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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 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 Assemblymembers 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 Assemblymember 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 Erkmann. 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 Assemblymember Allan 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

Chair Ossiander read the Addendum items. AR 2009-184, AR 2009-182, AR 2009-183, AM 420-2009 and AM 421-2009 were added as Agenda numbers 9.A.7, 9.B.1, 9.C.3, 9.C.4 and 9.F.6, respectively.

Ms. Drummond moved, to approve the inclusion of the Addendum items
Mr. Coffey seconded, into the Consent Agenda.
and the motion was passed, 11-0.

9. CONSENT AGENDA

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

Items 9.A.2, 9.A.3, 9.A.4, 9.A.5, 9.A.7, 9.D.2, 9.D.3, 9.F.3 and 9.F.6 were pulled for discussion and separate vote.

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

1 with Dr. Selkregg as an excused absence.

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

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

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

12
13 Mr. Flynn moved, to approve AR 2009-176.
14 Mr. Coffey seconded,
15 and the motion passed without objection, 10-0,
16 with Dr. Selkregg as an excused absence.

17
18 Mr. Flynn read and Ms. Drummond presented the resolution to Fred Carpenter, honoring him for his thirty-three years
19 of service with the Municipality and serving through five Administrations, including as Information Technology Director.
20 Mr. Carpenter thanked the Assembly and recognized fellow employees he had worked with over the years. Ms. Gray-
21 Jackson, Mayor Sullivan and Mr. Coffey thanked him for his service.

22
23 9.A.3. Resolution No. AR 2009-180, a resolution of the Anchorage Municipal Assembly recognizing and
24 honoring **Thomas P. Nelson** for his 35 years of service with the Municipality of Anchorage, Mayor
25 Sullivan and Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez,
26 Johnston, Ossiander, Selkregg and Starr. **(Addendum)**

27
28 Mr. Coffey moved, to approve AR 2009-180.
29 Ms. Johnston seconded,
30 and the motion passed without objection, 10-0,
31 with Dr. Selkregg as an excused absence.

32
33 Chair Ossiander read and Mr. Coffey presented the resolution to Tom Nelson, honoring him for his thirty-five years of
34 service with the Municipality and serving through nine Administrations, including as Planning Director. Mr. Nelson
35 stated that working with the Assembly and the community had been rewarding. Ms. Gray-Jackson, Mayor Sullivan,
36 Mr. Coffey, Mr. Gutierrez, Mr. Claman, Ms. Drummond and Chair Ossiander thanked him for his service.

37
38 9.A.4. Resolution No. AR 2009-179, a resolution of the Municipality of Anchorage recognizing and honoring
39 **Sharon Weddleton** for over five years of service as a municipal employee, Mayor Sullivan and
40 Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston,
41 Ossiander, Selkregg and Starr. **(Addendum)**

42
43 Ms. Johnston moved, to approve AR 2009-179.
44 Mr. Starr seconded,
45 and the motion passed without objection, 10-0,
46 with Dr. Selkregg as an excused absence.

47
48 Mr. Starr read and Ms. Johnston presented the resolution to Sharon Weddleton, honoring her for her years of service
49 with the Municipality, including as Chief Fiscal Officer. Ms. Weddleton stated that working for the city had been
50 rewarding. Mayor Sullivan, Ms. Johnston, Mr. Starr, Mr. Claman, Ms. Gray-Jackson, Ms. Drummond and Chair
51 Ossiander thanked her for her service.

52
53 9.A.5. Resolution No. AR 2009-181, a resolution of the Anchorage Municipal Assembly recognizing and
54 honoring **James N. Reeves** for three years of service to the Municipality of Anchorage as the
55 Municipal Attorney and head of the Municipality of Anchorage Department of Law, Mayor Sullivan and
56 Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston,
57 Ossiander, Selkregg and Starr. **(Addendum)**

58
59 Mr. Flynn moved, to approve AR 2009-181.
60 Ms. Johnston seconded,
61 and the motion passed without objection, 10-0,
62 with Dr. Selkregg as an excused absence.

63
64 Ms. Drummond read and Mr. Flynn presented the resolution to Jim Reeves, honoring him for his years of service as
65 the Municipal Attorney. Mr. Reeves stated that he had enjoyed working with the Assembly and the Administration.
66 Ms. Johnston, Chair Ossiander, Mr. Claman, Ms. Gray-Jackson and Mr. Coffey thanked him for his service.

67
68 9.A.6. Resolution No. AR 2009-178, a resolution of the Anchorage Municipal Assembly **welcoming the**
69 **Chitose (Japan) City Official Delegation** to Anchorage (USA), Mayor Sullivan and
70 Assemblymembers Birch, Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston,
71 Ossiander, Selkregg and Starr. **(Addendum)**

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

76
77 Ms. Gray-Jackson moved, to approve AR 2009-184.
78 Mr. Gutierrez seconded,
79 and the motion passed without objection, 10-0,

1 with Dr. Selkregg as an excused absence.

2
3 Mr. Gutierrez read and Ms. Gray-Jackson presented the resolution to Mary Tesche, recognizing and remembering her
4 father Allan Tesche for his dedicated service to the community as an Assemblymember.

5
6 **9.B. RESOLUTIONS FOR ACTION - OTHER**

- 7 9.B.1. Resolution No. AR 2009-182, a resolution of the Anchorage Municipal Assembly **honoring longtime**
8 **Alaskans Billie Moore and Polly Kallenberg** and requesting a citizen naming panel, Assembly Chair
9 Ossiander. (*Laid on the Table*)
10 a. Assembly Memorandum No. AM 419-2009.
11 b. Assembly Informational Memorandum No. 77-2009.

12
13 **9.C. BID AWARDS**

- 14 9.C.1. Assembly Memorandum No. AM 417-2009, recommendation of award to Janssen Contracting, Inc. for
15 the **Ben Boeke Roof Replacement & Seismic Upgrades Project** for the Municipality of Anchorage,
16 Maintenance & Operations Department (ITB 29-C022) (\$899,887), Purchasing. (*Addendum*)
17 9.C.2. Assembly Memorandum No. AM 418-2009, recommendation of award to Renegade Equipment, LLC
18 for **Muirwood Area Storm Improvements**, Project No. 06-37 for the Municipality of Anchorage,
19 Project Management & Engineering Department (ITB 29-C027) (\$981,568), Purchasing. (*Addendum*)
20 9.C.3. Memorandum No. AM 420-2009, recommendation of Award to Construction Unlimited, Inc. for
21 **Spenard Road Reconstruction Phase I – Chester Creek to Hillcrest Drive**, Project No. 03-22 for
22 the Municipality of Anchorage, Project Management & Engineering Department (ITB 29-C031)
23 (\$2,147,476.60). (*Laid on the Table*)
24 9.C.4. Memorandum No. AM 421-2009, recommendation of Award to North Star Paving & Construction, Inc.
25 for **Leawood Drive/Roy Street Reconstruction R.I.D.**, Project No. 04-36, for the Municipality of
26 Anchorage, Project Management & Engineering Department (IT B29—C034) (\$1,516,435.10). (*Laid*
27 *on the Table*)

28
29 **9.D. NEW BUSINESS**

- 30 9.D.1. Assembly Memorandum No. AM 413-2009, proprietary purchase of a **DataRadio, Inc. Multi-Site**
31 **Systems Controller** from ProComm Alaska for the Municipality of Anchorage, Traffic Department
32 (\$194,415.73), Purchasing.
33 9.D.2. Assembly Memorandum No. AM 415-2009, cooperative purchase of a **KingFish Dual-Mode Cellular**
34 **Phone Surveillance and Tracking System** from Harris Corporation for Municipality of Anchorage,
35 Anchorage Police Department (\$119,200), Purchasing.

36
37 Mr. Gutierrez moved, to approve AM 415-2009.
38 Ms. Johnston seconded,

39
40 Mr. Gutierrez, Anchorage Police Chief Rob Heun and Mr. Starr addressed special service to track cell phone locations,
41 requiring a warrant, assisting with arrests and tracking missing persons. Mr. Starr urged approval.

42
43 and the motion passed without objection, 9-0,
44 with Dr. Selkregg as an excused absence,
45 and Mr. Coffey temporarily out of Chambers at the time of the vote.

- 46
47 9.D.3. Assembly Memorandum No. AM 416-2009, Executive Appointments (Larry D. Crawford, Chief of
48 Staff; Cheryl L. Frasca, Office of Management and Budget Director; Nancy B. Usera, Employee
49 Relations Director; George J. Vakalis, Municipal Manager), Employee Relations Department.
50 (*Addendum*)

51
52 Mr. Gutierrez moved, to approve AM 416-2009.
53 Ms. Johnston seconded,

54
55 Mr. Gutierrez and Mayor Sullivan addressed new executive positions and reduced salaries.

56
57 and the motion passed without objection, 9-0,
58 with Dr. Selkregg as an excused absence,
59 and Mr. Coffey temporarily out of Chambers at the time of the vote.

60
61 **9.E. INFORMATION AND REPORTS**

- 62 9.E.1. Information Memorandum No. AIM 74-2009, Executive Appointments (Jennifer Rose Baker, Special
63 Admin Asst I-DHHS; Dawn Michelle Brantley, Special Admin Asst I-Off. Emergency Mgmt.), Employee
64 Relations Department.
65 9.E.2. Information Memorandum No. AIM 75-2009, contracts awarded between \$50,000 and \$500,000
66 through formal competitive processes for the month of June 2009, Purchasing.
67 9.E.3. Information Memorandum No. AIM 76-2009, Sole Source Procurement Report for the month of June
68 2009, Purchasing.

69
70 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 71 9.F.1. Ordinance No. AO 2009-90, an ordinance of the Anchorage Assembly amending the zoning map and
72 providing for the rezoning of approximately 40,500 square feet from R-4 (Multiple-Family Residential
73 District) to B-3 SL (General Business District) with Special Limitations for **Mountain View**
74 **Subdivision, Block 2, Lot 2 N1/2; Lot 3 E1/3 N1/2; Lot 3 M1/3 N1/2; and Lot 3 W1/3 N1/2;**
75 generally located on Mountain View Drive, east of Taylor Street, south of Richmond Avenue and west
76 of Price Street (Mountain View Community Council) (Planning and Zoning Commission Case 2009-
77 060), Planning Department. (*Public Hearing 8-25-09*)

78 a. Assembly Memorandum No. AM 411-2009.

- 1 9.F.2. Ordinance No. AO 2009-91, an ordinance authorizing the fourth and final renewal option of the **lease**
2 **of Lot 7-B, Port of Anchorage Subdivision**, totaling 380,559 square feet, to Tesoro Alaska
3 Company, Port of Anchorage. (*Public Hearing 8-11-09*)
4 a. Assembly Memorandum No. AM 412-2009.
- 5 9.F.3. Resolution No. AR 2009-162, a resolution of the Municipality of Anchorage providing for an **increase**
6 **from the American Recovery and Reinvestment Act (ARRA) in the amount of \$85,084,160 to the**
7 **Anchorage School District Budget for FY 2009-2010**, Anchorage School District.
8 a. Assembly Memorandum No. AM 375-2009. (*Public Hearing 8-11-09*)
9

10 Ms. Gray-Jackson moved, to introduce AR 2009-162 with Public Hearing
11 Ms. Johnston seconded, set for August 11, 2009.
12 Mr. Gutierrez was the concurring third.
13

14 Ms. Gray-Jackson, Anchorage School District (ASD) Assistant Superintendent for Support Services Michael Abbott,
15 Anchorage School Board President John Steiner and ASD Assistant Superintendent for Instruction Ed Graff addressed
16 the budget and stimulus funds from the American Recovery and Reinvestment Act (ARRA). Mr. Starr and Mr. Birch
17 commented on ASD projects, adding employees and having a sustainable budget.
18

- 19 9.F.4. Resolution No. AR 2009-173, a resolution of the Municipality of Anchorage appropriating \$140,656
20 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating \$5,092
21 as a contribution from the 2009 Anchorage Police Operating Budget, Anchorage Metropolitan Police
22 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
23 for **Impaired Driving Enforcement**. (*Public Hearing 8-11-09*)
24 a. Assembly Memorandum No. AM 409-2009.
- 25 9.F.5. Resolution No. AR 2009-174, a resolution of the Municipality of Anchorage adopting **Substantial**
26 **Amendment One to the Housing and Community Development 2009 Action Plan**, Department of
27 Neighborhoods. (*Public Hearing 8-11-09*)
28 a. Assembly Memorandum No. AM 410-2009.
- 29 9.F.6. Resolution No. AR 2009-183, a resolution of the Municipality of Anchorage for action on the proposed
30 transfer of ownership of beverage dispensary liquor license #3009 to **222, Inc.** (LaVerne M. Thacker,
31 Jr. President, Public Safety Committee Chair Gutierrez, on behalf of the Public Safety Committee.
32 (*Laid on the Table*)
33 a. Letter to the State of Alaska ABC Board, LaVerne Thacker, Jr.
34 b. LaVerne Thacker, Jr., Liquor License History.
35

36 Mr. Coffey moved, to introduce AR 2009-183 with Public Hearing set for
37 Ms. Johnston seconded, August 25, 2009.
38 Ms. Gray-Jackson was the concurring third.
39

40 Mr. Gutierrez reported on the Public Safety Committee's review and recommendations.
41

42 END OF CONSENT AGENDA

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

- 44 11.A. Assembly Memorandum No. AM 369-2009, Change Order No. 1 to Purchase Order No. 284145 with
45 The Boutet Company (Boutet) to provide services to develop a **Municipal Light & Power (ML&P)**
46 **Transition Plan** for the Municipality of Anchorage, Municipal Light & Power Utility (Utility) (\$60,000),
47 Purchasing. (*Postponed from 6-23-09*)
48
49

50 Ms. Johnston moved, to postpone AM 369-2009 Public Hearing to August 11, 2009.
51 Mr. Gutierrez seconded,
52 and the motion passed without objection, 10-0,
53 with Dr. Selkregg as an excused absence.
54

- 55 11.B. Assembly Memorandum No. AM 399-2009, cooperative purchase agreement for professional
56 information technology services with Resource Data, Inc. (RDI) in support of the **HP3000**
57 **Replacement Project** for the Municipality of Anchorage, Municipal Light & Power (ML&P) (\$315,335),
58 Purchasing. (*Postponed from 7-7-09*)
59

60 Mr. Coffey moved, to postpone indefinitely AM 399-2009.
61 Ms. Johnston seconded,
62 and the motion passed without objection, 10-0,
63 with Dr. Selkregg as an excused absence.
64

- 65 11.C. Ordinance No. AO 2009-43, an ordinance to amend Anchorage Municipal Code Chapter 14.60 to
66 **update references, fines**, and provide consistency; amend Section 8.20.030 to clarify fines for
67 separate offenses; amend Section 8.75.065 C. to correct a code reference; amend Section 8.75.090
68 to confer jurisdiction on the Administrative Hearing Officer (AHO); amend Sections 9.20.085 and
69 15.20.100 F. to remove AHO jurisdiction references; amend Section 25.70.050 A. to update the
70 maximum fine; and amend Section 26.10.070 for consistency with previous amendments, Department
71 of Law. (*Public Hearing was Closed 6-23-09; Action was Postponed from 6-23-09 and 7-7-09*)
72 1. Assembly Memorandum No. AM 199-2009.
73

74 Mr. Coffey and Acting Municipal Attorney Rhonda Fehlen Westover addressed the matter.
75

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

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11.D. Ordinance No. AO 2009-80, an ordinance repealing and re-enacting Anchorage Municipal Code Section 6.50.030 to **update the Investment Guidelines for Municipal Funds**, Finance.
1. Assembly Memorandum No. AM 326-2009. (*Public Hearing was Closed 7-7-09; Action was Postponed from 7-7-09*)

Chair Ossiander 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 Ossiander 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 Usera 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, Ossiander, Drummond and Gutierrez.
NAYS: Johnston, Birch, Starr and Coffey.
ABSENT: Selkregg, excused.

11.F. Ordinance No. AO 2008-135(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, 2008, 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, continued changes being problematic, getting this done right and postponing to August 25th.

Mr. Coffey moved, to *postpone* AO 2008-135(S) Public Hearing to August 25, 2009.
Mr. Birch seconded,
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 August 25, 2009.
Ms. Johnston seconded,
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. AIM 50-2009. (*Continued from 6-23-09*)

Chair Ossiander 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.

13.B. Ordinance No. AO 2009-26, 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**, Assemblymembers Ossiander and Starr. (*Continued from 6-23-09*)
1. Assembly Memorandum No. AM 95-2009.
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

1 a new Chapter 21.66, establishing the Downtown Eagle River Overlay District, Planning
2 Department.

3 3. Assembly Memorandum No. AM 380-2009.

4
5 Chair Ossiander opened Public Hearing.

6
7 MICHAEL MELIELO, former President of the Chugiak Chamber of Commerce and owner of a small business in Eagle
8 River, testified the process had involved community input, a public survey, public presentations and all area community
9 councils to determine improvements for making the downtown district friendly to businesses and the community.

10
11 There was no additional testimony and Chair Ossiander closed Public Hearing.

12
13 Mr. Starr moved, to approve AO 2009-26(S).
14 Mr. Coffey seconded,

15
16 Mr. Starr addressed the needed and well thought out redevelopment to the Eagle River Downtown Center.

17
18 Mr. Starr moved, to approve Amendment #1, amending AR 2009-26(S),
19 Mr. Birch seconded, in Section 1, beginning on Page 2, Line 42, through Page 4,
20 Line 23 (to include an amended boundary description and an
21 amended Downtown Eagle River Overlay District Boundary
22 Map 21.66-A) to read:

23
24 **21.66.010 Scope, goals and boundary description.**

25 C. *Boundary description of district:* The Eagle River
26 Overlay District shall encompass the area described within
27 the following bounds, as identified on the Downtown Eagle
28 River Overlay District Boundary Map 21.66-A:

29
30 From a point of beginning at the northwest corner of Tract S-
31 1-B of Timber Ridge Units Subdivision, as found on Grid
32 NW0251, proceeding east on the south side of Farm Avenue,
33 crossing the Old Glenn Highway and continuing east along
34 the north property line of lot 1-B, Block 12, Walter G Pippel
35 Subdivision, Addition 2, to the northeast corner of lot 1-B,
36 then proceeding southwest along the eastern boundaries of
37 lots 1-B and 1-A to the intersection with North Eagle River
38 Loop Road, then crossing North Eagle River Loop Road to
39 the northeast corner of lot 7C1 of Block 11, then proceeding
40 southwest along the eastern boundaries of lots 7C1 and 7B2
41 to the intersection with Hanson Drive, then crossing Hanson
42 Drive to the northeast corner of lot 10 of Block 7, boundary of
43 lot 1-B, Block 12 to the intersection with the north side of
44 Horseshoe Drive, then following Horseshoe Drive along the
45 frontage of lots 2, 3, 4, 5, 12, 11, and 10 of Block 12, to the
46 intersection with the Eagle River Loop Road Right-of-Way,
47 then crossing Eagle River Loop Road to the northeast corner
48 of lot 4 of Block 11, then southwest along the eastern
49 boundary of lots 4 and 17 of Block 11 to the intersection with
50 Hanson Drive, then crossing Hanson Drive to the northeast
51 corner of Lot 7 of Block 7, then west along the south side of
52 Hanson Drive to the intersection with the northeast corner of
53 Tract A of the Martin Business Park, then south along the
54 eastern boundary of Tract A to the intersection with Easy
55 Street, then crossing Easy Street to the northwest corner of
56 Lot 12 of Block 5 and then south along the western boundary
57 of lots 12 and 1 of Block 5, crossing Park Place Street and
58 proceeding south along the western boundaries of 1 and 12
59 of Block 6 to the intersection with Coronado Road, then
60 proceeding east on the south side of Coronado Road to the
61 northwest corner of Lot 5 of the Sunny Slopes Subdivision,
62 then south along the western boundaries of lots 5, 6, 15, 16,
63 25, 26, 35, 36, 47, 48, 49, and 65 to the intersection with
64 Monte Road, then crossing Monte Road to the south side,
65 then proceeding west on Monte Road to the northwest corner
66 of lot 17 of Ashley Park Subdivision, then proceeding south
67 along the western boundaries of lots 17, 16, 15, 14, 13, and
68 12 to the intersection with Lynne Drive, then west on Lynne
69 Drive to the Old Glenn Highway, then proceeding south on
70 the west side of Eagle River Elementary School and
71 continuing south along the east side of Eagle River Road to
72 the southwest corner of the Eagle River Elementary School
73 property, then proceeding west across Eagle River Road to
74 the eastern edge of the New Glenn Highway Right-of-Way,
75 then north northwest along the eastern edge of the New
76 Glenn Highway to the intersection with the southwest corner
77 of Tract B-5 of Eagle Glenn South Subdivision, then east to
78 the intersection with Regency Road, then north across
79 Regency Road and continuing northwest along the west side
80 of Regency Road to the northwest corner of Tract B-9, then

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following the northern boundary of Tract B-9 to the intersection with the southwest corner of tract A-1, then continuing north and west along the boundary of Tract A-1 to the intersection with Regency Drive, then crossing Regency Drive to the north and proceeding north along the western boundary of Tract S-1-B to the point of beginning at the northwest corner of Tract S-1-B.

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. Selkregg as an excused absence.

13.C. Ordinance No. AO 2009-40, 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.

1. Assembly Memorandum No. AM 158-2009.
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 Ossiander opened Public Hearing.

JACK AMON, owner of Marx Brothers Café and speaking for the Alaska Cabaret, Hotel, Restaurant and Retailer's Association (*CHARR*), 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 Ossiander closed Public Hearing. Ms. Drummond assumed the Chair.

Mr. Flynn moved, to approve AO 2009-40(S).

Ms. Gray-Jackson seconded,

Ms. Ossiander moved,

Mr. Coffey seconded,

to approve Amendment #1, amending AO 2009-40(S), Section 1, Page 19, Line 5, AMC Section 16.60.140, 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 exposed, 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.

B [A]. Section 3-402.11 of the 2005 FDA Model Food Code shall not be adopted, is optional, provided the operator complies with section 16.60.260 of the Anchorage Food Code.

C [B]. Subparagraphs 3-501.16(A)(2)(b) and 3-501.17(A)(2)(b) of the 2005 FDA Model Food Code shall not be adopted.

Mr. Gutierrez, Assembly Counsel Julia Tucker, Mr. Flynn and Environmental Services Division Manager Chris Tofteberg addressed State Code, (*beverage*)alcohol being a sanitizer and hand washing.

and the motion passed without objection, 9-1.

1 AYES: Claman (*participating telephonically*), Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Starr
2 and Coffey.

3 NAYS: Gutierrez.

4 ABSENT: Selkregg, excused.

5
6 and the main motion, as amended, passed, 10-0,
7 with Dr. Selkregg as an excused absence.

8
9 (*Clerk's Note: Ms. Ossiander resumed the Chair.*)

10
11 13.D. Ordinance No. AO 2009-64, an ordinance of the Anchorage Municipal Assembly amending Anchorage
12 Code Chapters 5.10 **Equal Rights Commission** and 5.20 **Unlawful Discriminatory Practices**.

13 1. Ordinance No. AO 2009-64(S), an ordinance of the Anchorage Municipal Assembly amending
14 Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20 Unlawful Discriminatory
15 Practices.

16 2. Assembly Memorandum No. AM 342-2009.

17 3. Ordinance No. AO 2009-64(S-1), an ordinance of the Anchorage Municipal Assembly
18 amending Anchorage Code Chapters 5.10 Equal Rights Commission and 5.20 Unlawful
19 Discriminatory Practices, Assembly Chair Ossiander. (*Carried Over from 6-9-09, 6-16-09, 6-*
20 *17-09, 6-23-09 and 7-7-09*)

21
22 Mr. Drummond moved, to *Change the Order of the Day* to take up AO 2009-64 at
23 Mr. Coffey seconded, the end of the Agenda.
24 and this passed without objection, 10-0.

25
26 (*Clerk's Note: Following completion of item 14.B, the Assembly returned to take up Continued Public Hearing.*)

27
28 Chair Ossiander opened Continued Public Hearing.

29
30 LARRY MICHAEL testified.

31
32 DAVID NEWTON testified.

33
34 ELIZABETH EDMUNDSON testified.

35
36 KAREN DICKERSON testified.

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38 BETHANY INFANZOU testified.

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40 DONALD ROSS testified.

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42 LORETTA HALL testified.

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44 TED KIELHN testified.

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46 GINA SENKO testified.

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48 FRANCES MERRILL testified.

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50 AMBER SAWYER testified.

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52 LORIE STOORZA testified.

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54 KAREN RELPH testified.

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56 JACKIE HARTMAN testified.

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58 PAMELA R. KELLY testified.

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60 DAVID PAUL BEISEMEYER testified.

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62 LYNNE SANGSTER testified.

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64 REBECCA KASTEN testified.

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66 KATHLEEN SWICK testified.

67
68 MATTHEW SERRES testified.

69
70 TIFFANY D. McCLAIN testified.

71
72 LOIS UITDEFLESCHE testified.

73
74 BILLY LATTA testified.

75
76 TROY L. CARLOCK testified.

77
78 CHRISSY BELL testified.

79

1 DON POYNTER testified.
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3 TIM PEARSON testified.
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5 JUDITH STEPHANIE MAGNUS testified.
6
7 PAMELA BEILFUSS testified.
8
9 ROBYN HENRY testified.
10
11 MARILYN COWLES testified.
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13 KEN COWLES testified.
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15 MARISA NORDSTROM testified.
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17 PEYTON M. BURRELL testified.
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19 MARY PATTERSON testified.
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21 JULIE SCHMIDT testified.
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23 GAYLE SCHUH testified.
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25 SHERMEKA HINTON testified.
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27 BRIAN HINTON testified.
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29 FLOYD DAMRON testified.
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31 JUERGEN WUERTH testified.
32
33 S.E. GLASNOCK testified.
34
35 KELI BOOHER testified.
36
37 ERIK PETERSON testified.
38
39 DAVID BRETZ testified.
40
41 MICHELLE JOHNSON testified.
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43 HEATHER HARRIS testified.
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45 KEVIN STORY testified.
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47 ESTER SARRETT testified.
48
49 EMILY KNOWLES testified.
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51 NANCY DENNIS testified.
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53 SUSAN WINGROVE testified.
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55 DeBEAR SHORE testified.
56
57 CAROLYN TOUVINEN testified.
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59 KALEN SAXTON testified.
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61 CHRIS KUNZLER testified.
62
63 LISANDRA ORTIZ CAMACHO testified.
64
65 GRACE MERRITT testified.
66
67 SHANNON R. BELL testified.
68
69 KATHERINE ARNOLD testified.
70
71 MARCIN DRUSDZEL testified.
72
73 BRITTANY GOODNIGHT testified.

74
75 Mr. Coffey moved,
76 Mr. Gutierrez seconded,
77 and this was passed, 8-0,
78 with Mr. Birch and Mr. Starr opposing,
79 and Dr. Selkegg as an excused absence.

to extend the Meeting to complete Continued Public Hearing.

1
2 DEAN DUNSMORE testified.
3
4 LINDA PERKINS testified.
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6 CINA LOPEZ testified.
7
8 MAXINE DOOGUN testified.
9
10 HEATHER JAMES testified.
11
12 RICHARD HOOD testified.
13
14 EUGENE HARNETT testified.

15
16 There was no additional public testimony and Chair Ossiander closed AO 2009-64 Continued Public Hearing.
17
18 *(Clerk's Note: See Agenda item 20 for details of Adjournment.)*
19

20 **14. NEW PUBLIC HEARINGS**

21 14.A. Ordinance No. AO 2009-89, an ordinance authorizing **reconveyance of Tract A, Southport**
22 **Subdivision Area E**, Plat 97-79 and amending Anchorage Ordinance 2006-96 to delete Section 2,
23 Anchorage Parks and Recreation Department.
24 1. Assembly Memorandum No. AM 406-2009.
25

26 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.
27

28 Ms. Johnston moved, to approve AO 2009-89.
29 Mr. Coffey seconded,
30 and the motion passed without objection, 10-0,
31 with Dr. Selkregg as an excused absence.
32

33 14.B. Resolution No. AR 2009-167, a resolution of the Municipality of Anchorage appropriating \$150,000 of
34 revenues from within the Areawide General Capital Improvement Fund (401) for **facility**
35 **improvements** at the Alaska Center for the Performing Arts, Inc. for \$80,000 of revenues from within
36 the Areawide General Capital Improvement Fund (401) for facility improvements at the Egan Civic and
37 Convention Center, Office of Economic & Community Development.
38 1. Assembly Memorandum No. AM 401-2009.
39

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

42 Mr. Coffey moved, to approve AR 2009-167.
43 Ms. Johnston seconded,
44 and the motion passed without objection, 10-0,
45 with Dr. Selkregg as an excused absence.
46

47 *(Clerk's Note: The Assembly returned to 13.D, to take up AO 2009-64 Continued Public Hearing.)*
48

49 **15. SPECIAL ORDERS** There were none.
50

51 **16. UNFINISHED AGENDA** There was none.
52

53 **17. AUDIENCE PARTICIPATION** There was none.
54

55 **18. ASSEMBLY COMMENTS** There were none.
56

57 **19. EXECUTIVE SESSIONS** There were none.
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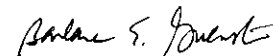
59 **20. ADJOURNMENT**

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61 Mr. Gutierrez moved, to adjourn the Regular Assembly Meeting of July 21, 2009.
62 Mr. Flynn seconded,
63 and there were no objections.
64

65 The meeting adjourned at 11:17 p.m.
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DEBBIE OSSIANDER, Assembly Chair

71
72 ATTEST:
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77
78 BARBARA GRUENSTEIN, Municipal Clerk
79 Date Minutes Approved: September 15, 2009
80 MC/BG

81
82 *(View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or contact*
83 *the Minutes Clerk in Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505.)*