

HERITAGE LAND BANK ADVISORY COMMISSION

Meeting

September 10, 2020, 11:30 a.m.

Virtual meeting via Microsoft Teams and telephonic hearing

Meeting Minutes

I. Call to Order

HLBAC Acting Chair Fredrick called the meeting to order at 11:34 a.m.

II. Roll Call & Disclosures

No disclosures or conflicts were noted.

Commissioners Present:

Jim Fredrick, Acting Chair
Kati Capozzi, Commissioner
Peggy Looney, Commissioner
Ron Tenny, Commissioner
Vicki Gerken, Commissioner (late)

Staff Present:

Robin E. Ward, Executive Director
Shelley Rowton, Land Management Officer
Tawny Klebesadel, Office Manager

Commissioners Absent:

III. Approval of the September 10, 2020 Agenda and the February 13, 2020 and June 11, 2020 Minutes

Commissioner Ron Tenny moved to approve the agenda. The motion was seconded, and approval of the agenda passed unanimously. Commissioner Peggy Looney moved to approve the both the February 13th and the June 11th meeting minutes. The motion was seconded, and approval of the minutes passed unanimously.

IV. Director's Report

Director Robin Ward reported that the plat has recorded that separates out the HLB 10-acre parcel along 100th Avenue. This is a nice parcel that is part of our municipal entitlements. We've requested the deed from Alaska Dept. of Natural Resources (DNR). That might take a little while, nothing moves quickly at DNR. We should be able to get that deed and place the parcel in the HLB inventory. That's one more parcel of our entitlements that we're to receive. We did not receive any bids on our Northwood parcel. We are in negotiations with the developer that built the apartment complex just to the north of our parcel. To see if we can negotiate and come up with a purchase price and go to closing with him. We did receive approval of the rezone on Carol Creek, on the parcel we had under contract there, and will be closing at the end of the month. Those are updates to our project updates, because those have happened since that went out.

Acting Chair Fredrick asked if there were any Commissioner questions, Ms. Looney inquired if it the developer to the north was the same people that built the Debenham apartments. Director Ward confirmed that it is Shawn Debenham that we're negotiating with. Ms. Looney asked if there were restrictions on the height of what they build. Ms. Ward responded the zoning itself does have restrictions. Also, another reason we didn't receive bids, is that we did not realize how deep the wetlands are there. Shawn shared his geotechnical work and soils report that he did for the development he did to the north. We looked into the wetlands mapping and there is approximately 12' of peat on our property, making it very expensive to develop. We expect that's why we didn't receive any bids on that. His offer is lower than the appraised value. We're just trying to find a happy medium where we feel like

we get fair market value, but we can still sell it to a developer who can develop it and it still pencils. The soil conditions are not as good as we thought. Ms. Looney asked if the building height would be the same as their existing apartments. Ms. Ward responded that the property would have to be rezoned. I'm sure that during that rezone there will be lots of opportunity for public involvement and conversations about the height of buildings; There will probably be some special limitations on that. It is a fairly large parcel. The parcel he developed is zoned RO (Residential Office District). Ours right now is a lower density. So, not only does it have 12' of peat, but he will need to rezone it to be able to develop it. Ms. Looney commented there will be more public discussions. Director Ward confirmed and added that we are selling it to him "as-is," he's not required to rezone. He will be taking that risk.

Acting Chair Fredrick asked if there were any more questions of the Director, seeing none, moved on to proposed action items and public hearings.

V. Proposed Action Items and Public Hearings:

- a. **HLBAC Resolution 2020-05:** A Resolution recommending approval of the disposal of HLB Parcels 1-093 through 1-097, legally described as Lots 1 & 2 Block 1 and Lots 3, 4 & 5 Block 2 Chugach Park Estates (Plat 1972-188), in Chugiak.

Commissioner Vicki Gerken tried to join the meeting. Ms. Ward stated we have some Commissioner vacancies and we are looking for some new Commission members. If you know someone who might be interested, let us know. We are reaching out to a few people. Mr. Fredrick inquired if we were looking for someone from Eagle River, particularly. Ms. Ward responded that Kati is from Eagle River and that we're always looking for someone from Eagle River as it is the hardest to get Commissioners. I'd love to have two from Eagle River. That way we always cover all our bases because we are required to have one from Eagle River and one from Girdwood. Kati is our Eagle River seat, but as terms expire or she's swamped and can't always do this; I would love to have someone from Eagle River. If you know of someone out there, please let me know.

Ms. Looney added that her term expires next month. Ms. Ward said she knew and that we're going to holdover for a month or so if we need to. We're looking for replacements. Ms. Looney said she'd be happy to help out. Commissioner Kati Capozzi asked when her term expires. Director Ward stated we'll provide that for you off record.

Ms. Gerken was able to join the meeting. Acting Chair Fredrick stated to Ms. Gerken that the agenda had been approved and the meeting minutes. We completed the Director's report and I've announced the proposed action item HLBAC Resolution 2020-05. So, that's where we are.

Land Management Officer Shelley Rowton shared her screen for the staff report. These HLB Parcel 1-093 through 1-097 are on Chugach Park Drive (indicating on the map). We took them for tax foreclosure approximately 20 years ago. They range from just over 1-1/4 acres to just over 3-1/2 acres. Three of them on the west side of the road are extraordinarily steep. I don't expect them to be worth much or get many bids for them, except for adjoining owners. The ones on the east side of the road do have a little bit of buildable area (indicating on map). The hope is that these two would go together or that an adjoining owner would buy. I have had calls on these two. We're hopeful that they'll sell. They have no value to us and no municipal agency expressed any interest in them. We recommend the sale of the parcels.

Acting Chair Fredrick asked if there were any questions for staff, seeing none, opened the public hearing. Seeing no persons wishing to provide testimony, closed the public hearing.

Ms. Gerken moved to approve; the motion was seconded. Mr. Fredrick asked if there was any discussion. Mr. Tenny commented that he saw the Chugach State Park Plan and had a hard time seeing where that fit in, except that it appears that there's no interest. That would be the only thing I would be interested in as far as a trailhead or something like that. Director Ward stated that was the reason that we held on to those until the Chugach Park Access Plan was completed. When they were not included in that Plan, we finally realized that they were not of interest for that purpose. Mr. Tenny commented perfect, I was just having a hard time with where those two maps lined up.

Acting Chair Fredrick stated this meets the purpose and mission and goals of the HLB. They are surplus to municipal needs and it's appropriate to sell them for whatever the market will bear. I will be voting in favor of this resolution.

Mr. Fredrick asked if there were any other comments or discussion, if not, we have a motion on the table to approve HLBAC Resolution 2020-05. The item passed unanimously. The motion is approved.

This motion: **Passed 5-0**

VI. Appearance Request(s)

Seeing no Appearance Requests, Acting Chair Fredrick moved on to Persons or Items not on the Agenda.

VII. Persons or Items not on the Agenda

Director Ward stated we have one request, **Julie Raymond-Yakoubian**, who is on the line. Acting Chair Fredrick stated you have three minutes. **Julie Rayamond-Yakoubian** stated that seeing she was the only one, asked for flexibility as her testimony is longer than three minutes (testimony incorporated by attached reference). Acting Chair Fredrick thanked her and asked if there were questions or comments from Commissioners or staff.

Ms. Rowton stated she has asked the Girdwood Nordic Ski Club (GNSC) to put together some documentation of the actions they have taken because we don't really have a history of that on file. I'm expecting that from Deb Essex, and also asked if she'd be willing to participate in a community-wide planting day. Ms. Essex said she would consider it. I'm attempting to bridge that gap and see what we can do to help and I'll take any recommendations the Commission has. Chair Fredrick thanked her and asked if there were any other questions or comments.

Mr. Tenny added that the upcoming Trails Plan was moving forward and that may be addressed in the Girdwood Master Plan. When that Area Plan comes back then we'll know more about it. Chair Fredrick thanked him and asked if there were any other questions or comments. **Julie Raymond-Yakoubian** stated she'd be sending her testimony notes and that she didn't see any reason to wait and seeks action now.

Seeing no other persons wishing to provide testimony or comments, Acting Chair Fredrick moved on to Commissioner Comments.

VIII. Commissioner Comments

Acting Chair Fredrick asked if there were any individual Commissioner comments, seeing none, moved on to the next scheduled meeting.

IX. Next Meeting

Acting Chair Fredrick stated the next regularly scheduled commission virtual meeting date will be at 11:30am, Thursday, October 8, 2020; I assume via a virtual meeting. Director Ward confirmed and added that we currently don't have anything on the agenda, but will let the Commission know in the next couple of weeks.

X. Adjournment

Following the completion of business, Ms. Gerken moved to adjourn. The motion was seconded and approved unanimously. The meeting was adjourned at 12:00 p.m.

PASSED and APPROVED on this, the 12th day of November, 2020.



Jim Fredrick, Acting Chair
Heritage Land Bank Advisory Commission

Respectfully submitted for the Heritage Land Bank Advisory Commission by:
Tawny Klebesadel, RED Office Manager

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From: julie@jbr-y.net
To: [Real Estate Heritage Land Bank](#)
Cc: [Rowton, Shelley A.](#)
Subject: RE: Phone Testimony for September 10 HLBAC meeting
Date: Thursday, September 10, 2020 12:04:43 PM

Hi - here is the oral testimony I provided today. Please incorporate this into the public record for this meeting.:

September 10, 2020

Julie Raymond-Yakoubian (Girdwood, AK)

Public Testimony to the Heritage Land Bank Advisory Commission

Negh neshyu shit.

I'm Julie Raymond-Yakoubian, Girdwood resident. Thank you for taking my comments. I am here today to speak to you about an ongoing issue that I feel HLB has failed to address and take action on over the past several years – that is the Nordic 5K loop in Girdwood. It's been so long now that I'm not even entirely sure when I first spoke to this Commission about concerns regarding the 5K – but I think the first time was in the fall of 2017. So almost 3 years of me and other Girdwood residents speaking to you, and writing to you, about the 5K and asking you to take action to remedy damage that was done through its construction, and put into practice your management and stewardship responsibilities.

I'm not going to go into detail about the minutia of this issue because you have heard and read it before and have access to the relevant testimony and documents. But to briefly summarize my main concerns about the construction and current state of the 5K:

<!--[if !supportLists]-->· <!--[endif]-->The 5K 'trail' and its associated clearing are much, much wider than the approved 30 foot easement along much of the length of the 5K

<!--[if !supportLists]-->· <!--[endif]-->The excessive clearing and poor siting of the 5k have greatly diminished the experience of spending time on the adjacent Winner Creek Trail and environs

<!--[if !supportLists]-->o <!--[endif]-->The viewshed from Winner Creek Trail has been greatly disturbed by the 5K, transformed into a roadside experience, continuously starting around Zug's slide onwards for about ~1mile

<!--[if !supportLists]-->o <!--[endif]-->The soundscape of the WCT has been greatly impacted because of the proximity of the 5K to the WCT

<!--[if !supportLists]-->· <!--[endif]-->These problems are actually getting worse, not better, due to issues like undercutting along the 5K leading to blow-down events during storms

<!--[if !supportLists]-->· <!--[endif]-->These problems are known and acknowledged – virtually across the board – yet HLB has taken no discernible action to work with the Nordic Club and the community to remedy these problems.

Most recently, when I submitted comments (in Dec 2019) regarding the 2020 Work Plan/5 year plan about the need to have and enforce a remediation plan for the 5K – HLB's response was that "*On-going revegetation and maintenance are the responsibility of the Girdwood*

Nordic Ski Club." That is obvious, and known, and yet again does not address my or the community's actual concerns. The PROBLEM is that you have not done anything to ensure that there *is* a remediation, revegetation and maintenance plan provided or enforced, so that the 'responsibility' of the Nordic Club to do those things is not being discernibly enacted.

Prior to my submitting those most recent comments - at various times HLB Commissioners have expressed surprise, shock, frustration and even anger about 5K. You have also:

<!--[if !supportLists]-->o <!--[endif]-->Said the final form of the 5K was not what HLB intended

<!--[if !supportLists]-->o <!--[endif]-->Discussed and even recommended development of remediation and revegetation plans - which have not materialized

<!--[if !supportLists]-->o <!--[endif]-->Discussed a cooperative use agreement - which has not materialized

<!--[if !supportLists]-->o <!--[endif]-->Discussed rescinding your approval for other Nordic Club construction on HLB lands until the 5K issues are resolved - this has not materialized

<!--[if !supportLists]-->o <!--[endif]-->Discussed putting together a working group to address these issues - which has not materialized

In other words, despite the problems being known and acknowledged, essentially nothing is being done.

HLB is the manager of the lands the 5K runs through. Part of your mission is to: "*seek to ensure that the economic and other public values of this land are not diminished as a result of ongoing land management activities.*" That has not and is not happening - and I do not understand why.

And - just because I know some people need to hear it - this is not an attempt to punish the Nordic Club; and I am not saying that the 5K isn't widely used in the community now that it exists. But it remains that significant diminishment of both the land and of public experience and use of that land (and surrounding areas) has happened. What happened with the 5K was unnecessary, but *not* taking steps to fix it is also unnecessary. These issues can be fixed and we can have better stewardship of public lands - only a lack of willpower and creativity is stopping what could be a positive, community-centered effort.

HLB has, in the recent past, taken some important and positive actions, like ensuring that there is on-site monitoring of new trail building and endorsing the creation of a Girdwood-wide Trail and Natural Spaces Master Plan. We need to continue to build on those positive actions. HLB has a responsibility to Girdwood and other Muni residents to do what it can to restore the 5K area as much as possible and to bring this construction into compliance. What I and others have been asking for is entirely reasonable, is within your ability to make happen, and would be an important act of stewardship for these lands that the Muni should be

caretakers of for *all* residents, including future residents.

This body needs to take action. You have all the information you need. I expect discussion, thoughtful planning, and action – today and at upcoming Commission meetings or working group meetings, and beyond. Tell me what I can say or do to get you to take action on something that you have already expressed you want to take action on. I'll do it – if I haven't already.

Nutgheshdnal, Chin'an for listening

I'm happy to try and answer any questions you have.

----- Original Message -----

Subject: RE: Phone Testimony for September 10 HLBAC meeting
From: Real Estate Heritage Land Bank <WWWHLB@ci.anchorage.ak.us>
Date: Thu, September 03, 2020 12:14 pm
To: "julie@jbr-y.net" <julie@jbr-y.net>

Hi Julie

I've added you to the sign-in sheet. We'll give you a call at the number you've provided.

Tawny Klebesadel
Office Manager
Real Estate Department/Heritage Land Bank
(907) 343-7534
KlebesadelTM@muni.org

*The Real Estate Department is closed to walk-in visitors until further notice.
Please make an appointment. Thank you.*

From: julie@jbr-y.net <julie@jbr-y.net>
Sent: Tuesday, September 1, 2020 4:13 PM
To: Real Estate Heritage Land Bank <WWWHLB@ci.anchorage.ak.us>
Subject: Phone Testimony for September 10 HLBAC meeting

Hello,
I have public testimony I would like to give at the September 10 HLBAC meeting.

Julie Raymond-Yakoubian
907-304-5074

Testimony re Agenda item: VII. Persons or Items Not on the Agenda

Thank you,
Julie