HERITAGE LAND BANK ADVISORY COMMISSION
MEETING

September 8, 2016, 11:30 a.m.

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

Meeting Minutes

I. Call to Order

Commission Chair Trawver called the meeting to order at 11:35 a.m.

Commissioners Present:
Tim Trawver, Chair
Jim Fredrick, Commissioner
Peggy Looney, Commissioner
Diana Stone Livingston, Commissioner
Wende Wilber, Commissioner

Staff Present:
Tammy R. Oswald, Executive Director
Robin E. Ward, Land Management Officer
Nicoe Jones-Vogel, Land Management Officer
Tawny Klebesadel, Office Manager

Commissioners Absent:
Kati Capozzi, Vice-Chair (Excused)
Ryan Mae Lucas, Commissioner (Excused)

a. Chair Tim Trawver proposed to add an item to the Agenda; after V., New Business for the HLBAC recommendation of the HLB Executive Director position.

II. Approval of the September 8, 2016 Agenda and July 14, 2016 Meeting Minutes

Commissioner Diana Stone Livingston moved to approve the agenda as presented, with the addition of the New Business item. The motion was seconded and the agenda as amended passed unanimously. Commissioner Stone Livingston requested revisions to the minutes of July 14, 2016 as there were typos. Office Manager, Tawny Klebesadel recorded the revisions. Commissioner Stone Livingston, with those revisions, moved to approve the minutes of July 14, 2016, the motion was seconded and the item passed unanimously.

III. Director’s Report

Executive Director Tammy Oswald reported the Girdwood Industrial Park Subdivision plat should record today. In November, we should have the Carol Creek Site Specific Land Use Plan ready for review.

Ms. Oswald announced she will be stepping down from the HLB Executive Director position into a Land Management Officer position. AMC 25.40.045 states the HLB Director shall be appointed by the Mayor and confirmed by the Assembly, acting upon the recommendation of the HLBAC. Ms. Oswald further advises that Robin Ward is willing and able to step back into the Director’s position and encourages the HLBAC to also recommend Ms. Ward as a suitable candidate. Also, other personnel changes include Jacque Tennis retiring December 1st, and we are in the process of filling her position.

One of HLB’s goals is to conduct site inspections annually to all accessible HLB parcels. Ms. Oswald shares having the pleasure of accompanying Land Management Officer Nicole Jones-Vogel to Bird Creek last Friday and is happy to report there was no land issues other than a very slippery trail coming back down off of Penguin Peak. She
encouraged commissioners that happen to be out on a trail that crosses HLB land to feel free to drop us an email or fill out this report with a conditions report. Ms. Jones-Vogel added information regarding the public mapping applications on the muni website to find out where HLB properties are and shared that there are future plans for a public “Collector” application where you can mark a site’s GPS coordinates and take pictures and upload them.

IV. Proposed Action Items and Public Hearings:

a. HLBAC Resolution 2016-11: A Resolution recommending Assembly approval of disposal by perpetual, non-exclusive electrical easement to Chugach Electric Association, Inc. on a portion of HLB Parcel 3-064, legally described as N1/2 NE1/4 SEC 4 T12N R3W.

Ms. Jones-Vogel presented that CEA approached HLB for an easement on HLB Parcel 3-064 to provide connection to the Dowling Substation. Commissioners may remember that CEA has been undergrounding their facilities and that recently HLBAC has recommended other easements in this area, this easement is just outside those areas and provides connection. There is a lot of activity on this parcel: Elmore Road cuts through it; we have a snow dump site; we have a Conservation Easement; and there are many existing utilities in this area. This particular request is within a 100’ right-of-way granted by the Bureau of Land Management (BLM). The BLM grant allows for aboveground facilities only. This easement request is for underground facilities that connect back to the substation. We did receive a lot of contact from the community and we walked the parcel. One caller was concerned about activity on the parcel that was unrelated to the CEA request. It has been suggested that there be a plan for this property especially in the event that the snow dump site moves. Another caller requested that there be no impact to existing trails. Ms. Vogel reports that this request will not impact any social trails. Most of this easement will be in an existing access drive and the access would remain open to MOA agencies. Ms. Vogel passed out additional map from CEA and introduced Jarrett Boling, CEA. Mr. Boling further provided that the undergrounding included the neighborhood, who would no longer see the poles. Commissioner Peggy Looney inquired when the project would start. Mr. Boling responded prior to freeze-up and added that completion would be next spring which would include any replacement vegetation needed. Ms. Looney asked if the trench would be 20’ wide. Mr. Boling’s response was no, 20’ is CEA minimum easement width for underground facilities to accommodate future needs. He also clarified the easement is non-exclusive. Ms. Stone Livingston inquired if this work interferes with the snow dump area access. Mr. Boling stated that they have been working with M&O and will ensure snow dump access and added that it is anticipated that the work will be completed prior to the need for snow dump access. Ms. Looney inquired if there were other lines on those poles. Mr. Boling shared that there is a single line that is owned by ACS and CEA has been coordinating with them to place the line underground with the CEA lines. The goal is remove the poles.

Chair Trawver opened the public hearing. Aurora Warrier, community resident, provided testimony that the access area is of concern. There is loitering and littering. Ms. Warrier inquired if HLBAC or staff had been in the area. Ms. Jones-Vogel shared that she had inspected the area; there was trash and that it had been reported for clean-up. Ms. Warrier requested contact information to report concerns and she was provided that info. Ms. Warrier also requested/recommended that the gate be moved further forward so trespassers would be more in public view and held accountable for their actions; and thanked HLBAC and staff for attending to this. Chair Trawver thanked and encouraged Ms. Warrier to continue to report concerns. The public hearing was closed. Ms. Looney moved to approve, the motion was seconded and passed unanimously.

This motion: Passed 5-0.

b. HLBAC Resolution 2016-12: A Resolution recommending Assembly approval of the disposal by Intra-Governmental Permit for a Valve Vault Substation to Anchorage Water and Wastewater Utility on a portion of HLB Parcel 3-011, legally described as Fragment Lot 1 Tract 1A-1 Mountain View Development Subdivision (Plat 2014-77).
Commissioner Wende Wilber disclosed that in the past she has worked with Bass Pro Shops for work in the area and specifically on Frag Lot 1. Ms. Jones-Vogel reported that back in March 2016, AWWU provided a presentation for the possible relocation of the Chrysler Valve Vault Substation. AWWU had determined that HLB Parcel 3-011 was a possible site, specifically because AWWU has a water line running through it and the parcel met their needs for access to the utility, is in municipal ownership and in close proximity to the existing facility. AWWU researched alternate sites and ultimately decided to put in a formal request for this site. Ms. Jones-Vogel provided historical information: parcel retained after ACDA Glenn Square plat and placed into HLB inventory; retained for expected Highway to Highway (H2H) right of way; surface water retention from the development in 3 constructed ponds; and contains wetlands. In the declaration of easements and covenants, this lot is restricted in development. AWWU learned of the restrictions early on and has developed a plan to overcome the obstacles. Other issues are allowing a building and access. There are 3 conditions AWWU will need to resolve before the project can go forward: amend the fragment lot site plan to allow for a structure on HLB Parcel 3-011; resolve legal access to the fragment lot through Bass Pro Shop site; and amend declaration of easements and covenants to resolve use of a utility substation on 3-011. Mountain View Community Council commented that about 3 years ago MVCC provided a Resolution supporting the usage of the wetlands for community and educational use through the stewardship of Bass Pro Shop. That use did not move forward. Should both of these activities move forward, it is anticipated there would not be a conflict.

Ms. Wilber commented this site does receive all the drainage from Clark Middle School and Glenn Square and added that the drainage is significant and had concerns for wetlands setback. Ms. Jones-Vogel added in the new Title 21 wetlands setbacks only pertain to Class A & B wetlands. This is Class C wetlands. There would not be any setbacks for this particular wetlands. Ms. Wilber expressed concern of road construction, hauling in materials and added this parcel is to be set aside for H2H. Ms. Jones-Vogel stated there isn’t any immediate H2H concerns. Ms. Wilber stated she did not have any objections as long as the conditions were adhered to. Ms. Stone Livingston asked Ms. Looney if she would prefer to table the item until next month after further discussion with AWWU. Ms. Looney stated she was fine with the proposal as long as the conditions are adhered to. Chair Trawver expressed assurance that MOA must also follow its own rules and assumes this project cannot move forward unless these conditions are met. Ms. Stone Livingston supports a recommendation as long as the conditions are adhered to. Chair Trawver disclosed that he was working on this project and abstains. The public hearing was opened and seeing no persons present to provide testimony, the public hearing closed. Commissioner Jim Fredrick moved to approve, motion seconded and passed unanimously.

This motion: Passed 4-0.

V. Persons or Items not on the Agenda

There were no persons present to provide testimony.

a. New Business

Executive Session: HLBAC recommendation of the HLB Executive Director position.

Back on record at 12:14 p.m., Chair Trawver announced the HLBAC has agreed, September 8, 2016, in a letter to the Honorable Mayor Ethan Berkowitz, pursuant to AMC 25.40.040, the Heritage Land Bank Advisory Commission is responsible for recommending a suitable HLB Executive Director candidate to the Mayor. We, hereby, recommend Robin E. Ward as a suitable candidate for Executive Director of the HLB and we will submit that letter.

VI. Commissioner Comments
Chair Trawver welcomed Ms. Wilber to the HLBAC. Ms. Stone Livingston thanked Ms. Oswald for her service and Chair Trawver shared those sentiments.

VII. Next Meeting

The next regular scheduled commission meeting date is currently slated for 11:30 a.m. Thursday, October 13, 2016.

VIII. Adjournment

Following the completion of business, Ms. Stone Livingston moved to adjourn. The motion was seconded and approved unanimously. The meeting was adjourned at 12:15 p.m.

PASSED and APPROVED on this, the 10th day of November, 2016.

Tim Trawver, 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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