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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of December 15, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of December 15, 2009 was convened by Chair Ossiander at 5:03 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 and Sheila Selkregg.
EXCUSED: Dan Coffey.

3. PLEDGE OF ALLEGIANCE Assemblymember Flynn led the pledge.

4. MINUTES OF PREVIOUS MEETING There were none.

5. MAYOR'S REPORT

Mayor Sullivan stated that the Administration had Laid on the Table AR 2009-311 and had submitted AR 2009-307 for the Addendum to the Agenda.

6. ASSEMBLY CHAIR'S REPORT

Chair Ossiander stated that there will be A Versions of 9.E.6., 9.E.7. and 9.E.8. She stated that 9.E.9 will be postponed indefinitely and will be replaced by item 9.E.13. on the Addendum. She stated that the Assembly received two vetoes on Capital budget items. She also received notification regarding the Municipality and State of Alaska working together in regards to traffic enforcement and DUI's.

7. COMMITTEE REPORTS

Mr. Flynn stated that the Legislative Committee was not able to address all of the amendments to the Legislative Program and the Committee would accept any amendments by Monday January 4, 2010.

Ms. Johnston announced that there would be a Finance Committee meeting on December 17, 2009. The Administration would be presenting the Quarterly Revenue Forecast from the Treasury Department.

Mr. Gutierrez announced that the Public Safety Committee would be holding a meeting prior to the January 19, 2010 Assembly Meeting to discuss AO 2009-143. He stated that due to high public interest, they would be holding an evening meeting in the Wilda Marston Theater.

8. ADDENDUM TO AGENDA

Ms. Johnston moved, to incorporate the Addendum and Laid on the Table
Ms. Drummond seconded, items into the Consent Agenda.
and this motion was passed, 10-0-1.

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

Chair Ossiander read the Addendum items. AR 2009-309, AR 2009-310 and AR 2009-311 were added and assigned Agenda numbers 9.A.1., 9.B.10., and 9.B.11, respectively.

9. CONSENT AGENDA

Dr. Selkregg moved, to approve the Consent Agenda.
Ms. Johnston seconded,

Agenda items 9.A.1., 9.B.1., 9.E.3., 9.E.6., 9.E.7., 9.E.8., 9.E.9 and 9.F.13 were pulled for discussion and separate vote.

and this motion was passed, 10-0-1.

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

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

1. Resolution No. AR 2009-309, a resolution of the Anchorage Municipal Assembly recognizing and honoring Bart Mauldin, Mayor Sullivan and Assemblymembers Ossiander, Birch,

1 Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Selkregg, and
2 Starr. (Laid on the Table)

3
4 Mr. Birch moved, to approve AR 2009-309.
5 Mr. Gutierrez seconded,
6 and this motion was passed, 10-0-1.

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

11
12 Chair Ossiander read the resolution, Mr. Birch presented the resolution.

13
14 B. RESOLUTIONS FOR ACTION - OTHER

- 15
16 1. Resolution No. AR 2009-291, a resolution of the Anchorage Municipal Assembly stating its
17 protest regarding the renewal of beverage Dispensary-Tourism Liquor License #10 for Allen
18 Henry Choy, LLC, dba Al's Alaskan Inn, located at 7830 Old Seward Highway and
19 authorizing the Municipal Clerk to take certain action, Assembly Chair Ossiander, Vice-Chair
20 Drummond, and Assembly Public Safety Committee Chair Gutierrez.

21
22 Ms. Drummond moved, to postpone indefinitely.
23 Ms. Johnston seconded,
24 and this motion was passed, 10-0-1.

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

- 29
30 2. Resolution No. AR 2009-292, a resolution of the Anchorage Municipal Assembly stating its
31 protest regarding a transfer Restaurant Eating Place Liquor License #4824 and Restaurant
32 Designation Permit for Zong Li, LLC, dba Mandarin Kitchen, located at 3020 Minnesota
33 Drive #6 & #7, 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 3. Resolution No. AR 2009-293, a resolution of the Anchorage Municipal Assembly stating its
37 protest regarding a new Package Store Liquor License #4948 for Skycap International LLC
38 dba The Licker Store, located at 410 K Street, and authorizing the Municipal Clerk to take
39 certain action, Assembly Chair Ossiander, Vice-Chair Drummond, and Assembly Public
40 Safety Committee Chair Gutierrez.
41
42 4. Resolution No. AR 2009-294, a resolution of the Municipality of Anchorage appropriating
43 \$74,840 as a contribution from the Anchorage Fire Department, Girdwood Valley Service
44 Area 2009 Operating Budget Fund (106), to the Girdwood Fire Apparatus Capital
45 Improvement Fund (406), for the purchase of new fire apparatus, Anchorage Fire
46 Department.
47 a. Assembly Memorandum No. AM 708-2009.
48
49 5. Resolution No. AR 2009-295, a resolution of the Municipality of Anchorage appropriating a
50 donation of \$21,593 from the Fireman's Fund Insurance Company, Heritage Program, to the
51 Anchorage Fire Department, Miscellaneous Grants Fund 9261), to promote a safer
52 community through funding the provision of additional K-9 and forensic fire investigation
53 training, firefighter recue and fitness equipment, and elementary school based fire safety
54 education, Anchorage Fire Department.
55 a. Assembly Memorandum No. AM 709-2009.
56
57 6. Resolution No. AR 2009-296, a resolution of the Municipality of Anchorage appropriating
58 \$16,685 as a grant from the State of Alaska, Department of Military and Veterans Affairs,
59 Division of Homeland Security and Emergency Management and appropriating \$710 as a
60 contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan
61 Police Service Area Fund (151) to the State Categorical Grants Fund (231), Anchorage
62 Police Department, for the purchase of terrorism response and prevention equipment,
63 Anchorage Police Department.
64 a. Assembly Memorandum No. AM 710-2009.
65
66 7. Resolution No. AR 2009-297, a resolution of the Municipality of Anchorage appropriating an
67 anticipated \$63,910 from Cook Inlet Tribal Council, Inc. to the State Categorical Grants Fund
68 (231) for participation in the Substance Abuse and Mental Health Services Administration
69 Strategic Prevention framework in the Department of Health and Human Services.
70 a. Assembly Memorandum No. AM 711-2009.
71
72 8. Resolution No. AR 2009-298, a resolution of the Municipality of Anchorage appropriating
73 \$100,000 as a contribution approved in the 2009 General Operating Budget from the
74 Anchorage Bowl Parks and Recreation Service Area Fund (161) to the Anchorage Bowl
75 Parks and Recreation Service Area Capital Improvement Project Fund (461) to establish a
76 Capital Reserve Fund for future pool repairs at Bartlett Pool, Dimond Pool, East Pool,
77 Service Pool and West Pool.
78 a. Assembly Memorandum No. AM 712-2009.
79

- 1 9. Resolution No. AR 2009-307, a resolution of the Anchorage Municipal Assembly supporting Alaska Natives' full participation in the SBA 8(a) Business Development Program, Mayor's Office. (addendum)
- 2
- 3
- 4
- 5 10. Resolution No. AR 2009-310, a resolution of the Anchorage Municipal Assembly confirming continued work on the State Legislative Program, Assembly Chair Ossiander. (Laid on the Table)
- 6
- 7
- 8
- 9 11. Resolution No. AR 2009-311, a resolution requesting an extension of time from federal agencies to respond to the proposed designation of critical habitat for Cook Inlet beluga whales, Department of Law. (Laid on the Table)
- 10
- 11
- 12
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C. BID AWARDS

1. Assembly Memorandum No. AM 713-2009, recommendation of award to Pedersen Power Products to furnish a 15 KV Metal Clad Switch Gear and a 15 KV Non-Segregated Phase Bus Duct to the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (ITB 29-B062) (\$577,032), Purchasing Department

D. NEW BUSINESS

1. Assembly Memorandum No. AM 714-2009, Anchorage Community Diversity Advisory Commission appointments (Adam Galindo and Suffragan Bishop Thomas E. Davis), Mayor's Office.
2. Assembly Memorandum No. AM 715-2009, Alaska Center for the Performing Arts Board of Directors appointment (Mary Ann Molitor), Mayor's Office.
3. Assembly Memorandum No. AM 716-2009, Bidding Review Board appointment (Stephen R. Saunders), Mayor's Office.
4. Assembly Memorandum No. AM 717-2009, Election Commission appointment (Jean Abel), Mayor's Office.
5. Assembly Memorandum No. AM 718-2009, Health and Human Services Commission appointment (Andrew Clary), Mayor's Office.
6. Assembly Memorandum No. AM 719-2009, Housing and Neighborhood Development Commission appointment (Jeremiah C. Stephen), Mayor's Office.
7. Assembly Memorandum No. AM 720-2009, Port Commission appointment (William C. Noll), Mayor's Office.
8. Assembly Memorandum No. AM 721-2009, Public Facilities Advisory Commission appointments (Don Winchester and Steve Nerland), Mayor's Office.
9. Assembly Memorandum No. AM 722-2009, Solid Waste and Recycling Advisory Commission appointment (William J. Bullock), Mayor's Office.
10. Assembly Memorandum No. AM 723-2009, Eagle River-Chugiak Parks and Recreation Service Areas Board of Supervisors appointment (Brian Fay), Mayor's Office.
11. Assembly Memorandum No. AM 698-2009, 2010/2011 Liquor License Renewals: Moose's Tooth Pub & Pizzeria #3971-Beverage Dispensary; Panda Restaurant #3077, Ronnie Sushi #4435 - Restaurant/Eating Place (Midtown and Sand Lake Community Councils), Clerk's Office.
12. Assembly Memorandum No. AM 702-2009, 2010/2011 Liquor License Renewals: Anchorage Billiard Palace #4750-Beverage Dispensary; Chilkoot Charlie's/Swing Bar #3817, Chilkoot Charlie's/The Bird House #4024 - Beverage Dispensary-Duplicate; Villa Nova Restaurant #1608, The Bar-B-Q Pit #4255 - Restaurant Eating Place (Midtown, Spenard and Taku/Campbell Community Councils), Clerk's Office.
13. Assembly Memorandum No. AM 704-2009, 2010/2011 Alaska Team Imports #4947- Application for a new Wholesale Malt Beverage & Wine Liquor License (Spenard Community Council), Clerk's Office.
14. Assembly Memorandum No. AM 705-2009, 2010/2011 Liquor License Renewal: Kinley's Restaurant #4664 - Restaurant/Eating Place (Midtown Community Council), Clerk's Office
15. Assembly Memorandum No. AM 706-2009, 2010/2011 Liquor License Renewals: V.F.W. Post #1685 #1841, Fraternal Order of Eagles #4207 #3439 - Club; Southside Bistro #3278, Tokyo Gardens #4063 - Restaurant/Eating Place (Abbott Loop, Midtown, Old Seward/Oceanview and Spenard Community Councils), Clerk's Office.
16. Assembly Memorandum No. AM 707-2009, 2010/2011 Liquor License Renewals: Panhandle Bar #825, Gallo's Mexican Restaurant #2833, Chair 5 Restaurant #3263 - Beverage Dispensary; Viking Hall #1579 - Club; Shine's Sushi Restaurant #4345 - Restaurant/Eating Place (Downtown, Eagle River, Girdwood and Taku/Campbell Community Councils), Clerk's Office.

17. Assembly Memorandum No. AM 724-2009, cooperative purchase to Motorola Inc. to provide mobile and portable radios to the Municipality of Anchorage, Office of Emergency Management (\$1,102,697.70), Purchasing Department.
18. Assembly Memorandum No. AM 725-2009, request to authorize Amendment No. 3 to increase a grant agreement in the amount of \$50,000 with Covenant House Alaska, Inc., for operation of the Youth Reception Center Program. The revised total grant agreement for the period January 1, 2009 through December 31, 2009 shall not exceed \$100,000. Health and Human Services.
19. Assembly Memorandum No. AM 726-2009, Change Order No. 3 to Purchase Order No. 290569 with AssetWorks Inc. to provide a computerized Fleet Maintenance Management and Automated Fueling System for the Municipality of Anchorage, Maintenance & Operations (\$53,364.20), Purchasing Department.
20. Assembly Memorandum No. AM 727-2009, Change Order No. 3 to Purchase Order No. 290501 with Orion Construction, Inc. for the Goose Lake Concessions Building Upgrades Project for the Municipality of Anchorage, Maintenance & Operations Department (\$9,348), Purchasing Department.
21. Assembly Memorandum No. AM 728-2009, proprietary purchase from Potelcom Supply for 312 Itron Bi-Directional, Automatic Meter Reading (AMR) Demand Meters (Various Models) and 11 Itron Quantum Q-1000 Meters for the Municipality of Anchorage, Municipal Light & Power (ML&P) (\$132,970), Purchasing Department.
22. Assembly Memorandum No. AM 729-2009, proprietary purchase of excitation equipment from Basler Electric for replacement of existing equipment at the Eklutna Hydroelectric Plant for the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (\$103,084), Purchasing Department.
23. Assembly Memorandum No. AM 730-2009, Contract Amendment No. 5 to professional services contract with Kinney Engineering, LLC, for the Glenn Highway/Eagle Glen East Subdivision Area Drainage Project No. 07-46, Contract No. 280334 (\$81,688), Project Management & Engineering.
24. Assembly Memorandum No. AM 731-2009, recommendation of award to Northwood Landscaping, Inc. to provide leased warehouse space for the Municipality of Anchorage, Traffic Department (Signal Maintenance), Real Estate Services (RFP 29-P035) (\$240,000), Purchasing Department.
25. Assembly Memorandum No. AM 747-2009, purchase of library shelving for Mountain View Library from Spacesaver Northwest for the Municipality of Anchorage, Maintenance & Operations Department (\$116,418.38), Purchasing. (addendum)

E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 126-2009, Fund 603, Medical and Dental Self-Insurance, Employee Relations Department.
2. Information Memorandum No. AIM 127-2009, Anchorage Equal Rights Commission 2008 Annual Report.
3. Information Memorandum No. AIM 128-2009, Unrealizable 2009 Operating Budget Revenue, Office of Management & Budget.

Mr. Starr moved, to accept AIM 128-2009.
Ms. Johnston seconded,

Mr. Starr and Chief Financial Officer Lucinda Mahoney discussed the loss of revenue from the 2009 budget which would negatively impact the 2010 budget.

and this motion was passed, 10-0-1.

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

4. Information Memorandum No. AIM 129-2009, Northern Economics Report - Review of Forecasting Methods, Finance Department.
5. Information Memorandum No. AIM 130-2009, Compensatory Time for Municipal Prosecutors, Department of Law.
6. Information Memorandum No. AIM 131-2009, Special Compensation for Executive Employees in the Form of Leave Accrual, Employee Relations.
 - a. Information Memorandum No. AIM 131-2009(A), Special Compensation for Executive Employees in the Form of Leave Accrual, Mayor's Office. (addendum)

AIM 131-2009 was replaced with AIM 131-2009(A) numbered as 9.E.6.a on the Consent Agenda.

1
2 Ms. Drummond moved, to postpone indefinitely.
3 Ms. Johnston seconded,
4 **and this motion was passed, 10-0-1.**

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

- 9
10 7. Information Memorandum No. AIM 132-2009, International Brotherhood of Electrical
11 Workers Local 1547 (IBEW) Collective Bargaining Agreement - Clarification of
12 Classifications and Wage Rates, Appendix 1, Employee Relations.
13 a. Information Memorandum No. AIM 132-2009(A), International Brotherhood of
14 Electrical Workers Local 1547 (IBEW) Collective Bargaining Agreement -
15 Clarification of Classifications and Wage Rates, Appendix 1, Employee Relations.
16 (addendum)

17
18 AIM 132-2009 was replaced with AIM 132-2009(A) numbered as 9.E.7.a on the Consent Agenda.

19
20 Ms. Drummond moved, to postpone indefinitely.
21 Ms. Johnston seconded,
22 **and this motion was passed, 10-0-1.**

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

- 27
28 8. Information Memorandum No. AIM 133-2009, International Union of Operating Engineers,
29 Local 302, Collective Bargaining Agreement - Clarification of Article .8, Court Leave,
30 Employee Relations.
31 a. Information Memorandum No. AIM 133-2009(A), International Union of Operating
32 Engineers, Local 302, Collective Bargaining Agreement - Clarification of Article 4.8,
33 Court Leave, Employee Relations. (addendum)

34
35 AIM 133-2009 was replaced with AIM 133-2009(A) numbered as 9.E.8.a on the Consent Agenda.

36
37 Ms. Drummond moved, to postpone indefinitely.
38 Ms. Johnston seconded,
39 **and this motion was passed, 10-0-1.**

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

- 44
45 9. Information Memorandum No. AIM 134-2009, AMEA Collective Bargaining Agreement -
46 Clarification of Article 6.13.1, Proper Notice, Employee Relations.

47
48 AIM 131-2009 was replaced with AIM 138-2009 numbered as 9.E.13. on the Consent Agenda.

49
50 Ms. Starr moved, to postpone indefinitely.
51 Ms. Johnston seconded,
52 **and this motion was passed, 10-0-1.**

53
54 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
55 NAYS: None.
56 EXCUSED: Coffey.

- 57
58 10. Information Memorandum No. AIM 135-2009, contract awarded between \$50,000 and
59 \$500,000 through formal competitive processes for the month of November 2009,
60 Purchasing Department.
61
62 11. Information Memorandum No. AIM 136-2009, Sole Source Procurement Report for the
63 month of November 2009, Purchasing Department.
64
65
66 12. Information Memorandum No. AIM 137-2009, International Association of Firefighters Local
67 1264 (IAFF) Collective Bargaining Agreement - Clarification of Wages, Article 27.2.3 through
68 27.26, Employee Relations. (addendum)
69
70 13. Information Memorandum No. AM 138-2009, AMEA Collective Bargaining Agreement -
71 Clarification of Article 7.13.5(A) Short Term Disability, Employee Relations. (addendum)

72 F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 73
74 1. Ordinance No. AO 2009-140, an ordinance amending Anchorage Municipal Code Chapter
75 3.88 to extend the time period for the Pre-Funding Investment Program, to update
76 administrative responsibilities and to delete outdated references, Finance Department. P.H.
77 1-12-10.
78 a. Assembly Memorandum No. AM 732-2009.

2. Ordinance No. AO 2009-141, an ordinance authorizing a non-exclusive landscape easement within East Northern Lights Buffer Park (Tax #007-013-01), within Tract A, Block 3, College Heights Subdivision, Plat No. P-483, Anchorage Recording District, to Chugach Electric Association, Inc., Project Management & Engineering. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 733-2009.
3. Ordinance No. AO 2009-142, an ordinance authorizing a non-exclusive electrical and telecommunications easement across a portion of Tract 3, Municipal Tudor Road Complex Subdivision, Plat No. 2003-183, Tax #008-061-04, located at the intersection of East 48th Avenue and Elmora Road (formerly Bragaw Street) to Chugach Electric Association, Inc., Project Management & Engineering. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 734-2009.
4. Resolution No. AR 2009-299, a resolution of the Municipality of Anchorage appropriating \$507,250 from Master Tax-Exempt Lease Proceeds to the Areawide General CIP Fund (401), Development Services Department for completion of the Hansen Technology Project (Phase II) and amending the 2010 General Government Capital Budget to include the aforementioned purchase, Finance Department. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 735-2009.
5. Resolution No. AR 2009-300, a resolution of the Municipality of Anchorage appropriating \$144,765 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$42,443 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 law enforcement equipment and traffic enforcement straight time response, Anchorage Police Department. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 736-2009.
6. Resolution No. AR 2009-301, a resolution of the Municipality of Anchorage adopting Substantial Amendment #1 and Substantial Amendment #2 to the Housing and Community Development 2010 Action Plan for the Department of Neighborhoods. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 737-2009.
7. Resolution No. AR 2009-302, a resolution of the Municipality of Anchorage appropriating \$200,000 from the Girdwood Valley Service Area Operating Budget (Fund 106) to the Girdwood Valley Service Area Capital Improvement Project (CIP) Fund (406) to pay the Areawide General Fund (101) for an interfund loan for the development of the Girdwood Community Center and Library, and appropriating \$36,000 Restricted Contribution from the Girdwood Valley Library Booster Club to the Girdwood Valley Service Area Fund (106) to pay the Areawide General Fund (101) for interest on a interfund loan for the development of the Girdwood Center and Library, Anchorage Bowl Parks & Recreation. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 738-2009.
8. Resolution No. AR 2009-303, Aa resolution of the Municipality of Anchorage appropriating \$135,354 from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund to the Project Management and Engineering Department within the State Categorical Grant Fund (231) for Salmon Habitat Outreach and Education in the Department of Project Management & Engineering. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 739-2009.
9. Resolution No. AR 2009-304, a resolution of the Municipality of Anchorage appropriating a Federal Transit Administration Section 5303 Metropolitan Planning Program grant of \$289,394 received through a Transfer of Responsibilities Agreement with the Department of Transportation and Public Facilities, State of Alaska, to the State Categorical Grants Fund (231) for financing of the Transit Planning Program along with \$72,349 for required local matching funds from the Public Transportation Department's 2009 Operating Budget to the State Categorical Grants Fund (231) for financing of the Transit Planning Program. P.H. 1-12-10.
 - a. Assembly Memorandum No. AM 740-2009.
10. Assembly Memorandum No. AM 741-2009, Urban Design Commission appointment (Thomas J. Tibor), Mayor's Office. Public Comment: 1-12-10.
11. Assembly Memorandum No. AM 742-2009, Zoning Board of Examiners and Appeals appointment (Anne M. (Stephens) Denny), Mayor's Office. Public Comment: 1-12-10.
12. Assembly Memorandum No. AM 743-2009, Board of Adjustment appointment (Bruce D. Webb), Mayor's Office. Public Comment: 1-12-10.
13. Ordinance No. AO 2009-143, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.50.035 to require identification check for on-premises sales by package liquor store licensees, Assemblymember Gutierrez, Assembly Vice-Chair Drummond. P.H. 1-19-09. (addendum)

Ms. Drummond moved, to introduce AO 2009-143 and set the Public
Ms. Johnston seconded, Hearing for January 19, 2010.
Mr. Claman concurring third,

Ms. Drummond stated that she would be referring this Ordinance in front of the Public Safety Committee due to high Public Interest.

- 1
- 2
- 3 14. Resolution No. AR 2009-305, a resolution of the Municipality of Anchorage, Alaska,
- 4 accepting six State of Alaska Clean Water Fund loan agreements in the aggregate amount
- 5 of \$20,374,000, Anchorage Water and Wastewater Utility. P.H. 1-12-10. (addendum)
- 6 a. Assembly Memorandum No. AM 744-2009.
- 7
- 8 15. Resolution No. AR 2009-306, a resolution of the Municipality of Anchorage, Alaska,
- 9 accepting six State of Alaska Drinking Water Fund loan agreements in the aggregate
- 10 amount of \$4,900,000, Anchorage Water and Wastewater Utility. P.H. 1-12-10. (addendum)
- 11 a. Assembly Memorandum No. AM 745-2009.
- 12
- 13 16. Resolution No. AR 2009-308, a resolution of the Municipality of Anchorage appropriating an
- 14 amount Not To Exceed \$595,000 from the Areawide General Fund (101) to the Areawide
- 15 General CIP Fund (401) for payment of interest on an interfund loan from Municipal Light
- 16 and Power Fund (530), Real Estate Services. P.H. 1-12-10. (addendum)
- 17 a. Assembly Memorandum No. AM 746-2009.
- 18

19 **END OF CONSENT AGENDA**

20

21 10. REGULAR AGENDA

- 22 A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS
- 23 B. RESOLUTIONS FOR ACTION - OTHER
- 24 C. BID AWARDS
- 25 D. NEW BUSINESS
- 26 E. INFORMATION AND REPORTS
- 27 F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

28

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

- 30
- 31 A. Assembly Memorandum No. AM 684-2009, cooperative purchase award to World Wide Technology
- 32 to furnish CISCO Systems routers, switches, hubs, related hardware/software and SMARTnet
- 33 maintenance on an "as required" basis to the Municipality of Anchorage (MOA), Information
- 34 Technology Department (IT) (\$2,750,000), Purchasing Department.
- 35 (POSTPONED FROM 12-1-09)

36

37 Dr. Selkregg moved, to approve AM 684-2009.

38 Ms. Drummond seconded,

39 **and this motion was passed, 10-0-1.**

40

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

42 NAYS: None.

43 EXCUSED: Coffey.

44

- 45 B. Assembly Memorandum No. AM 693-2009, cooperative purchase agreements for the acquisition of
- 46 computer equipment, peripheral equipment, software and related services from Hewlett Packard
- 47 Company (HP), Dell Marketing L.P. (Dell), International Business Machines Corporation (IBM), and
- 48 Lenovo (United States), Inc. (Lenovo) for the Municipality of Anchorage, Purchasing Department
- 49 (\$2,850,000/Yr.), Purchasing Department.
- 50 (POSTPONED FROM 12-1-09)

51

52 Dr. Selkregg moved, to approve AM 693-2009.

53 Ms. Drummond seconded,

54 **and this motion was passed, 10-0-1.**

55

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

57 NAYS: None.

58 EXCUSED: Coffey.

59

- 60 C. Ordinance No. AO 2009-136, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
- 61 providing for the borrowing from the State of Alaska Drinking Water Fund an aggregate amount of
- 62 Not To Exceed \$15,548,000 for the purpose of financing various AWWU Water Capital Improvement
- 63 Projects, Anchorage Water & Wastewater Utility.
- 64 1. Assembly Memorandum No. AM 673-2009.
- (PUBLIC HEARING WAS CLOSED 12-1-09; ACTION POSTPONED FROM 12-1-09)

65

66 Dr. Selkregg moved, to approve AO 2009-136.

67 Ms. Drummond seconded,

68 **and this motion was passed, 10-0-1.**

69

70

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

72 NAYS: None.

73 EXCUSED: Coffey.

74

- 75 D. Ordinance No. AO 2009-137, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
- 76 providing for the borrowing from the State of Alaska Clean Water Fund an aggregate amount Not To
- 77 Exceed \$6,206,400 for the purpose of financing various AWWU Wastewater Capital Improvement
- 78 Projects, Anchorage Water & Wastewater Utility.
- 79 1. Assembly Memorandum No. AM 674-2009.
- 80 (PUBLIC HEARING WAS CLOSED 12-1-09; ACTION POSTPONED FROM 12-1-09)

1
2 Dr. Selkregg moved, to approve AO 2009-137
3 Ms. Johnston seconded,
4 **and this motion was passed, 10-0-1.**
5

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

10 E. Resolution No. AR 2009-289, a resolution adopting the 2010 Legislative Program for the Municipality
11 of Anchorage, Mayor's Office.
12 (POSTPONED FROM 12-1-09
13

14 Mr. Flynn moved, to postpone to January 12, 2010.
15 Dr. Selkregg seconded,
16 **and this motion was passed, 10-0-1.**
17

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

22 12. APPEARANCE REQUESTS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN
23 6:30 P.M.)

24 A. Rev. Beatrice Hitchcock and Barbara A. Cook, presentation of annual PILOT (Payment in Lieu of
25 Taxes) for the Anchorage Unitarian Universalist Fellowship.
26

27 Ron Devon and Rev. Beatrice Hitchcock presented the Municipality of Anchorage with a PILOT check for \$4,200.
28

29 B. Tony Wilkerson, regarding workplace bullying.
30

31 Mr. Wilkerson, Alaska State Coordinator for the Workplace Bullying Institute, addressed amending Municipal Code to
32 reduce workplace bullying.
33

34 13. CONTINUED PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M.)
35

36 A. Ordinance No. AO 2009-129, an ordinance amending Anchorage Municipal Code Section 11.70.060
37 to increase existing fares in the public transportation system to fund increases in operations costs,
38 Public Transportation Department.

39 1. Assembly Memorandum No. AM 648-2009.

40 2. Ordinance No. AO 2009-129(S), an ordinance amending Anchorage Municipal Code Section
41 11.70.060 to increase existing fares in the public transportation system to fund increases in
42 operations costs, Public Transportation Department.

43 3. Assembly Memorandum No. AM 701-2009.

44 (CONTINUED FROM 12-1-09)
45

46 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.
47

48 Public Transportation Director Jody Karcz stated that the S-Version eliminates all fare increases and proposes
49 elimination of the "Two for One" program.
50

51 Dr. Selkregg moved, to approve AO 2009-129(S)
52 Mr. Birch seconded,
53

54 Mr. Claman declared a potential conflict of interest. Chair Ossiander addressed Mr. Claman's potential conflict and
55 ruled that he did have a conflict of interest and ordered that he not participate in this matter.
56

57 Ms. Johnston declared a potential conflict of interest. Chair Ossiander addressed Ms. Johnston's potential conflict
58 and ruled that she did have a conflict of interest and ordered that she not participate in the matter.
59

60 Ms. Drummond moved, to postpone discussion to be taken up at the end of
61 Mr. Birch seconded, the Agenda.
62 **and this motion was passed, 8-0-2-1.**
63

64 AYES: Gray-Jackson, Flynn, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
65 NAYS: None.
66 RECUSED: Claman and Johnston.
67 EXCUSED: Coffey.
68

69 KRISTIN ENGLISH, Chief Operating Officer for Cook Inlet Tribal Council, stated that the many clients of CITC
70 depend on Public Transportation and elimination of this program will require CITC to decrease the amount of clients
71 that they provide bus passes for.
72

73 **and the main motion was passed, 8-0-2-1.**
74

75 AYES: Gray-Jackson, Flynn, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
76 NAYS: None.
77 RECUSED: Claman and Johnston.
78 EXCUSED: Coffey.
79

1 B. Ordinance No. AO 2009-108, an ordinance amending Anchorage Municipal Code Chapter 10.50,
2 Alcoholic Beverages, providing for an extended Closing Safety Hour Program on a limited basis for
3 certain premises licensed by the State Alcoholic Beverage Control Board, setting the registration fee,
4 penalties and corrective action for program violation, Assemblymember Flynn.
5 (CONTINUED FROM 10-13-09; CARRIED OVER FROM 10-27-09; CONTINUED FROM 11-3-09)
6

7 Chair Ossiander opened Public Hearing.

8
9 MARK BUTLER, Public Safety Advisory Commission Member, stated that the Commission voted unanimously to
10 recommend not approving the Safety Hour Ordinance as written.
11

12 Chair Ossiander closed Public Hearing.
13

14 Mr. Flynn moved, to postpone indefinitely.
15 Dr. Selkregg seconded,
16 **and this motion was passed, 10-0-1.**
17

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

22 C. Ordinance No. AO 2009-133, an ordinance repealing Anchorage Municipal Code Section 12.15.012,
23 and repealing and reenacting Section 12.15.015 to codify state law exemptions, provide filing
24 deadlines and outline the administrative and judicial appeal process, Assemblymembers Gray-
25 Jackson and Gutierrez.
26 1. Assembly Memorandum No. AM 663-2009.
27 (CONTINUED FROM 12-1-09)
28

29 Chair Ossiander opened Public Hearing. There was no one to testify.
30

31 Chair Ossiander moved, to continue Public Hearing to January 12,
32 Ms. Gray-Jackson seconded, 2010.
33 **and this motion was passed, 10-0-1.**
34

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

39 14. NEW PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND END NO LATER THAN
40 11:00 P.M.)
41

42 A. Resolution No. AR 2009-287, a resolution of the Municipality of Anchorage, Alaska, approving the
43 Girdwood Water Improvements Phase II-B Transmission Main and providing for assessment of
44 benefited properties at time of service connection, Anchorage Water & Wastewater Utility.
45 1. Assembly Memorandum No. AM 672-2009.
46

47 Chair Ossiander opened Public Hearing. There was no one to testify.
48

49 Mr. Claman moved, to continue Public Hearing to January 12, 2010.
50 Mr. Birch seconded,
51 **and this motion was passed, 10-0-1.**
52

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

57 B. Resolution No. AR 2009-271, a resolution of the Anchorage Municipal Assembly approving an
58 alcoholic beverages conditional use in the B-3 (General Business District) for a package store use
59 and license per AMC 21.40.180 D.8 for Wal-Mart Super Store #2188, located at 18600 Eagle River
60 Road, within Eaglewood Subdivision, Tract A, generally located on the southeast corner of Eagle
61 River Road and Eagle River Loop Road, with certain conditions (Eagle River Valley Community
62 Council) (Cae 2008-120), Assemblymembers Starr and Ossiander.
63

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

66 Mr. Starr moved, to approve AR 2009-271.
67 Mr. Birch seconded,
68 **and this motion was passed, 10-0-1.**
69

70 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
71 NAYS: None.
72 EXCUSED: Coffey.
73

74 C. Ordinance No. AO 2009-128, an ordinance of the Anchorage Assembly amending the zoning map
75 and providing for the rezone of approximately 12 acres from I-1 (Light Industrial District) to B-3
76 (General Business District) for Doubletree Center Subdivision, Tract A, Block 1, Fragment Lots 1-5;
77 generally located west of C Street and north of West International Airport Road (Midtown Community
78 Council) (Planning and Zoning Commission Case 2009-105), Planning Department.
79 1. Assembly Memorandum No. AM 646-2009.

1 Chair Ossiander opened Public Hearing.

2
3 TIM POTTER testified in support of the rezone.

4
5 Chair Ossiander closed Public Hearing.

6
7 Mr. Birch moved, to approve AO 2009-128.
8 Ms. Johnston seconded,
9 **and this motion was passed, 10-0-1.**

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

14
15 D. Ordinance No. AO 2009-135, an ordinance of the Anchorage Assembly amending the zoning map
16 and providing for the rezoning of approximately 1.15 acres from R-3 (Multi-Family Residential)
17 District and PLI (Public Lands and Institutions) District to PLI (Public Lands and Institutions) District
18 for Conroy Rushton Subdivision #1, Block 9A, and Lintner Subdivision, Lot 35A; generally located
19 north of McRae Road and west of Woodland Drive (Spenard Community Council) (Planning and
20 Zoning Commission Case 2009-080), Planning Department.
21 1. Assembly Memorandum No. AM 665-2009.

22
23 Chair Ossiander opened Public Hearing.

24
25 JON CLARK, Maintenance and Operations Capital Projects Division Manager, testified in support of this rezone.

26
27 Chair Ossiander closed Public Hearing.

28
29 Ms. Johnston moved, to approve AO 2009-135.
30 Ms. Gray-Jackson seconded,
31 **and this motion was passed, 10-0-1.**

32
33 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
34 NAYS: None.
35 EXCUSED: Coffey

36
37 E. Resolution No. AR 2009-288, a resolution of the Municipality of Anchorage appropriating \$1,355,307
38 as a grant from the Department of Homeland Security FEMA for security modernization as part of the
39 American Recovery and Reinvestment Act Port Security Grant Program, Port of Anchorage.
40 1. Assembly Memorandum No. AM 688-2009.

41
42 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

43
44 Ms. Johnston moved, to approve AR 2009-288.
45 Mr. Flynn seconded,
46 **and this motion was passed, 10-0-1.**

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

51
52 F. Resolution No. AR 2009-290, a resolution of the Municipality of Anchorage appropriating \$840,138,
53 from the Federal Highway Administration (FHWA), via the State of Alaska Department of
54 Transportation and Public Facilities (SOA/DOT&PF), to the State DIR/FED Pass-Thru Grants Fund
55 (231) for the Traffic Department, Transportation Planning Division, for the Anchorage Metropolitan
56 Area Transportation Solutions (AMATS).
57 1. Assembly Memorandum No. AM 700-2009.

58
59 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

60
61 Ms. Johnston moved, to approve AR 2009-290.
62 Ms. Gray-Jackson seconded,
63 **and this motion was passed, 10-0-1.**

64
65 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.
66 NAYS: None.
67 EXCUSED: Coffey

68
69 15. SPECIAL ORDERS

70
71 Dr. Selkregg moved, to override Mayoral line item veto of AO 2009-116
72 Mr. Gutierrez seconded, (S-1) as amended, Library Department – Materials
73 and Services by reinstating \$50,000.
74 **and this motion was passed, 8-2-1.**

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

79
80 Mr. Claman moved, to override Mayoral line item veto of AO 2009-117

1 Ms. Gray-Jackson seconded, and AR 2009-242 by reinstating Sand Lake
2 Ambulance for \$250,000.
3

4 Mayor Sullivan stated that the funding and personnel to operate the Sand Lake Ambulance was not available for the
5 2010 budget year.
6

7 **and this motion failed, 6-4-1.**
8

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

13 Mr. Claman moved, to override Mayoral line item veto of AO 2009-116
14 Ms. Gray-Jackson seconded, (S-1) as amended, Municipal Managers Department
15 - Arts and Cultural Grants: by reinstating \$124,330.
16

17 **and this motion failed, 5-5-1.**
18

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

- 23 16. UNFINISHED AGENDA
24 17. AUDIENCE PARTICIPATION
25 18. ASSEMBLY COMMENTS
26

27 Mr. Claman moved, to reorganize Assembly leadership.
28 Ms. Drummond seconded,
29 **and this motion was passed, 6-4-1.**
30

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

35 Mr. Gutierrez moved, to *nominate* Patrick Flynn for Assembly Chair.
36

37 Ms. Johnston moved, to *nominate* Debbie Ossiander for Assembly Chair.
38

39 Chair Ossiander called for additional nominations and there were none. She closed nominations and called for a tally
40 of the secret ballots.
41

42 Municipal Clerk Barbara Gruenstein announced that Mr. Flynn had received six votes and Ms. Ossiander received
43 four votes.
44

45 Ms. Gray-Jackson moved, to *nominate* Mike Gutierrez for Assembly Vice
46 Chair.
47

48 Ms. Ossiander moved, to *nominate* Jennifer Johnston for Assembly Vice
49 Chair.
50

51 Chair Flynn called for additional nominations and there were none. He closed nominations and called for a tally of the
52 secret ballots.
53

54 Ms. Gruenstein announced that Mr. Gutierrez had received seven votes and Ms. Johnston had received three votes.
55

56 Dr. Selkregg moved, to introduce a Resolution of the Anchorage
57 Municipal Assembly amending AR 2009-242, a Resolution of
58 Mr. Gutierrez seconded, the Municipality of Anchorage approving the 2010-
59 2015 General Capital Improvement Program.
60
61


62 Municipal Attorney Dennis Wheeler stated that the Resolution incorporates the Pine Street/4th Avenue Area Storm
63 Reconstruction project into the CIP as a State funded project rather than a Bond funded project.
64

- 65 19. EXECUTIVE SESSIONS
66 20. ADJOURNMENT
67

68 Chair Flynn adjourned the Regular Assembly Meeting at 8:15 p.m.
69

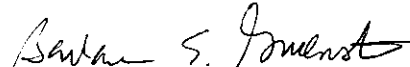
70 Ms. Johnston moved, to adjourn the Regular Assembly Meeting
71 Mr. Gutierrez seconded, of December 15, 2009.
72 **and this motion was passed, 10-0-1.**
73
74

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PATRICK FLYNN, Assembly Chair

ATTEST:



BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: February 16, 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.)