



Municipality of Anchorage
10-Year Review of Community Council Boundaries Project
Boundary Advisory Committee

MINUTES

Monday, April 24, 2023
6:30 – 8:00 p.m.

Meeting #3

Hybrid Meeting Held In-person and Virtually in Microsoft Teams

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

A. Roll Call

A quorum was present.

Present: Matt Burkholder
Care Clift
Melinda Gant, *Chair*
Darrel Hess
Karl von Lührte
Al Milspaugh
Stan Moll
Michael Packard
Carolyn Ramsey
Emily Weiser
Carmela Warfield
Charlie Welch

Excused: Mark Butler

Staff: Tom Davis, Senior Planner, Planning Department
Kristine Bunnell, Long-Range Planning Manager, Planning Department

Guests: Lyn Franks, Treasurer, Northeast Community Council
Lynn Lovegreen
Felix Rivera, Anchorage Assembly
Mike Edgington, Girdwood Board of Supervisors
Kalie Harrison, Girdwood resident
Peggy Auth, Spenard Community Council
Bob Auth, Spenard resident
Ryan Quigley, Spenard resident
Tierra, Spenard resident

Kris Stoechner, Midtown Community Council
Kristen Newby, South Addition resident
Rosemary Karish, South Addition resident
Ted Gardeline, South Addition resident
Kathleen Plunkett, Russian Jack Community Council

B. Review of Agenda

The agenda was approved without changes.

C. Approval of April 3, 2023 Minutes

Al Milspaugh moved to approve the April 3, 2023 minutes. *Charlie Welch* seconded. A spelling error in *Emily Weiser's* name was found.

The draft minutes from the April 3, 2023 Boundary Advisory Committee meeting were approved unanimously with the spelling correction above.

2. Brief Project Update and Review of Revised White Paper #2 Materials

Tom Davis provided an update regarding the public process including outreach to the Federation of Community Councils and the presidents and officers of individual community councils. *Mr. Davis* has been contacting and hearing from the boards of individual community councils.

Mr. Davis gave an overview of the revised draft version of White Paper #2 and maps that the Committee received in advance of the meeting.

3. Boundary Study Areas for Evaluation and Recommendation

A. Boundary Study Area #28 in Midtown

Chair Melinda Gant explained that discussion on this item was continued from the April 3 meeting. *Tom Davis* recapped the draft analysis and recommendation to retain Midtown Community Council district with its existing boundaries as presented in White Paper #2.

Chair Gant invited guests to comment on the item. *Bob Auth*, longtime active member of Spenard Community Council, stated that historically Spenard included Midtown and was very active in representing Midtown, addressing issues in Midtown such as the creation of the Midtown trail, Midtown Cuddy Park, and reviewing liquor licenses. Midtown Community Council was created to give businesses a voice. Businesses predominate on the board. There have not been residents in a leadership role.

Peggy Auth, representing Spenard Community Council, stated that in 2016 Midtown Community Council was considering dissolving and merging with the neighboring councils because of low participation. The Midtown chair at the time stated they did not have residents attending. There are still few if any residents attending even though Midtown has thousands of residents. Spenard is an active, welcoming community council and it has since discussed transferring the residential areas of

western Midtown to Spenard so that the residents of Midtown can participate. Residents are shut out because they cannot attend community council meetings that are scheduled in the middle of the business day.

Tierra, a resident of Windemere Subdivision in southern Spenard Community Council, stated that the president of Midtown Community Council has been more supportive of Windemere residents than Spenard has regarding their concerns about a proposal for a homeless shelter across Arctic Boulevard from Windemere. *Ryan Quigley*, another resident of Windemere, further explained that his neighborhood did not feel they were being represented or having their concerns heard about the Arctic Boulevard homeless shelter proposal until Midtown Community Council provided them opportunities. *Peggy Auth* responded that Spenard Community Council is setting aside time to take up the homeless issue.

Kris Stoechner, president of Midtown Community Council, stated that Midtown has been very active in representing both residents and businesses in response to issues such as proposed homeless shelters and liquor licenses. *Ms. Stoechner* has walked residential neighborhoods to reach out to residents. Midtown has shut down a liquor license and has put restrictions on others. She stated that the people who have made comments calling for Midtown to be merged or reduced in size have not talked to her or Midtown Community Council. Midtown has about the same meeting attendance on average as Spenard and is putting in many volunteer hours.

Darrel Hess stated that Midtown Community Council meets the municipal requirement to have open meetings and open membership. Community Councils are not a part of government and determine when and where they meet.

Emily Weiser moved to recommend Option C, to transfer the areas west of C Street from Midtown Community Council to Spenard Community Council. There was no second. ***The motion failed.***

Carmela Warfield moved to recommend Option A, to retain Midtown Community Council district with its existing boundaries. *Charlie Welch* seconded.

Ms. Warfield, speaking to her motion, expressed appreciation for the community council members who spoke regarding the Midtown study area item. *Ms. Warfield* found that Midtown Community Council has made progress in its outreach to businesses and to residents and has demonstrated that it is a functioning well as a community council. *Ms. Warfield* has attended a Midtown Community Council meeting as a guest, and found it was an open meeting, and attendees were a mix of Midtown residents and business owners.

Chair Gant stated that she regularly attends Midtown meetings and has found that Midtown has made a lot of effort to reach out to and support neighborhood residents. *Chair Gant* noted the number of survey questionnaire response comments from North Star and Spenard calling for no changes versus those proposing boundary changes and found that most respondents from Spenard wanted to retain existing boundaries. The boundary review criteria do not support a boundary change.

Karl von Lührte stated that Midtown has experienced ups and downs in its activity level over the past 10 years. It is beneficial to have consistency in staying active. If Midtown experiences another period of inactivity over the coming 10 years, this issue should be revisited in the next 10-year review of community council boundaries.

The motion to recommend Option A passed with 10 votes in favor and 1 opposed.

B. Boundary Study Area #2 in Eagle River Valley

Tom Davis introduced boundary study area #2: Eagle River and Eagle River Valley and summarized the analysis and options as provided in White Paper #2. In response to a question from a committee member, *Mr. Davis* stated he had not received feedback from the two community councils or their executive committees about this study area, although he contacted and had a phone conversation with the president of Eagle River Valley.

Karl von Lührte moved to recommend Option A, no change; retain existing boundaries. *Matt Burkholder* seconded.

Mr. von Lührte, speaking to his motion, stated that there has not been input by either of the two community councils supporting a definitive change. Also, in response to Option B proposed by staff, the Gruening Middle School and Lions Park area is a part of both community councils, and the road access to Gruening does not seem a substantial enough reason to transfer the school area to Eagle River Community Council. *Chair Melinda Gant* agreed that transferring a middle school from one community council to another would be a substantial boundary change without input from the affected community councils. There were no survey questionnaire comments suggesting making that specific change.

The motion to recommend Option A passed unanimously.

C. Boundary Study Areas #4 and #5 in Girdwood and Turnagain Arm

Tom Davis introduced boundary study area #4: Girdwood and summarized the analysis and options for this boundary study area as provided in White Paper #2 and Map #10.

Michael Packard stated that Option C, to expand the boundaries of the GBOS to annex Upper Crow Creek, does not solve the problem with having a government entity like GBOS operate a community council which is not supposed to be a part of government. *Darrel Hess* responded that the Assembly designated the GBOS as community council ex officio more than 20 years ago. However, ex officio is not defined in code, and his concern is that GBOS is an elected government body. This is also a representation issue for the residents of Upper Crow Creek outside of the GBOS service area boundary. Technically, they cannot vote at the community council meetings because they are outside the boundaries of GBOS. GBOS delegates its community council role to its Land Use Committee (LUC), which allows residents of Upper Crow Creek to participate and vote as members of the LUC, but from a legal perspective the GBOS should not be able to delegate its role as community council granted by the Assembly.

Mike Edgington, speaking as a resident of the Girdwood, explained he is a board member of the GBOS but is not representing the GBOS or LUC this evening. *Mr. Edgington* stated that Upper Crow Creek Road is that only area in Girdwood Valley with residents outside the GBOS service area boundary. Recent GBOS elections indicate there are more than 800 voting members of GBOS. This is compared to approximately 47 property owners in Upper Crow Creek.

Care Clift moved to recommend Option C, recommending the adoption of an Assembly Resolution in support of a ballot measure that would propose to expand the boundaries of the GBOS to annex all areas within the boundaries of the Girdwood Community Council district except Chugach National Forest and Chugach State Park lands. *Matt Burkholder* seconded.

Mr. Edgington stated that although GBOS cannot delegate its role as community council ex officio to the LUC from a legal perspective, it does so in practice. The LUC operates the same way as a community council and has the same representation and membership as a community council would

have for voting purposes. One reason why residents of Girdwood strongly supported this model of organization in 2015 when they last voted on this issue, and are likely to indicate support for it again as the LUC and GBOS have each begun discussing this item for a vote, is that if Girdwood strictly followed the community council model where property owners and business owners have voting rights, there are far more non-resident business and property owners than residents in Girdwood. So, any vote of the community council could be a majority comprised of non-residents. That has been a delicate topic in Girdwood. The current organizational model works for Girdwood. *Mr. Edgington* had no objection to Option C, to expand the boundaries of GBOS, however he raised several points about Option C:

- Annexation to GBOS would increase taxes on Upper Crow Creek properties.
- Annexation would require a positive vote from both the existing GBOS area and the area to be annexed.
- If there is a “no” vote, then the annexation would fail. Then what would happen in that case?

Darrel Hess asked if the LUC allows absentee property owners and business owners to have voting rights. *Mr. Edgington* responded that it does, its membership rules are no different from community councils in Anchorage. However, the GBOS membership is residents only. The GBOS and LUC have a process in which if there is a difference of opinion between the GBOS and LUC on a land use matter, then both the resolutions from GBOS and LUC are forwarded to the decision-making body (PZC; Assembly). The opinion of the LUC is never suppressed but it is not the only opinion forwarded if the GBOS body elected by residents disagrees.

Care Clift asked *Mr. Edgington* his personal preference for which Option shown in White Paper #2 is best. *Mr. Edgington* responded that his own first choice is Option A, the simplest. He has no objection to Option C. He also sees potential for Option D because of common interests between Upper Crow Creek and other Turnagain Arm communities, but Option D should be up to the residents of Upper Crow Creek. Upper Crow Creek, Bird, and Indian are all suffering side effects from the housing problems in Girdwood. *Mr. Edgington* stated that he disagrees with Option B, and Option E does not seem sustainable.

Michael Packard stated that Option C would probably not be acceptable to property owners in Upper Crow Creek because it would result in higher taxes with little improvement in public services. GBOS members tax themselves for road services. Committee members asked questions about and discussed existing and potential service areas in Upper Crow Creek. Upper Crow Creek is a part of the Turnagain Arm police service area, which is different from the Girdwood police service area. Upper Crow Creek receives APD service in emergencies only. Girdwood receives regular police patrols under its contract with the Whittier police department. Upper Crow Creek is outside of any fire or parks service area. It does not have a road service area, but instead has a volunteer group that contributes to winter maintenance of Crow Creek Road. *Mr. Packard* concluded that he reviews police calls for the Turnagain Arm police service area and there have been no calls for police services from the Upper Crow Creek area.

Chair Melinda Gant called for a motion to extend the meeting. *Karl von Lührte* moved to extend the meeting to 8:30 p.m. *Michael Packard* seconded. ***The motion to extend the meeting passed unanimously.***

Carmela Warfield asked what the expense would be of holding a ballot measure regarding expanding the GBOS service area according to Option C. *Darrel Hess* responded that a special election would be unlikely so it would likely be on the 2024 ballot. *Emily Weiser* asked if there would be future

opportunities for the community to bring forward proposed changes if Option A were approved as part of the current boundary review process. *Mr. Davis* responded affirmatively.

Kalie Harrison, a resident of Girdwood, expressed that Option A is most appealing to her. The Upper Crow Creek residents also have options for representation but should be involved in changes to how they are represented. The current LUC process is one person one vote, and there are often resolutions passed, which get forwarded to GBOS. Most often GBOS agrees with the LUC. Taking Girdwood back to the community council model would be going backwards. The current structure of the GBOS working with the LUC provides extra value. Residents can elect their GBOS representatives, whereas community councils are group projects determined by whoever attends a particular meeting.

Chair Gant then asked for a vote on the motion to recommend Option C for boundary study area #4. ***The motion to recommend Option C failed, with one vote in favor and 10 opposed.***

Matt Burkholder moved to recommend Option A, no change, to retain the existing boundaries and organizational structure. *Carmela Warfield* seconded.

Michael Packard stated that the current structure has been somewhat of a mess for 20 years, and this 10-year review process seems like an appropriate time to resolve the problem. *Chair Gant* stated that future housing development in the Crow Creek area may affect this conversation in the future, however as of today there have been no major developments or changes in the conversation on this issue in the past 20 years, leading her to support Option A for now. *Carmela Warfield* stated that the Committee has heard from a member of the Girdwood community who said that they have a great functioning system in place, and a member of GBOS who has shared what their processes are.

The motion to recommend Option A passed, with 10 votes in favor and 1 opposed.

Committee discussion on agenda items 3c (Portage Valley Community Council), 3d, 3e, and 3f was postponed to the subsequent meeting.

4. Schedule and Next Steps

The Committee discussed scheduling its next meeting for Monday, May 1, from 6:00 p.m. to 8:00 p.m.

5. Public Comments (*none*)

6. Adjournment

The meeting adjourned at 8:30 p.m.