and Chair Ossiander closed AO 2009-64 Continued Public Hearing.
(Clerk's Note: See Agenda item 20 for details of Adjournment.)

14. NEW PUBLIC HEARINGS


Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.
Ms. Johnston moved to approve AO 2009-89.
Mr. Coffey seconded, and the motion passed without objection, 10-0, with Dr. Selkregg as an excused absence.

14.B. Resolution No. AR 2009-167, a resolution of the Municipality of Anchorage appropriating $150,000 of revenues from within the Areawide General Capital Improvement Fund (401) for facility improvements at the Alaska Center for the Performing Arts, Inc. for $60,000 of revenues from within the Areawide General Capital Improvement Fund (401) for facility improvements at the Egan Civic and Convention Center, Office of Economic & Community Development.

Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.
Mr. Coffey moved to approve AR 2009-167.
Ms. Johnston seconded, and the motion passed without objection, 10-0, with Dr. Selkregg as an excused absence.
(Clerk's Note: The Assembly returned to 13.D, to take up AO 2009-64 Continued Public Hearing.)

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

Mr. Gutierrez moved, to adjourn the Regular Assembly Meeting of July 21, 2009.
Mr. Flynn seconded, and there were no objections.
The meeting adjourned at 11:17 p.m.

DEBBIE OSSIANDER, Assembly Chair

ATTEST:

BARBARA GRÜENSTEIN, Municipal Clerk
Date Minutes Approved: September 15, 2009
MC/CG

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