

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of February 1, 2011

1. **CALL TO ORDER** Chair Traini convened the Regular Assembly Meeting of February 1, 2011 at 5:00 p.m.
2. **ROLL CALL** A Quorum was achieved with 10 Assemblymembers present and Mr. Birch participating telephonically.

PRESENT: Traini, Ossiander, Gutierrez, Honeman, Hall, Starr, Flynn, Gray-Jackson, Johnston, Birch and Drummond.

3. **PLEDGE OF ALLEGIANCE** Mr. Flynn led the pledge.
4. **MINUTES OF PREVIOUS MEETINGS**
5. **MAYOR'S REPORT**

Clerks Note: DAN SULLIVAN, Mayor, read a Mayoral Proclamation for Father Norman Elliott, All Saints Episcopal Church, and proclaimed, February 2, 2011 to be "Father Norman Elliott Day."

DAN SULLIVAN, Mayor, spoke

FATHER NORMAN ELLIOTT spoke

6. **ASSEMBLY CHAIR'S REPORT**
7. **COMMITTEE REPORTS**
8. **ADDENDUM TO AGENDA**

Johnston moved, to incorporate the Addendum to the Agenda
Flynn seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

9. CONSENT AGENDA

Gray-Jackson moved, to approve with the exception of 9.A.1, 9.A.2, 9.B.5 and 9.F.6
Honeman seconded, which were pulled for further discussion and separate vote.
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2011-24, a resolution of the Anchorage Municipal Assembly honoring the

partnership Helping Us Give School Supplies (HUGSS) and Coats for Kids and recognizing Wal-Mart Foundation's Alaska Giving Program donation to the 2011 HUGSS and Coats for Kids annual event, Assemblymembers Ossiander, Birch, Drummond, Flynn, Gray-Jackson, Gutierrez, Hall, Honeman, Johnston, Starr, Traini and Mayor Sullivan.

Ossiander moved, to approve AR 2011-24
Johnston seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

Ms. Ossiander read the resolution and Ms. Drummond presented the resolution.

ALAN BUDAHL, Lutheran Social Services, spoke.

9.A.2. Resolution No. AR 2011-34, a resolution of the Anchorage Municipal Assembly recognizing and celebrating February 2011 as Black History Month, Assemblymembers Gray-Jackson, Birch, Drummond, Flynn, Gutierrez, Hall, Honeman, Johnston, Ossiander, Starr, Traini and Mayor Sullivan.

Gutierrez moved, to approve AR 2011-34
Honeman seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

Mr. Gutierrez read the resolution and Ms. Gray-Jackson presented the resolution.

WANDA GREEN, President, NAACP, spoke.

YOLANDA MOORE, Secretary, NAACP, appeared.

DARREL HESS, Treasurer, NAACP, appeared.

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2011-32, a resolution of the Anchorage Municipal Assembly stating its protest regarding a new Package Store Liquor License # 5002 for TCCH, Inc. dba Wine House at Huffman, located at 1320 Huffman Park Drive Suite 170, and authorizing the Municipal Clerk to take certain action, Assembly Chair Traini, Assembly Vice-Chair Flynn, and Assembly Public Safety Committee Chair Honeman.

9.B.2. Resolution No. AR 2011-33, a resolution of the Municipality of Anchorage appropriating \$5,500 from the Mountain Park/Robin Hill Rural Road Service Area (RRSA) Fund Balance (118) to the Mountain Park/Robin Hill RRSA BP2010 Operating Budget Fund (118), Public Works Department, Administration Division for annual road maintenance services.

9.B.2. a) Assembly Memorandum No. AM 67-2011.

9.B.3. Resolution No. AR 2011-35, a resolution of the Municipality of Anchorage appropriating \$31,278 from the State of Alaska, Department of Transportation and Public Facilities MS/CVE and \$688 as a contribution from the 2011 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Grants Fund (231) Anchorage Police Department, for this Commercial Vehicle Inspection Program grant.

9.B.3. a) Assembly Memorandum No. AM 68-2011.

9.B.4. Resolution No. AR 2011-38, a resolution of the Anchorage Municipal Assembly supporting the Alaska Zoo's funding request to the Twenty-Seventh Alaska Legislature for \$425,000 to upgrade its vehicle fleet and complete the Zoo Signage/Grounds Improvements Project, Assembly Chair Traini and Assemblymember Gray-Jackson. (addendum)

9.B.5. Resolution No. AR 2011-39, a resolution of the Anchorage Municipal Assembly to ensure diversification of energy supply resources for municipal power, Assemblymembers Starr, Traini and Hall. (addendum)

9.B.5. a) Assembly Memorandum No. AM 78-2011.

Hall moved, to approve AR 2011-39
Honeman seconded,
and this motion was passed, 10-0-1.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.
RECUSE: Flynn.

Chair Traini declared Mr. Flynn had a conflict of interest and he was recused.

9.B.6. Resolution No. AR 2011-40, a resolution amending the 2011 Legislative Program for the Municipality of Anchorage, Assembly Chair Traini and Assemblymember Gray-Jackson. (addendum)

9.C. BID AWARDS

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 63-2011, Internal Audit Department, 2011 Audit Plan.

9.D.2. Assembly Memorandum No. AM 65-2011, 2011/2012 Liquor License Renewal: Holiday 602 #3973 - Package Store Liquor License (Bayshore/Klatt Community Council), Clerk's Office.

9.D.3. Assembly Memorandum No. AM 66-2011, 2011/2012 Liquor License Renewal: Wine House at Jewel Lake #4883 - Package Store Liquor License (Sand Lake Community Council), Clerk's Office..

9.D.4. Assembly Memorandum No. AM 69-2011, proprietary purchase of computer software maintenance and hosting services from SIRE Technologies (SIRE) for the Municipality of Anchorage, Information Technology Department (ITD) (\$36,617.20), Purchasing Department.

9.D.5. Assembly Memorandum No. AM 70-2011, proprietary purchase of digital video and audio media services from Midwest Tape, LLC for the Municipality of Anchorage, Anchorage Public Libraries (APL) (\$84,425), Purchasing Department.

9.D.6. Assembly Memorandum No. AM 76-2011, proprietary purchase of FileTrail software from FileTrail Software Products, Inc. for the Municipality of Anchorage, Municipal Attorney (\$133,295), Purchasing. (addendum)

9.D.7. Assembly Memorandum No. AM 79-2011, proprietary purchase of TriTech VisiCad software maintenance support from TriTech Software Systems for the Municipality of Anchorage, Anchorage Fire Department (AFD) (\$107,917.47), Purchasing. (addendum)

9.D.8. Assembly Memorandum No. AM 80-2011, cooperative purchase with New Flyer of American for

eight (8) new forty foot transit coach buses for the Municipality of Anchorage, Public Transportation Department (\$3,216,665.68), Purchasing. (addendum)

9.E. INFORMATION AND REPORTS

- 9.E.1. Information Memorandum No. AIM 13-2011, Construction Contract Change Order Report of the Project Management and Engineering Division (PM&E), Public Works Department.
- 9.E.2. Information Memorandum No. AIM 14-2011, Report of the Bidding Review Board's review of processes regarding RFP 2010-P028 to provide management and operation of the George M. Sullivan Arena, Ben Boeke and Dempsey Anderson Ice Arenas for the Municipality of Anchorage, Municipal Manager, Purchasing Department. (addendum)

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 9.F.1. Ordinance No. AO 2011-19, an ordinance approving acquisition of the Whittier-Anchorage Pipeline Tank Farm (48 acres) for fair market value, in the form of in-kind consideration, from the U.S. Army to the Municipality of Anchorage for the Port of Anchorage. P.H. 2-15-11.
 - 9.F.1. a) Assembly Memorandum No. AM 71-2011.
 - 9.F.1. b) Assembly Memorandum No. AM 77-2011, Supplemental information to an ordinance approving acquisition of the Whittier-Anchorage Pipeline Tank Farm. (addendum)
- 9.F.2. Ordinance No. AO 2011-20, an ordinance authorizing the relinquishment of a public use and access easement to Alaska Pacific University (APU) in exchange for, and contingent upon, APU granting a replacement park & trail easement, both easements located within the Southeast 1/4 of the Northwest ¼ of Section 27, T13N, R3W, S.M., Alaska, Public Works Department. P.H. 2-15-11.
 - 9.F.2. a) Assembly Memorandum No. AM 72-2011.
- 9.F.3. Resolution No. AR 2011-36, a resolution appropriating \$350,000 from the George M. Sullivan Arena Capital Reserve Account (Fund 401) for capital improvements at the George M. Sullivan Arena in the Office of the Municipal Manager. P.H. 2-15-11.
 - 9.F.3. a) Assembly Memorandum No. AM 73-2011.
- 9.F.4. Resolution No. AR 2011-37, a resolution of the Anchorage Municipal Assembly appropriating a \$1,012,487 contribution approved in the 2011 General Operating Budget from the Eagle River/Chugiak Parks and Recreation Service Area Fund (162), to the Eagle River/Chugiak Parks and Recreation Service Area Capital Improvement Project Fund (462) for capital maintenance and improvements. P.H. 2-15-11.
 - 9.F.4. a) Assembly Memorandum No. AM 74-2011.
- 9.F.5. Ordinance No. AO 2011-21, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 12.25.040 to clarify the base amount to be used for calculating the next year's tax increase limitation consistent with Charter Section 14.03, Assemblymembers Gray-Jackson, Drummond and Gutierrez. P.H. 2-15-11. (addendum)
 - 9.F.5. a) Assembly Memorandum No. AM 75-2011.
- 9.F.6. Ordinance No. AO 2011-22, an ordinance amending Anchorage Municipal Code Sections 3.20.010 and 3.20.065 to provide direct access by the Director of the Office of Equal Opportunity to the Mayor on matters relating to the Minority Business and Contract Compliance (DBE) Program and Equal Opportunity (EEO) Program, Employee Relations Department. P.H. 2-15-11. (addendum)

9.F.6. a) Assembly Memorandum No. AM 81-2011.

Ossiander moved,
Honeman seconded,
Hall concurring third.

to introduce AO 2011-22 and set a Public Hearing for the
Regular Assembly Meeting of March 29, 2011.

9.F.7. Resolution No. AR 2011-42, a resolution appropriating \$195,500 of Prior Period Expense Recovery and up to \$1,330,000 of fund balance all in the Convention Center Operating Reserve Fund (202) to the Municipal Manager Department, Convention Center Operating Reserve Fund (202) to provide for payments under the Management Agreement contract with the Anchorage Convention & Visitors Bureau (ACVB) and the Use Agreement with CivicVentures, Finance. P.H. 2-15-11. (Laid on the Table)

9.F.7. a) Assembly Memorandum No. AM 83-2011.

10. REGULAR AGENDA

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.B. RESOLUTIONS FOR ACTION - OTHER

10.C. BID AWARDS

10.D. NEW BUSINESS

10.E. INFORMATION AND REPORTS

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING

11.A. Assembly Memorandum No. AM 37-2011, Change Order No. 1 to Purchase Order No. 20104118 with City Electric, Inc. for relocation of underground electrical facilities at Tudor Road/Lake Otis Parkway for the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (\$442,442.42), Purchasing.
(POSTPONED FROM 1-11-11)

Starr moved, to approve AM 37-2011
Flynn seconded,

and this motion was passed, 7-3-1.

AYES: Drummond, Gray-Jackson, Johnston, Traini, Honeman, Gutierrez and Ossiander.

NAYS: Flynn, Starr and Hall.

EXCUSED: Birch.

11.B. Assembly Memorandum No. AM 692-2010, recommendation of award to SMG of Alaska to provide management and operation of the George M. Sullivan Arena, Ben Boeke and Dempsey Anderson Ice Arenas for the Municipality of Anchorage, Municipal Manager (RFP 2010-P028) (\$1,075,000), Purchasing.
(REFERRED TO THE BIDDING REVIEW BOARD ON 12-14-10; ACTION CARRIED OVER FROM 12-14-10; ACTION WAS POSTPONED FROM 1-11-11)

Starr moved, to continue at the Regular Assembly Meeting of March 8, 2011.
Honeman seconded,

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

AYES: Drummond, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.

NAYS: None.

EXCUSED: Birch.

DENNIS WHEELER, Municipal Attorney, spoke.

11.C. Assembly Memorandum No. AM 45-2011, 2011/2012 Liquor License Renewals: Peking Wok Restaurant #2813 - Restaurant Eating Place; Carpentier's Cocktail Lounge #201 - Beverage Dispensary, Clerk's Office. (BIFURCATED AND ACTION WAS POSTPONED FROM 1-18-11)

Honeman moved, to approve Peking Wok Restaurant #2813 and Carpentier's
Gutierrez seconded, Cocktail Lounge #201
and this motion was passed, 9-0-2.

AYES: Drummond, Gray-Jackson, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.
EXCUSED: Birch and Johnston.

AMANDA MOSER, Licensing and Minutes Clerk, spoke

Honeman moved, to reconsider AM 45-2011
Gray-Jackson seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

Honeman moved, to postpone indefinitely AM 45-2011
Gutierrez seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.

11.D. Ordinance No. AO 2010-92, an ordinance submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election on April 5, 2011, a ballot proposition amending Anchorage Municipal Charter Section 14.03 to add a new section to define 'base amount' in the calculation for the tax increase limitation (tax cap), Assemblymember Birch.

11.D.1. Assembly Memorandum No. AM 672-2010. (PUBLIC HEARING WAS CLOSED 1-11-11; ACTION WAS POSTPONED FROM 1-11-11)

Birch moved, to approve AO 2010-92
Johnston seconded,
and this motion failed, as amended 5-6.

AYES: Birch, Johnston, Starr, Hall and Ossiander.
NAYS: Drummond, Gray-Jackson, Traini, Flynn, Honeman and Gutierrez.

Flynn moved, to change order of the day and take up AO 2010-92 at 7:05 p.m.
Honeman seconded,
and this motion was passed, 10-0-1.

AYES: Drummond, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and Ossiander.
NAYS: None.
EXCUSED: Birch.

TESSA BAY, mentoring with Assemblymember Flynn, appeared

Birch moved, to amend AO 2010-92 page 1, line 40 delete "property"

Ossiander seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and
Ossiander.
NAYS: None.

Ossiander moved, to change order of the day and bring back AO 2010-92 when the
Johnston seconded, Mayor returns.
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and
Ossiander.
NAYS: None.

DAN SULLIVAN, Mayor, spoke.

12. APPEARANCE REQUESTS

12.A. George Herben, regarding noise/fireworks.

GEORGE HERBEN, appeared.

Flynn moved, to change order of the day and take up item AO 2010-92
Honeman seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and
Ossiander.
NAYS: None.

13. CONTINUED PUBLIC HEARINGS

14. NEW PUBLIC HEARINGS

Starr moved, to change order of the day AO 2011-3
Honeman seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and
Ossiander.
NAYS: None.

14.A. Ordinance No. AO 2011-7, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of Not To Exceed \$37,132,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of renewal of Service High School at the election to be held in the Municipality on April 5, 2011, Anchorage School District.

14.A.1. Assembly Memorandum No. AM 36-2011.

14.A.2. Assembly Memorandum No. AM 36-2011(A), three ballot propositions to provide for the issuance of General Obligation Bonds for Educational Capital Improvements, Anchorage School District. (addendum)

Ossiander moved, to combine public hearing AO 2011-7, AO 2011-8 and AO 2011-9
Honeman seconded,
and this motion was passed, 11-0.

AYES: Drummond, Birch, Gray-Jackson, Johnston, Traini, Flynn, Starr, Hall, Honeman, Gutierrez and