

Heritage Land Bank Advisory Commission Meeting

Thursday, July 28, 2022 at 11:30 a.m.

Permit & Development Center, conference room 170
4700 Elmore Road, Anchorage, Alaska

or via Microsoft Teams and telephonic hearing (907) 519-0237 Conference ID 870 029 831#

A G E N D A

- I. **Call to Order and Statement of Procedure:** Chair Tammy Oswald
- II. **Roll Call, Introductions and Disclosures**
- III. **Approval of Agenda and Minutes**
 - a. July 28, 2022 Agenda
 - b. June 23, 2022 Minutes
- IV. **Director's Report:** Adam Trombley
- V. **Work Session Items** (15 minutes each and questions from Commissioners)
 - a. Rachel Bernhardt, Executive Director of Alaska Natural Burial, will be providing a presentation on the potential use of HLB Parcel 2-156 for a natural burial cemetery
 - b. Tommy O'Malley, Chairperson of the Girdwood Cemetery Committee, will be providing a presentation on the Girdwood Cemetery Project and the potential use of HLB Parcel 6-018, as well as the Eagle River Cemetery Project and the potential use of HLB Parcel 1-111 (20 mins to cover both projects)
 - c. CY Investments and Heritage Land Bank will be providing a presentation to update the commissioners on the Holtan Hills project on HLB Parcels 6-011/16/17
 - d. HLB Staff will present the potential disposal of HLB Parcel 6-014
- VI. **Persons or Items Not on the Agenda** (THREE minutes per individual, each person may only speak once, commissioners and staff will not answer questions, but may have questions for you after your testimony.)
- VII. **Commissioner Comments**
- VIII. **Next Regularly Scheduled Meeting Date:** Thursday, August 25, 2022 at 11:30AM in the Permit & Development Center conference room 170, 4700 Elmore Road, Anchorage, Alaska or via Microsoft Teams and telephonic hearing.
- IX. **Adjournment**

Heritage Land Bank Advisory Commission Meeting

Thursday, June 23, 2022 at 11:30 a.m.

via Microsoft Teams and telephonic hearing (907) 519-0237 Conference ID #150 858 096#

MINUTES

I. **Call to Order and Statement of Procedure:** Call to order 11:43 AM by Chair Tammy Oswald

II. **Roll Call, Introductions and Disclosures**

Present are Chair Tammy Oswald, Vice Chair Brett Wilbanks, Commissioners Brian Flynn, Dean Marshall, Ryan Hansen, and Ron Tenny, Carmela Warfield. Staff present are Director Adam Trombley and HLB Land Management Officer Emma Giboney and MOA Contractor Nicole Jones-Vogel. No Disclosures were made. A quorum is present.

III. **Approval of Agenda and Minutes**

Motion to approve the June 23, 2022 Agenda: Moved by Commissioner BW, Seconded by Commissioner CW

Motion to amend the agenda to remove Agenda Item VI.a. Resolution 2022-02: Moved by Commissioner CW; Seconded by Commissioner BW – no objection, amendment approved unanimously.

No objection to the main motion; agenda approved as amended.

Motion to approve the March 24, 2022 Minutes: Moved by Commissioner CW, Seconded by Commissioner DM – no objection, minutes approved unanimously.

IV. **Director's Report:** Adam Trombley

Director AT provided several updates.

- Staffing Updates
 - Emma Giboney is main HLBAC staff liaison and providing day-to-day functions related to the HLB Division of the Real Estate Department. EG briefly introduced herself.
 - Nicole Jones-Vogel, AICP, previous HLB staff member has been brought on board for a limited term to assist the division.
- 2022 HLB Annual Work Plan
 - The 2022 HLB Work Plan will be placed on hold while the Division evaluates priorities and completing work loads.
- Holtan Hills Development Project Update
 - The project team has been engaging with the Girdwood Community through code-required meetings, a Community Town Hall that occurred on 6/14/2022, and will be engaging with a Working Group established by the Girdwood Board of Supervisors.
 - Community members have expressed interest in the MOA exiting the Development Agreement. The Request for Proposal process was followed, and the Development Agreement is the byproduct of that effort. If the MOA does pursue exiting the agreement, there would be significant costs owed to the developer and would open the MOA up to a potential lawsuit.
- HLB Parcel 6-014 – Chair 7

- HLB has received a Letter of Intent to purchase HLB Parcel 6-014 and it is expected to be brought to an upcoming HLBAC meeting for discussion.
- Affordable Housing Project Consideration
 - HLB will consider any non-profit's proposal for Girdwood HLB property for an affordable housing project.

Several questions were asked of Director Trombley.

- Commissioner RT asked about whether or not Director AT thought interest rates were going to create an issue for affordable housing.
 - Director AT responded that interest rates are a consideration and may be a concern. He also commented on the definition of affordable housing as defined by AMC Title 21.15 and that grants may need to be pursued.
- Commissioner BW asked about the policy guidance contained within the HLB Work Plan and how and when that will trigger planning needs for the Holtan Hills project. Specifically, a site-specific land use study.
 - Director AT referred to language in the Request for Proposals and from the Development Agreement and also mentioned the importance of the Girdwood Working Group.

V. **Land Management Officer's Report:** Emma Giboney

- EB noted that in future meeting packets a project update would be provided;
- Several Land Use Permits were issued;
- Forest Service Lease was extended;
- Closed on three parcels
 - Chugiak Park Estates
 - Raspberry parcel
 - Girdwood Industrial Park parcel

VI. **Proposed Action Items and Public Hearings:**

- Removed from Agenda
- Resolution 2022-03: The Disposal of HLB Parcel 3-075A, Legally Described as a Portion of the South Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter, Section 33, Township 13 North, Range 3 West, Seward Meridian, and the Site of the Dowling Electric Substation, to Chugach Electric Association, a Member-Owned Electric Cooperative, by Non-Competitive Sale at Fair Market Value.

LMO EG provided a brief summary of the proposed project describing that it has been used as a electric substation prior to the parcel being conveyed to the MOA. CEA has requested the opportunity to purchase the parcel at fair market value.

The Public Hearing was opened; there were not members of the public interested in testifying on this topic; the Public Hearing was closed.

Commissioner discussion began with questions about vegetation. Staff responded that vegetation would be a requirement of the Land Use Code. CEA Staff Peyton Reid requested to address the question and stated that the screening vegetation would remain in place and would likely need to be expanded if there were proposed changes at the site. CW asked about the Parks and Recreation comments regarding the suggestion for a reverter clause if the site ceases to be utilized as a utility substation. Staff responded that the comments received were general in nature and that staff did not find a threat of the site no longer being used as a substation.

Motion: BW moved to approve Resolution 2022-03; the motion was seconded by DM.

Amendment: BW proposed an amendment to include a reverter clause back to the MOA if the site is no longer utilized for electrical infrastructure.

Amendment passed unanimously.

Main motion passed unanimously; Resolution 2022-03 passed as amended.

Chair Oswald was experiencing technical difficulties and needed to leave the meeting – Vice Chair Wilbanks agreed to run the remainder of the meeting.

VII. Persons or Items Not on the Agenda (THREE minutes per individual, each person may only speak once, commissioners and staff will not answer questions, but may have questions for you after your testimony.)

- Lynn Doran, Secretary Chamber of Commerce
 - Ms. Doran had a prerecorded statement that she played for the record. In summary, the Chamber finds that the Holtan Hills project as proposed does not meet the needs of the Girdwood community and the project needs to be amended and with deed restrictions added in addition to the requirement for workforce housing.

Motion: CW moved to extend the meeting to 1:30 pm; seconded by DM – no objections.

- Kelly Okonek, Girdwood community member
 - Ms. Okonek described the project as lacking project management, impact reports and a proforma need to be complete, asserted that parties have been acting in secret, and that the project will do irreparable harm if it is to move forward.
- Briana Sullivan, GBOS, Cemetery Committee, Co-Chair Parks & Rec. (5 minutes)
 - Ms. Sullivan provided some history on the Girdwood cemetery project including the phasing approach and costs associated. An update on the April 2023 voting process to seek a bond to fund both the Girdwood and Eagle River cemetery projects was provided. Lastly, she mentioned that Tommy O'Malley would provide additional details and materials and send ahead of the next HLBAC meeting.
- Krystal Hoke, on behalf of Emma Kramer
 - Ms. Hoke read a prewritten statement from Emma Kramer. In summary, Ms. Kramer finds that the Girdwood community is in a true housing crisis and asked what the HLB response to this crisis. In addition, she finds that HLB property in Girdwood has been mismanaged.
- Grace Pleasants
 - As a developer, Ms. Pleasants commented that the Holtan Hills project needs transparency and finds that this process has not followed a transparent process nor has the MOA/HLB pursued the highest and best use. She asserted that the agreement warrants termination.
- Tom Looney, Chugiak-Eagle River Cemetery
 - Mr. Looney provided an overview of the process to identify a property in Eagle River for a cemetery. The focus property at this time is across from the High School.
 - Commissioner Marshall requested Mr. Looney's contact information
 - Commissioner Wilbanks requested further information on the site selection.
 - Vice Chair Wilbanks suggested that a Work Session to discuss this project would be useful.
- Julie Raymond-Yakoubian, Cemetery Committee
 - Ms. Raymond-Yakoubian endorsed the comments made previously by GBOS Co-chair Sullivan and comments made by Mr. Looney. She said that the projects should move forward together with a packet of information made publicly, sent to GBOS, and at an upcoming HLBAC Meeting.
- Jennifer Wingard, GBOS, LUC, others
 - Ms. Wingard stated that she is a long-term landlord in Girdwood and the Anchorage Bowl. She stated that the study did not address workforce housing and that there is no demand in Girdwood for expensive houses. She stated that Girdwood has not been more united than on the topic of Holtan Hills not being in the best interest of Girdwood.
- Christina Hendrickson, Girdwood resident
 - Ms. Hendrickson spoke on three topics:

- She requested that barriers be placed to prevent Forest Fair wanderers from entering HLB Parcel 6-029.
 - The Girdwood Industrial Park subdivision needs short-term maintenance and long-term planning and could benefit from a public/private partnership for development of the remaining area to be platted.
 - Comments in support of the process related to Holtan Hills.
- Brooks Chandler, Girdwood resident
 - Mr. Chandler commented on the process being flawed, the proposal, development and agreement. A land use study needs to be completed prior to disposal and comment that the process should be different and should include assembly approval earlier. A liability \$250K+ was unacceptable risk.
- Karolina Pavic, Girdwood resident
 - Ms. Pavic stated that a house price of \$500K is not affordable, Girdwood does not want this type of development and was insulted that it was suggested that two couples could purchase a house together. She stated that the MOA has shown to regard for a long-term relationship with Girdwood.
- Cadence Maddox, Girdwood resident
 - Ms. Maddox stated her opposition to Holtan Hills, that the developer is the only one to make money and questioned if other opportunities will be extended to other entities like non-profits.
- Lou Theiss, Girdwood resident
 - Mr. Theiss stated he has lived in Girdwood since 1979 and stated that the MOA has put the cart before the horse with lack of transparency and lack of stakeholder engagement. The off-site impacts have not been evaluated. Girdwood needs and welcomes more housing, but balancing the public and private interests. Without deed restrictions, Mr. Theiss stated he does not support this development.
- Jana Rogers, Girdwood resident
 - Ms. Rogers stated concern over the property being transferred to the developer for less than fair market value, concerned over lack of impact studies, impacts to Class B wetlands. She stated that the site is complex and fill and grading work could have detrimental impacts and that careful development is essential.

Motion: RT moved to extend the meeting to 1:45 pm; seconded by CW – no objections.

- Mike Edgington, Co-chair GBOS, Land Use Committee (5 minutes)
 - Mr. Edgington gave an overview of the roles and responsibilities of the Girdwood Board of Supervisors. He stated that the Holtan Hills project is the largest residential development in Girdwood in 50 years. He stated that the June 14th Town Hall resulted in a very spirited conversation with 150+ people attending (virtually and in person) and while GBOS does not have a formal position, there were four main concerns:
 - Process
 - Infrastructure
 - Land Development project
 - Affordability
 - GBOS is in the process of forming a committee focused on providing review and input on the project with the MOA and the Developer. And stated that affordable and workforce housing should be a focus of this project.
- Betsy Cornell, Girdwood resident
 - Ms. Cornell stated that there were about 200 people in attendance at the Town Hall on June 14th. She stated her concern with the public not being involved with the RFP and asked what the role of Pomeroy was now in the development agreement. She also provided a financial breakdown of what a person making \$20 an hour could afford for rent at 30% of their income. She also stated there are 150 clients that regularly use the food pantry to make ends meet.

Motion: CW moved to extend the meeting to 1:55 pm; seconded by RT – no objections.

VIII. Commissioner Comments

- Commissioner Ron Tenny
 - Commissioner Tenny commented that most Commissioners are new to the HLBAC, there is a new HLB Director, new staff members, and very limited information provided for Holtan Hills. Mr. Tenny also stated that he would like to see reverter clauses on all land transactions so that if they

cease to be used for the purpose that they are disposed for, that they come back to the HLB Inventory.

- Vice Chair Brett Wilbanks
 - Vice Chair Wilbanks expressed concern with previous Land Management Officer stating that HLB would be lucky to break even with the Holtan Hills project. He requested that a Work Session be scheduled to discuss Holtan Hills project so that it could better understood by the Commission and reiterated that arrangements need to be in the MOA's best interest.
- Commissioner Dean Marshall
 - Commissioner Marshall stated that this was his third HLBAC meeting and has observed so much of the meeting is utilized for public comment and that these meetings do not provide an opportunity for discussion. He had questions about process and the role and authority that the commission had in these matters. Vice Chair Wilbanks provided a summary of the Commissioners roles as an advisory commission to the assembly and the importance of the HLB Work Plan.
- Commissioner Brian Flynn
 - Commissioner Flynn commented that this meeting was his fourth meeting and would also like to see a Work Session to go over the Holtan Hills project.
- Commissioner Carmela Warfield
 - Commissioner Warfield also supported an upcoming Work Session to discuss the Holtan Hills project.
- Vice Chair Wilbanks asked staff about the ability to schedule a work session at the next meeting to discuss the 2022 Work Plan. LMO Giboney stated that she would look into it.

IX. Next Regularly Scheduled Meeting Date:

Thursday, July 28, 2022 at 11:30AM via Microsoft Teams and telephonic hearing.

X. Adjournment motion

Commissioner DM motion, Commissioner BF seconded. Meeting adjourned at 2 pm.

Projects Update Report

Heritage Land Bank Advisory Commission

July 28, 2022

2022 Proposed Disposals

- *HLB 6-057B, C, D, E – Girdwood Industrial Park subdivision Phase I lots*
Purchase and Sale agreements are in the process of being executed for these leased lots in the Girdwood Industrial Park.
- *HLB 6-043 – USFS Headquarters*
USFS is going through the federal process of getting an appraisal. The lease has been extended by a year to allow time for the transactions.
- *HLB 3-027A – Dowling Substation*
A Purchase and Sale agreement is currently being drafted and documents are being prepared for taking this disposal to the Anchorage Assembly for approval.
- *HLB 3-065 – State of Alaska Heliport Lease*
A lease is currently being drafted for an emergency heliport for the Department of Public Safety. This disposal was approved by the Assembly in May 2022.

2022 Current & Continuing Projects

- *Holtan Hills*
On July 18, 2022 a Community Meeting was held at a GBOS meeting for the upcoming platting action. GBOS recently formed a Holtan Hills Advisory Committee co-chaired by Sam Daniel and Emma Kramer. A presentation by the project team will be provided at the July HLBAC meeting. The Development Agreement has been executed and both parties are meeting every other week to keep the project on track.
- *Girdwood South Townsite*
HLB Staff are working with a Girdwood nonprofit in exploring the development requirements of HLB Parcel 6-076 for a potential long-term ground lease.
- *EPA Brownfields Coalition Assessment Grant*
The EPA Coalition grant is now approximately 75% complete and it will be managed by Long-Range Planning to finalize the remaining requirements. Long-Range Planning is going to be the lead on the next grant cycle.
- *2023 Work Plan*
Staff will pick up the 2023 Work Plan later this year – until then, the currently adopted Work Plan is the guiding document.

2022 Land Acquisition / Exchange / Transfer

- *Potential Exchange of HLB Parcel 3-074*

The MOA, ACDA, and the State of Alaska are considering a land exchange of HLB Parcel 3-074 for Block 102 in downtown Anchorage. This is anticipated to be before the HLBAC in the coming months for action.

- *Laurel Acres parcels*

HLB Staff sent letters to all property owners in Laurel Acres seeking donations. There were a couple interested parties and agreements are being drafted.

2022 Land Management

- *3rd & Ingra, HLB 4-046 + 4-047*

The 3rd Avenue Radicals will be presenting at an upcoming HLBAC meeting to discuss an event they are coordinating and to continue the conversation regarding the Master Plan.

- *Girdwood Industrial Park*

HLB staff have received a quote to perform some maintenance on the driveways in Phase II of the Girdwood Industrial Park.

Land Use Permits Issued since January 2022

HLB Permit No.	Issued To	Use	Expiration
2022-01	Sundog ski guides	Backcountry skiing	5/15/2022
2022-02	Girdwood Equipment Rental	Storage	2/13/2023
2022-04	Girdwood Community Land Trust	Storage	2/10/2023
2022-05	Shannon & Wilson	Soil boring	2/26/2022
2022-08	Carol Creek LLC	Temporary construction	9/15/2022
2022-10	The Church of Jesus Christ of Latter-day Saints	Filming	7/22/2022