

Heritage Land Bank Advisory Commission Meeting

Thursday, November 20, 2025 at 1:30PM

Permit & Development Center, Conf. Room 170
4700 Elmore Road, Anchorage, Alaska 99507

Join via Microsoft Teams - Meeting ID: 263 322 183 869, Passcode: jHGL3p

Join by Telephone - 907-519-0237, Conference ID: 987366530#

A G E N D A

- I. **Call to Order and Roll Call**
- II. **Statement of Procedure**
- III. **Disclosures**
- IV. **Approval of Agenda and Minutes**
 - a. November 20, 2025, Agenda
 - b. September 25, 2025, Minutes
- V. **Director's Report**
- VI. **Presentation:** Serena Stout, Senior Project Coordinator for HDR, Inc., presenting the Anchorage Water and Wastewater Utility draft Water Master Plan.
- VII. **Work Session:** HLBC Commissioner Onboarding Packet
- VIII. **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.*)
- IX. **Commissioner Comments**
- X. **Next Regularly Scheduled Meeting Date:** Thursday, December 18, 2025, at 1:30pm in the Permit & Development Center (4700 Elmore Road) or via Microsoft Teams and telephone.
- XI. **Adjournment**

Heritage Land Bank Advisory Commission Meeting

Thursday, September 25, 2025 at 1:30PM

Permit & Development Center, Conf. Room 170
4700 Elmore Road, Anchorage, Alaska 99507

And via Microsoft Teams and telephone

MINUTES

- I. **Call to Order and Statement of Procedure** (recording time stamp: 0:00)
Chair Marshall called the meeting to order at 1:30pm
- II. **Roll Call, Introductions and Disclosures** (0:15)
Present: Chair Marshall, Vice Chair Chmielowski, Commissioners Oswald, and Charnon, Commissioner Hurst joined the meeting at 2:26pm.
Excused: Commissioner Hansen
Staff Present: Director Tiffany Briggs, Land Management Officers Emma Giboney and Ryan Yelle
- III. **Approval of Agenda and Minutes** (0:35)
 - a. **September 25, 2025, Agenda:** Vice Chair Chmielowski made a motion to approve the agenda as presented, Commissioner Oswald seconded the motion and the agenda passed with no objection.
 - b. **August 28, 2025, Minutes:** Vice Chair Chmielowski made a motion to approve the minutes as presented, Commissioner Oswald seconded the motion and the minutes passed with no objection.
- IV. **Director's Report** (1:20)
Director Tiffany Briggs gave a Director's Report and answered Commissioner questions.
- V. **Work Session: Draft 2026 HLB Work Plan** (7:48)
Commissioners and staff discussed the Work Plan and several parcels and projects.

At 2:26pm, newly appointed Commissioner Hurst joined the meeting and introductions were made (56:00).
- VI. **Persons or Items Not on the Agenda** (1:34:53)
No one present wished to speak.
- VII. **Commissioner Comments** (1:35:03)
Commissioner Hurst gave comments regarding his joining the Commission
- VIII. **Next Regularly Scheduled Meeting Date:** Thursday, October 23, 2025, at 1:30pm in the Permit & Development Center (4700 Elmore Road) or via Microsoft Teams and telephone. (1:35:40)

After Item VIII, Chair Marshall returned to Item VI for member of the public wishing to speak. Mike Edgington gave public comment, and Director Briggs addressed his question (1:35:48)
- IX. **Adjournment**
The meeting was adjourned at 3:09pm



MUNICIPALITY OF ANCHORAGE
REAL ESTATE DEPARTMENT
HERITAGE LAND BANK

LAND MANAGEMENT REPORT

November 14, 2025

Pending and Recent Disposals

- *3-027A – Dowling Substation (HLBAC 2022-03)*
HLBAC recommended this disposal in 2022. This disposal will be taken to the Assembly for authorization after working with PM&E to ensure all necessary easements are in place and receiving an updated appraisal.

Pending and Recent Acquisitions

- *5-041 – Laurel Acres*
There are several parcels in the Laurel Acres Subdivision that are currently in different phases of being acquired by HLB for future wetland mitigation. In 2023 the Assembly approved the acquisition of Lots 41 & 42 of Block 10 (*HLBAC Res 2023-01; AO 2023-113*), but the closing of this transaction is pending current owner action. HLBAC recommended in January, and the Assembly authorized in September, the acquisition of Block 2, Lots 31 and 32 (*HLBAC Res 2025-01; AO 2025-92*), this transaction closed in October. HLB Staff has also been in contact with other owners that may be interested in selling or donating their properties.

Current & Continuing Projects

- *2-156 – Natural Burial Cemetery Project*
HLB Staff continues to work with Alaska Natural Burial on next steps for the Cemetery Project. HLB issued a permit to ANB for due diligence work to be completed on the site. HLB will continue to collaborate with the non-profit to ensure the success of this project as it moves through the different necessary processes. Geotechnical field work was completed in September, which will help guide next steps. We anticipate ANB presenting to HLBAC in January, with action tentatively planned for the February meeting.
- *4-033B portion – 8000 West End Rd (former Clitheroe Center)*
Staff continues to work with Ted Stevens Anchorage International Airport and DOT to acquire formal access to HLB parcels accessed via West End Road. Code compliance inspections of the two buildings were completed and HLB Staff is working with MOA Maintenance and Operations to propose next steps for repair/improvements. HLB may pursue leasing the building to a non-profit to provide community benefits similar to previous uses. During the past two months, the building has been used by APD and the US Marshall Service for police tactics training.

- 4-046 and 4-047 – Former Native Hospital Site*

On June 24, 2025, the Assembly authorized HLB to enter into a non-competitive 20-year ground lease with ACDA for use of the Former Alaska Native Hospital Site (AO2025-71; HLBAC 2025-04). ACDA intends to activate the site by developing an RV resort incorporating components of HLB’s 2019 Master Plan, including a memorial and park elements. This is considered a short-term use and has community support. HLB staff will be drafting the lease in the coming weeks, which will include conditions such as a development timeline and revenue sharing with HLB.
- 6-011B portion – Glacier Creek Village*

HLB, Alyeska Development Holdings LP, and Seth Andersen entered into a Letter of Intent in September of 2023. Alyeska and Andersen have begun preliminary land and site planning, surveying, and environmental investigation. Alyeska Development Holdings submitted an Area Master Plan Modification & Development Master Plan to the Planning and Zoning Commission, which was adopted with conditions on June 10, 2024 (Case 2024-0061). This Plan includes a portion of HLB 6-011B but does not commit HLBAC to any action. HLB staff have reached out to Alyeska Development Holdings representatives to inquire about their desire to pursue development as outlined in their Area Master Plan and will inform HLBAC as any updates occur.
- Holtan Hills Tracts 1 & 2 (formerly HLB 6-011/6/7)*

HLB Staff continues to collaborate with the developer and implement both the Development Agreement and AO 2023-137, As Amended. HLB Staff is coordinating with other municipal agencies for the off-site infrastructure to support the Holtan Hills project. Construction of the offsite infrastructure is nearly complete. The construction crew has demobilized the site in preparation for winter. The Assembly authorized an appropriation from the HLB Fund to pay for the construction of offsite infrastructure on August 12th (AR 2025-220). HLB continues to work with the State Department of Natural Resources to vacate the Section Line Easement. As this project progresses HLB Staff will keep HLBAC updated.
- 6-039 – Orca Mountain View Replat Project*

Survey work for this large tract between Alyeska Hwy and California Creek was completed this summer. HLB is moving forward with platting out the residentially zoned portion of this parcel along the Alyeska Hwy, as described in the 2025 Work Plan, to facilitate future residential development. There was a community meeting regarding this plat at the Girdwood Land Use Committee on September 8th and GBOS on September 15th. GBOS and LUC expressed support for this replat in October. The application to subdivide this parcel into three tracts has been submitted to and accepted by the Planning Department and scheduled for a public hearing on January 7th before the Platting Board. As this project progresses HLB Staff will keep HLBAC updated.
- 6-057F – Girdwood Industrial Park*

Staff evaluated replat options for the Girdwood Industrial Park and presented them to the HLBAC in October 2024. HLB Staff received a letter from GBOS in February 2025 supporting the tract plat option that was presented to HLBAC. Survey work for this replat was conducted this summer. There was a community meeting regarding this plat at the Girdwood Land Use Committee on September 8th and GBOS on September 15th. GBOS and LUC expressed support for this replat in October. The

application to subdivide this parcel into three tracts has been submitted to and accepted by the Planning Department and scheduled for a public hearing on January 7th before the Platting Board. As this project progresses HLB Staff will keep HLBAC updated.

- *6-076 – Girdwood South Townsite*
HLB Staff received an application from Girdwood Community Land Trust to explore a potential long-term ground lease and development of HLB Parcel 6-076. At this time, GCLT has a permit to perform due diligence work on the site however there are no next steps currently pending.

Administrative and Land Management

- *HLBAC*
Jeremy Hurst was appointed to Seat 1 of the commission on September 23rd (AM 708-2025). Commissioner Chmielowski was reappointed for a second term to seat 7 of the commission on November 4th (AM 816-2025). HLB Staff will continue to work with the Mayor's office to fill the remaining vacancy. More information on how to apply can be found on our website.
- *2026 Work Plan*
Following the HLBAC work session in September, the Draft 2026 Work Plan was released for public comment on September 30. The comment period closed November 21, with the public hearing scheduled for December 18th.
- *Contaminated Site Monitoring*
HLB continues to work with contractors and the Alaska Department of Environmental Conservation to monitor the contamination at HLB Parcel 3-078E (the former Peacock Cleaners site). Field work and testing was conducted this summer, which helped to further delineate the contamination plume. HLB staff continues to work with the contractor and DEC to determine next steps and possible additional well sites.
- *Wetland Monitoring*
Routine wetland monitoring will occur this summer in the conservation easement areas that are used for wetland mitigation credits. These areas include the two easements in Laurel Acres in southwest Anchorage. The Arlberg CE is scheduled to move to long-term monitoring, pending USACE approval.
- *GIS Mapping and Spatial Analysis*
HLB staff works with the MOA Geographic Data & Information Center (GDIC) to routinely update public and internal HLB maps. HLB Staff is working with the ROW/Survey division to update the easement layer for many HLB parcels and conservation easements. HLB Staff is working with GDIC to complete a spatial analysis on HLB parcels to determine developability constraints.
- *Site Visits/Clean-Ups*
HLB staff conducted various site visits of HLB parcels within the Anchorage Bowl, Upper Hillside and Girdwood this quarter.

Land Use Permits

Contract Number	Permittee	Use	Contract End
2007-08	Girdwood Parks & Recreation	Frisbee Golf Course	2025-12-31
2009-13	Girdwood Valley Service Area	Equipment and materials storage	2025-12-31
2011-15	Snow Free Snowplowing	Equipment and materials storage	2025-12-31
2016-09	Girdwood Forest Fair	Vendor camping	2025-07-07
2016-21	Silverton Mountain Guides	Guided heli-skiing	2026-06-30
2017-10	Alaska Railroad Corporation	Avalanche mitigation	2025-12-31
2017-29	Chugach Powder Guides	Guided heli-skiing	2026-05-31
2018-01	ADOT&PF/TSAIA	Access	2026-03-30
2018-10	Chugach Powder Guides	Access to Notch Hut	2025-05-31
2019-08	GVSA Street Maintenance	Park & Ride	2025-12-31
2020-10	Straight to the Plate	Storage	2025-08-20
2021-07	Turnagain Tree Care	Wood lot	2026-02-10
2021-18	Ridgetop Builders	Wood mill	2026-07-31
2022-04	Girdwood Community Land Trust	Storage	2026-02-10
2023-01	Ritual Bough	Ceremonies	2026-01-31
2023-02	Girdwood Community Land Trust	Due diligence	2026-04-30
2023-03	AWWU	Due diligence	2026-04-25
2023-05	Alyeska Development Holdings, LP and Seth Andersen	Due Diligence	2026-09-15
2024-01	ACDA	Due diligence	2026-04-15
2024-06	Alaska Natural Burial	Due diligence	2025-10-27
2024-07	Ridgetop Builders	Wood lot	2025-05-31
2024-08	Sundog Mountain Guides	Guided heli-skiing	2025-05-31
2025-01	AFD Wildland Fire Division	Fuel break	2025-10-31
2025-02	Anchorage Police Department	incident response and tactics training	2025-08-31
2025-03	Anchorage Police Department	incident response and tactics training	2025-06-30
2025-04	QAP	Equipment and materials storage	2025-09-15
2025-05	Girdwood Backcountry Guides	Notch Hut and guided skiing	2026-08-21
2025-06	Anchorage Fire Department	Fuel break	2026-02-28
2025-07	Bikewood (Girdwood Mountain Bike Alliance)	Construction of Bikewood Phase 2	2025-12-15
2025-08	Anchorage Soil and Water Conservation District	Invasive species removal	2025-12-31
2025-09	U.S. Marshals Service	Incident response and police tactics training	2025-10-31
2025-10	Chugach Electric Association	Due diligence 3-042	2026-10-14

Heritage Land Bank Advisory Commission

General Meeting Information

Congratulations on your appointment to the Heritage Land Bank Advisory Commission! We are excited to have you on the commission and look forward to working with you. In preparation for your first meeting, here is a summary of general meeting information to assist you:

Date: 4th Thursday of every month

Time: 1:30 pm

Location: Community Development Center
4700 Elmore Rd, Conference Room 170
Remote attendance is possible via MS Teams

Duration: Meetings are scheduled from 1:30pm-4:30pm, but typically last approximately one hour.

Materials: Meeting materials are delivered via email one week prior to the meeting. Materials are also available online at www.muni.org/HLB.

Procedures: Meetings are conducted using Roberts Rules of Order and other applicable procedures of Anchorage Municipal Code Titles 4 and 25.

Absences: Commissioners are allowed up to five excused absences and up to two unexcused absences in a 12-month period. If you are unable to attend a regularly scheduled meeting, please notify HLB staff as soon as you are aware of your upcoming absence.

Contacts: Tiffany Briggs, Director, Real Estate Department
PH# 343-7525 Email: Tiffany.Briggs@anchorageak.gov

Emma Giboney, Land Management Officer, Heritage Land Bank
PH# 343-7536 Email: Emma.Giboney@anchorageak.gov

Ryan Yelle, Land Management Officer, Heritage Land Bank
PH# 343-7531 Email: Ryan.J.Yelle@anchorageak.gov

Heritage Land Bank Advisory Commission Onboarding Packet Information

- 1)** Sample Agenda
- 2)** Meeting Calendar
- 3)** Disclosure of Economic Interest in a Municipal Contract or Business by a Public Servant Form
- 4)** Helpful Meeting Tips
- 5)** HLB Work Program
- 6)** Comprehensive Plan(s) Guide
- 7)** Parliamentary Procedures Guide
- 8)** Applicable Anchorage Municipal Code(s)
 - a.** Title 1 – Code of Ethics
 - b.** Title 4 – Boards & Commissions
 - c.** Title 25 – Public Lands, Heritage Land Bank

Sample Agenda

Heritage Land Bank Advisory Commission Meeting

Thursday, Month, Year at 1:30PM

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 - a. Agenda
 - b. Minutes
- V. **Director's Report**
- VI. **Action Item(s)**
- VII. **Persons or Items Not on the Agenda** *(The following time limits apply to public testimony: three minutes per individual and five minutes per organized group (i.e. community councils). Each person may only speak once, commissioners and staff will not answer questions but may have questions for you after your testimony.)*
- VIII. **Commissioner Comments**
- IX. **Next Regularly Scheduled Meeting Date:** Thursday, Month, Year, at 1:30pm in the Permit & Development Center (4700 Elmore Road) or via Microsoft Teams and telephone.
- X. **Adjournment**

Meeting Calendar

2025

HLBAC Meetings

January						
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2026

HLBAC Meetings

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**Disclosure of Economic Interest in a Municipal
Contract or Business by a Public Servant Form**



DISCLOSURE OF ECONOMIC INTEREST IN A MUNICIPAL CONTRACT OR BUSINESS BY A PUBLIC SERVANT

Public servant includes all municipal employees, board members, and elected officials. AMC 1.15.030D.

For new employment, appointment, or election, **this form must be filed with the Municipal Clerk within 30 days of commencement of service.** AMC 1.15.100A. For newly acquired economic interest, **this form must be filed with the Municipal Clerk upon acquisition.** AMC 1.15.100B.

1. **Name:** _____ **Date:** _____

Email: _____

2. **I am making this disclosure as a(n) ...**

Employee _____ upon employment, _____ **or** _____ upon acquisition of interest in municipal business
(Date of Hire)

of the Municipality of Anchorage, _____
(Department) (Position)

of a corporate authority owned by the MOA, _____
(Authority)

or of the Anchorage School District _____
(School) (Position)

Board Member _____ upon appointment, _____ **or** _____ upon acquisition of interest in municipal business
(Date of Appointment)

of a municipal authority, _____
(Authority)

of a municipal board or commission, _____
(Board or Commission)

or of a LRSA _____
(Limited Road Service Area)

Elected Official _____ upon election, _____ **or** _____ upon acquisition of interest in municipal business
(Date of Election)

Mayor, _____ Assembly Member, _____ School Board Member, **or**

Board Member of a GSA _____
(General Service Area)

3. **Please check one of the following:**

Neither I, nor any member of my immediate family or household have any personal or financial interest in a Municipal contract or in an entity engaging in business with the Municipality.

I, or a member of my immediate family or household have a personal or financial interest in a Municipal contract or in an entity engaging in business with the Municipality. ***Please provide the information requested on the back of this form and a description of the economic interest. (Attach separate sheets as necessary.)***

4. **All filers must affirm the following statement:** I understand that I am required under AMC 1.15.100 to disclose any economic interest in a Municipal contract or in an entity engaging in business with the Municipality, held by myself or a member of my immediate family or household. *Economic Interest* means a benefit, financial interest, special privilege, or contractual relationship. **I hereby file this disclosure with the Municipal Clerk's Office to reflect all Municipal economic interest(s) as required. Further, I will use this form to supplement this disclosure with the Municipal Clerk as new economic interests are acquired. I affirm that this disclosure is true and correct to the best of my knowledge.**

Signature

Date

(If disclosing a Municipal economic interest, please continue to the back of this form to provide the requested information.)

I am disclosing the following economic interest in a Municipal contract or in an entity engaging in business with the Municipality held by myself or a member of my immediate family or household:

Identify the Municipal Contract: *(Attach separate sheets as necessary.)*

Contract Name: _____ Date Acquired: _____

Name of the person with the economic interest: _____

Amount of interest held: _____ self or family-household member

Could the performance of your official duties in any way affect the contract? _____

(If yes, the public servant may request additional review by the Board of Ethics. AMC 1.15.100B.2.)

If yes, describe the potential for conflict:

If yes, describe the preventive measures that shall be taken to manage any potential for conflict:

and/or ...

Identify the Entity engaging in business with the Municipality: *(Attach separate sheets as necessary.)*

Entity Name: _____ Date Acquired: _____

Name of the person with the economic interest: _____

Title of position held: _____ self or family-household member

Describe the responsibilities of the position held:

Could the performance of your official duties in any way affect the entity's business with the Municipality? _____

(If yes, the public servant may request additional review by the Board of Ethics. AMC 1.15.100B.2.)

If yes, describe the potential for conflict:

If yes, describe the preventive measures that shall be taken to manage any potential for conflict:

This page of this form must be signed by both the public servant's supervisor and an ethics officer before filing is complete.

I have reviewed this disclosure and either no potential for conflict exists or it has been managed by taking the preventive steps described.

Supervisor's Signature Date

Ethics Officer's Signature Date

For Municipal Clerk's Office Use

Date Received: _____

Date Reviewed by Board of Ethics: _____

Helpful Meeting Tips

HERITAGE LAND BANK ADVISORY COMMISSION

Helpful Meeting Tips

Call to Order & Roll Call

The Chair calls the meeting to order and should indicate the time for the record and meeting minutes. HLB Staff will take role and advise the Chair whether quorum has been achieved. If quorum has not been achieved, the meeting may proceed but no official action by the Commission can be taken.

Quorum

A majority of the full membership of a governing body shall constitute a quorum for the transaction of business. A fully constituted body for Heritage Land Bank Advisory Commission consists of seven (7) members. A quorum is the minimum number of voting members (total of 4) who must be present for business to be legally transacted, regardless of absences or vacancies.

Determining a Quorum for Action

Action by the body shall require a majority vote of the full membership for an item to pass/fail. Full membership means a majority of seven, less the number of members present at the meeting who have been recused for conflicts of interest. Should four or more members be recused or excused/absent resulting in three or less remaining members present, no action can be taken on that item, and it will be postponed to the next available meeting.

Statement of Meeting Procedure

After quorum has been confirmed, the Chair will read the Statement of Meeting Procedure into the record:

Statement of Meeting Procedure

The Heritage Land Bank meets on the 4th Thursday of every month except holidays or when there is no action to be taken or items to bring before the Commission. If the Commission fails to conduct its business within the scheduled meeting time, those items are carried over into the next regularly scheduled meeting. The opportunity for the public to provide testimony to the Commission on public hearing items is upon conclusion of staff's report and recommendation, after the public hearing has been opened. The following time limits for public testimony will be adhered to: petitioners and/or applicants will be given ten minutes (part of this time may be reserved

for rebuttal), representatives of groups such as community councils will be given five minutes, and individuals will be given three minutes. Upon conclusion of your testimony, the Commission may ask you questions. You may only provide testimony once on any item. Members of the public may also provide comments to the Commission during “Persons or Items Not on the Agenda” for matters unrelated to a public hearing item on today’s agenda. The same time limits for public hearing testimony will be adhered to.

Motions

All motions must be stated in the positive. All motions must receive a second before they can be discussed or voted on. The mover of the motion should be given an opportunity to speak to their motion, as well as the commissioner who seconded, prior to opening up the motion for discussion or debate.

Amendments to Motions

Once a motion is on the floor, it is open to amendment. Amendments must be clearly state as either a change to the motion on the floor (i.e. altering the language of a particular condition) or the addition or removal of a condition. Only two levels of amendments are allowed (i.e. amendment to the amendment). Amendments further than two levels must not be considered, and the Commission must act on the amendments on the floor first.

Discussion and Debate

Members must seek recognition from the chair before speaking. This rule provides respect for the role of the chair in moderating the meeting. During a meeting, members must seek recognition from the chair before speaking and may do so by raising a hand.

Speaking directly to each other is implicit in informal discussion. The small board rules allow for members to speak directly to each other. However, no one may speak a second time until everyone who wishes to do so has spoken once. Courtesy and respect are required at all times; and therefore, only one person may speak at a time and no interruptions should be allowed by the chair. Members may not speak about the motives of other members or make personal attacks; argue; use inflammatory language, including insults, profanity, booing, hissing, or clapping; or use disrespectful body language.

Reconsideration

A Commissioner can move for reconsideration after a vote on any matter during the meeting, or notify HLB staff within 24 hours of the meeting to have the item placed on the agenda of the next meeting. Only a commissioner who voted on the prevailing side of a motion can make a motion for reconsideration.

When the matter is reconsidered, a motion should be made using the following language:

“I move to reconsider item _____”

The motion must be seconded.

A vote is taken on whether to reconsider. If the Commission votes to reconsider a matter, the original motion is back before the body. At this point, the motion can either be withdrawn by the mover, amended, or left as it stands. Discussion on the motion is allowed. When there is no further discussion or amendments, a vote is taken.

Disclosures and Conflicts of Interest

At the beginning of each meeting, all Commissioners have an opportunity to declare potential conflicts of interest on any matter scheduled on the agenda. Conflicts of interest, as defined in AMC 3.60.070, is if the member (or immediate family member) has a personal or financial interest or involvement in the case preventing said member from remaining impartial and fairly evaluating the case. Or, based on all surrounding circumstances, participation by said member would create the ‘appearance’ of a conflict or impropriety in the proceedings. Conflicts of interest are further explained in the AMC 4.05.110. If there is a clear conflict, and the Chair feels comfortable doing so, the Chair can direct the Commissioner to abstain or recuse themselves from that matter. This can only be done if there is no objection from anyone else on the Commission. In the alternative, a motion should be made using the following language:

“I move that Commissioner _____ be directed to participate on matter _____”

The motion must be seconded.

If there is any question regarding whether a conflict exists, the Commissioner who has made the motion should question the Commissioner declaring the conflict as to whether they have a pecuniary, professional, other interest in the matter. There may be instances of a simple appearance of a conflict such as a personal relationship between the petitioner/applicant and the Commissioner. If the Commissioner indicates they cannot act impartially due to this relationship, the vote typically fails, and they are directed to not participate.

A majority of “NO” votes does not allow the Commissioner to participate

A majority of “YES” votes directs the Commissioner to participate.

Approval of Agenda, Minutes and Consent Agenda

Approval of the agenda, minutes and consent agenda can be individual one-vote actions using the following procedure:

1. Chair asks for a motion/second to approve the agenda, minutes, or consent agenda.
2. Chair asks if a member wishes to pull an item for discussion immediately following approval of the consent agenda (no item can be discussed unless it is pulled).
3. If there are no objections, the agenda, minutes, or consent agenda is approved, noting any member abstentions and/or any pulled items. Remember, it requires 4 votes in favor to be adopted.

Can a member vote on the consent agenda if he/she did not attend the meetings related to the matters for approval? Yes, but only if the member has reviewed the related meeting's audio/video related to the items on the consent agenda (new members included).

NOTE: Meeting minutes are written as "action minutes" per municipal code. Action minutes state only the actions taken by the commission and do not include a transcript, nor interpretations of actions or testimony provided during the meeting.

Resolutions for Approval (included in the Consent Agenda):

Resolutions are a summary of the findings and reasons for the actions of the body. Again, adoption of any resolution requires four votes in favor from members that had either attended the related meeting or from those that were absent but had reviewed the recording. In rare occasions, a situation referred to as a 'turnover in members' where no quorum will ever exist with the original members due to term expirations or resignations, the seated members that had not reviewed the audio can approve the resolutions. If the body wishes, the resolution could be postponed to a later date allowing any member that had not participated in the related case to review the audio, but that creates, minimally, a one-month delay for the petitioner.

Public Hearings

Public hearings are conducted using the following sequence and guidance:

- 1) The Chair introduces the item.
- 2) Staff provides their presentation and recommendation(s) to the Commission.
- 3) The Commission may ask questions of staff on the item.
- 4) The Chair opens the public hearing and asks if anyone in attendance wishes to provide testimony on the item.

The following time limits on testimony should be abided by:

- Petitioners/applicants are allowed ten minutes to provide testimony. If they do not use the full ten minutes, the remaining time is recorded and used to provide rebuttal.
- Representatives of groups (i.e. Community Councils or other formal group) are allowed five minutes
- Individuals are allowed three minutes

Following each speaker's testimony, the Commission may ask questions of the speaker or request additional time be given to them to continue testimony.

- 5) When there are no others wishing to speak, the Chair offers the opportunity for the petitioner/applicant to use any rebuttal time remaining from their allotted ten minutes. If an opportunity for rebuttal is taken, the Commission may again ask questions of the petitioner/applicant.
- 6) The Chair closes the public hearing. The matter is now before the Commission for discussion and action.

Persons or Items Not on the Agenda

This item on the agenda allows for public comment and Commissioner discussion on matters that did not appear on the agenda. The same time limits for public hearing testimony should be applied. Staff may address the Commission or public regarding comments made before this agenda item is concluded.

Commissioner's Comments

This portion of the agenda is reserved for Commissioner's wishing to discuss items or matters that did not appear on the agenda. Commissioner's may speak freely and ask questions of staff or fellow Commissioners during this time. Standard time limits do not apply but instead are up to the discretion of the Chair. Comments may range from questions regarding the operations of HLB, or to provide compliments or recognition to your fellow commissioners.

General Considerations for Commissioners on Action or Public Hearing Items

It is the mission of HLB *"to manage uncommitted municipal land and the Heritage Land Bank fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan."* Your role on HLBAC is to advise HLB staff on land management decisions to implement and further this mission. To help guide your review process when evaluating proposed land management actions, please consider the following:

Is the action within the current HLB Work Program?

Is the action consistent with the Comprehensive Plan?

What is the benefit to present and future residents of the Municipality?

What is the impact to the HLB Fund?

What public comments have been received on the action?

HLB Work Program



MUNICIPALITY OF ANCHORAGE REAL ESTATE DEPARTMENT



HERITAGE LAND BANK 2025 ANNUAL WORK PROGRAM & 2026-2030 FIVE-YEAR MANAGEMENT PLAN

Approved by the Anchorage Assembly May 20, 2025 (AR 2025-103, As Amended)

Municipality of Anchorage

Suzanne La France, Mayor

Real Estate Department

Tiffany Briggs, Director

Heritage Land Bank Division

Emma Giboney, Land Management Officer

Ryan Yelle, Land Management Officer

Nicole Jones-Vogel, Consultant, Rise Up Coaching Solutions, LLC

Real Estate Services Division

John Bruns, Foreclosure Specialist

HLB Advisory Commission

Dean Marshall, Chair

Tammy Oswald

Ryan Hansen

Tim Charnon

LaQuita Chmielowski

(Two vacant seats)

Front Cover Photo: View from HLB Parcel 6-068 of the Lower Girdwood Valley, including HLB Parcels 6-060 and 6-057F. Photo taken by Margaret Tyler.



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Guide to Abbreviations and Acronyms

ACDA	– Anchorage Community Development Authority
ADEC	– Alaska Department of Environmental Conservation
AMC	– Anchorage Municipal Code
AO	– Assembly Ordinance
ASD	– Anchorage School District
AWWU	– Anchorage Water & Wastewater Utility
BLM	– U.S. Bureau of Land Management
CEA	– Chugach Electric Association
CSP	– Chugach State Park
DNR	– Alaska Department of Natural Resources
DOD	– U.S. Department of Defense
DOT&PF	– Alaska Department of Transportation & Public Facilities
GCP	– Girdwood Comprehensive Plan (formerly known as Girdwood Area Plan)
GDIC	– Geographic Data and Information Center
GIS	– Geographic Information Systems
GVSA	– Girdwood Valley Service Area
GLT	– Great Land Trust
HDP	– Hillside District Plan (AO 2010-22)
HLB	– Heritage Land Bank
HLBAC	– Heritage Land Bank Advisory Commission
INHT	– Iditarod National Historic Trail
MOA	– Municipality of Anchorage
NALA	– North Anchorage Land Agreement
P&R	– Parks and Recreation Department
PM&E	– Project Management & Engineering
PVLUA	– Potter Valley Land Use Analysis (AO 99-144)
RED	– Real Estate Department
RES	– Real Estate Services
ROW	– Right of Way
SOA	– State of Alaska
TSAIA	– Ted Stevens Anchorage International Airport
USACE	– U.S. Army Corps of Engineers
USFS	– U.S. Forest Service

Chapter 1. Heritage Land Bank Overview

Heritage Land Bank (HLB) is a self-supporting, non-tax-based agency of the Municipality of Anchorage (MOA), with its own fund and advisory commission. Title 25 of the Anchorage Municipal Code (AMC), “Public Lands,” contains the statutes under which the HLB operates (AMC § 25.40).

It is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit present and future residents of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan (AMC § 25.40.010).

HLB achieves its mission by managing an inventory of HLB land and resources to benefit a wide variety of municipal objectives. The HLB manages many types of land in its inventory, over 12,000 acres, which are divided into approximately 250 parcels zoned residential, industrial, commercial, recreational, public use and open space. About half of the HLB inventory is forested lands in the Girdwood Valley, with a small percentage of HLB inventory developed or improved.

All proceeds from HLB land sales, leases, and other sources are deposited into the HLB Fund. With approval from the Mayor and Assembly, the Fund is used to: manage and/or improve HLB property; conduct land use planning and feasibility studies; carry out wetland mitigation monitoring; acquire property for municipal use; and support the annual operating expenses of HLB. Since its inception in 1983, the HLB has operated without any direct taxpayer support but has contributed millions of dollars in support to the general municipal government in ways that benefit our growing community.

More than 60 HLB parcels are subject to leases or permits held by government agencies or the private sector, with some used or managed by municipal agencies under special permit or management authorizations. See Appendix D for a complete list.

Municipal properties deemed surplus to current and future needs are generally disposed of through a competitive process, in accordance with AMC. In order to carry out the HLB mission, some parcels may be sold directly to other municipal agencies for continued use by the MOA.

With Assembly approval, the mayor may also designate any municipal land or interest in land for placement in the HLB inventory. However, land placed in the HLB inventory is generally:

1. Land reserved for unspecified purposes, or needed for specific or future public purposes;
2. Land determined excess to municipal needs but unsuitable for disposal and development;
or
3. Other land determined excess to present or future municipal needs that may be suitable for disposal or development in the future.

A Brief History of the Heritage Land Bank

In 1972, the Greater Anchorage Borough established a Land Trust Fund. Amended in 1976, the trust fund was created to acquire and manage property for the Municipality. The Land Trust Fund Council maintained oversight over the fund and its properties.

The Municipal Entitlement Act of 1978 granted Anchorage a total land entitlement of 44,893 acres from the State of Alaska (SOA). The Heritage Land Bank was formed to acquire and manage land that was transferred to the Municipality from the State as a result of the Municipal Entitlement Act for the benefit of present and future residents of Anchorage.

The ordinance that created HLB also established the HLB Advisory Commission (HLBAC), which consists of seven members appointed by the Mayor, to advise the Mayor and Assembly regarding the management of land and funds in the HLB portfolio. The commission solicits public comments when it holds public hearings in order to make informed recommendations. Staff handles the ongoing land management responsibilities of the HLB.

Inventory Mapping

In 1984, HLB completed its first land inventory. The HLB inventory is updated and is online for public and municipal access at www.muni.org/hlb. The inventory identifies all lands by HLB parcel number, municipal tax identification number, zoning classification, and acreage. See Appendix A for regional maps and a QR code to our interactive mapping application.

State Entitlements

The continuing conveyance of title to the Municipality's outstanding land entitlements is a priority. While the State has conveyed substantial acreage, and some monetary compensation to the MOA in fulfillment of the municipal entitlement mandate, other parcels await conveyance.

Accomplishments

Following are several significant land uses and facilities in the Municipality of Anchorage developed over the years through contributions from the HLB inventory or fund:

- Cuddy Family Midtown Park Acquisition
- Botanical Gardens lease on HLB lands
- Girdwood Library site, trails partnerships, and Industrial Park development
- Sale of three downtown lots for mixed-use development by Cook Inlet Housing Authority
- Long-term ground lease for Chugiak Fire Station #35
- Disposal of Girdwood Industrial Park Phase I Lots.
- Transfer of 100-acres to support the creation of Potter Marsh Watershed Park and in-kind match for the USDA Community Forest Grant

The Heritage Land Bank Fund

Upon formation of the HLB, the MOA Land Management Fund was renamed the HLB Fund. According to AMC § 25.40.035, the HLB Fund can be used for three main purposes: supporting the annual HLB operating budget; acquiring land for municipal use; and managing and improving HLB land. HLB's objective has been to responsibly manage the Fund in order to achieve our mission, with additional focus on increasing our asset value and fund strength.

Land Management Objectives

HLB manages land to maximize benefits to the Municipality and the public, seeking to preserve and enhance the value of its land assets. Management activities and decisions take into consideration the regulatory environment and adopted comprehensive plans, special site and area land use studies, environmental plans and studies, and intra-governmental agreements.

Our management objectives include:

- Ensuring that all HLB lands and real property interests are reasonably protected from adverse impacts, including fire, insect damage, plant disease, invasive species, illegal dumping, hazardous or contaminated materials, timber theft, vandalism, and other threats.
- Assisting with implementation of municipal plans where HLB inventory is involved in accordance with HLB policy and fund guidelines.
- Transfer of HLB properties to other departments as appropriate and the disposal of properties excess to municipal need.
- Holding land use contracts to prevailing market rates except where otherwise provided by AMC § 25.40.
- Providing opportunities for partnership in the creation of conservation easements, through permittee-responsible mitigation to protect area wetlands, promote orderly development consistent with the goals of the Comprehensive Plan & the Anchorage Wetlands Plan, and generate revenue through the preservation of high-value HLB wetlands, while working to establish a wetlands mitigation bank.
- Continuing to enforce trespass violations, by posting signs and considering the installation of fences in areas of known campsites, removal of illegal structures and vehicles, and mitigation or prevention of impacts of unpermitted use on HLB land.
- Ensuring that open space, conservation and preservation opportunities are considered in HLB development projects where those opportunities are in the best interest of the citizens of the Municipality of Anchorage.

Overview of Land Disposals

Disposals of HLB inventory can include sales, exchanges, leases, easements, intra-governmental agreements to both the public or private sector, and transfers of parcels to other municipal agencies. The HLB consults with other municipal agencies to determine whether HLB land is needed to fulfill various municipal purposes and the impact of disposal.

Table 1.1: HLB Inventory by Area

Acreage (Estimate)	Anchorage Bowl	Chugiak/ Eagle River	Turnagain Arm	HLB Total Acreage:
HLB Wetlands (A & B)	1,085	44	560	1,688
HLB Uplands	1,771	1,137	8,070	10,977
Estimated Total HLB Acreage:	2,892	1,182	8,710	12,713

Table 1.2: Development Limitations

Limiting Factor	Quantity
Wetlands - Class A&B	1,688 acres
Easements	597 acres
4 Avalanche Zone - Very High Hazard	431 acres
Special Flood Hazard Area	1,081 acres
Patent restrictions prohibiting disposal	846 acres
Leased	576 acres
Active ADEC Contaminated Sites	5 sites
Parcels under other MOA Agency Management	41

Overview of Land Acquisition

Acquiring Municipal Entitlement Lands

Under AS § 29.65.010, the Municipal Entitlements Act and the subsequent *Agreement for the Conveyance of Lands of the State of Alaska to the Municipality of Anchorage, and Settlement of Land-Related Issues with the State of Alaska*, signed November 25, 1986, the Municipality was entitled to conveyance of 44,893 acres of land within the boundaries of the Municipality.

The MOA will continue to work closely with the Alaska Department of Natural Resources (DNR) to resolve any remaining land entitlement issues. The State has issued decision documents for several parcels but not patents. The State notified HLB that for management purposes the decision documents issued for conveyance of lands is equivalent to patent and considered equitable title.

North Anchorage Land Agreement

The MOA was granted rights to receive substantial acreage under the *1982 North Anchorage Land Agreement* (NALA), a federally approved agreement resolving several longstanding land ownership disputes between Eklutna, Inc., the State, and MOA. NALA provides for the future allocation of existing military land in Anchorage, in the event it is declared excess to the Department of Defense (DOD). To date, the MOA has received title to just under 300 acres of NALA land under its public interest land entitlement; no lands have been declared as excess by the DOD to date.

Overview of the Annual Work Program

The HLB Work Program is an annually approved guide for allocating and managing HLB land and resources. The program functions and activities must be consistent with Municipal Code, HLB policies, and pertinent comprehensive or area plans.

Parcels in the HLB inventory can be disposed of through trade, sale, or lease. HLB land disposals are based upon a minimum of fair market value of the land, except as otherwise provided in AMC § 25.40. HLB may exchange excess municipal land in the HLB inventory for other non-municipal land which has greater potential value or attributes for municipal use.

Per AMC § 25.40.020B, each year an Annual Work Program will be submitted through the HLB Advisory Commission to the Assembly. The Work Program will include anticipated HLB work items for the calendar year and will be reviewed in advance by the public and be approved after public hearings before the HLBAC and the Assembly. The code states that public notice for the HLBAC public hearing on the Annual Work Program is no less than forty-five (45) days prior to the hearing. Work Program public notice procedures include direct email notification to affected community councils, list of email subscribers, as well as posting notice online. Throughout the year, the Program may be amended as recommended by the HLBAC and approved by the Assembly to include any additions to the proposed list of action items.

While implementing the Work Program throughout the year, AMC requires a fourteen (14) day public notice prior to HLBAC holding a public hearing and taking action to make recommendations on land disposals (sales, leases, exchanges, easements) and withdrawals from the HLB inventory. To receive public hearing notices, the public may join our mailing list by emailing HLB@anchorageak.gov.

Overview of the Five-Year Management Plan

Predicting future municipal need and market demand is difficult. The success of land transactions often depends upon economic conditions, financing, and creative marketing strategies. Consequently, the Five-Year Management Plan is best viewed as a queue of items that may be acted upon in the next five years based on community input, various municipal goals and needs, and changing market demands. The Administration expects that the HLB be prepared to seek out and respond to unforeseen opportunities as they arise that promote the goals of the comprehensive plans. Long range forecasting can be difficult, therefore the assumptions, objectives and projections that follow in this document are an attempt at planning our future given current information.

Land management decisions will be consistent with the AMC, all adopted comprehensive plans and area plans, and implementation measures. If it is unclear whether a proposed management or disposal action is consistent with adopted plans, HLB shall complete a site-specific land use study prior to a final management or disposal decision. Public comments on consistency with adopted plans will be given due consideration.

Chapter 2. 2024 Progress Report

HLB made progress on several projects in 2024, including the tract plat and disposal of the first two tracts of Holtan Hills, as well as the transfer of ten HLB parcels to Parks and Recreation to help facilitate the Potter Marsh Watershed Park Project. Additionally, HLB Staff made significant strides on evaluating and presenting the feasibility of several options for the Girdwood Industrial Park. HLB also released a Request for Proposals for a Cemetery on parcel 2-156, and a proposal was successfully selected.

Disposals, Exchanges & Transfers

HLB Parcel 2-127 - 2-136 – The withdrawal from HLB Inventory and transfer of these 10 parcels (approximately 100 acres) to the Parks and Recreation Department (P&R) was recommended by HLBAC in February and approved by the Assembly in May (HLBAC 2024-03; AO 2024-48). This action was completed as part of the Potter Marsh Watershed Project. See the below *projects* section for further updates on this project.

Portions of HLB Parcels 6-011, 6-016, 6-017 – The Anchorage Assembly approved the proposed Holtan Hills disposal of approximately 60 acres in January (HLBAC 2022-09(S); AO 2023-137, As Amended). Phases 1 and 2 were conveyed to the developer in May (Recorded Document 2024-011453-0). See the below *projects* section for further updates on this project. See the *2025 Work Program* Chapter for more details on future steps.

Acquisitions

Laurel Acres (HLB Parcels 5-041) – In 2024 there were efforts to acquire parcels in Laurel Acres through donations and purchases. There are two pending donations, and two lots approved by HLBAC and the Assembly for purchase expected to close in the coming months (HLBAC 2023-01; AO 2023-113).

Projects

Potter Marsh Watershed Park (HLB Parcels 2-127 - 2-136) –The withdrawal from HLB Inventory and transfer of these 10 parcels (approximately 100 acres) to the Parks and Recreation Department (P&R) was recommended by HLBAC in February 2024 and approved by the Assembly in May 2024 (HLBAC 2024-03; AO 2024-48). The conservation value of these parcels was used for in-kind grant matches for grants acquired by HLB and local non-profit partner Great Land Trust (GLT). This grant funding was used in December to acquire the neighboring 200-acres , with management authority to P&R to create the 300-acre Potter Marsh Watershed Park (AO 2024-49; Record No. 2024-036525-0). The park is under a conservation easement held by GLT (AO 2024-47; Record No. 2024-036534-0).

Girdwood Industrial Park (HLB Parcel 6-057F) – Evaluation of possible improvements has been ongoing, HLB staff presented four options to HLBAC in April, received an appraisal on the

scenarios, and presented the findings to HLBAC in October. Discussions with HLBAC, GBOS, and the community are ongoing. See the *2025 Work Program* Chapter for more details on future steps.

Holtan Hills – The Anchorage Assembly approved the proposed Holtan Hills disposal in January (HLBAC 2022-09(S); AO 2023-137, As Amended). HLB Parcels 6-011, 6-016 and 6-017 were replatted into five tracts as the Holtan Hills Subdivision, recorded as Plat 2024-18. Tracts 1 and 2 were conveyed to the developer in May (Recorded Document 2024-011453-0). Tracts 3, 4, and 5 remain in HLB Inventory as HLB Parcels 6-011A, B, and C. However, the Assembly approval also included the disposal of Tract 3 (6-011A) at a later date. See the *2025 Work Program* Chapter for more details on future steps.

Cemetery RFP (HLB Parcel 2-156) – In June HLB released an RFP for the development of this 9.5-acre parcel for cemetery purposes. HLB received one submission from Alaska Natural Burial, which was reviewed by a selection committee and found to meet or exceed the criteria of the RFP. A land use permit was issued to Alaska Natural Burial for the purposes of performing Due Diligence work. See the *2025 Work Program* Chapter for more details on future steps.

Girdwood Trails Plan – In February the Assembly passed an Ordinance adopting the Girdwood Trails Plan as an element of the Comprehensive Plan (AO 2024-21). In May of 2023, HLBAC unanimously passed a Letter of Acknowledgement of the draft Girdwood Trails Plan understanding that there are several proposed trails that would be located on HLB parcels that may come before the Commission for action at a later date. See the *2025 Work Program* and *Five-Year Management Plan* Chapters for more details on future steps.

Land Management

HLB Parcel 6-013 – HLB Staff conducted a site visit to evaluate the likely presence of wetlands, which were previously identified as Class A in the 2014 Wetlands Management Plan. The site appeared to have more than fifty percent wetland characteristics. This site would be better suited for future wetland mitigation credits rather than development.

HLB Parcel 6-060 – HLB Staff researched, drafted, and distributed a memorandum regarding the earthen embankment along Glacier Creek in Old Girdwood.

Contaminated Sites – Certain HLB parcels have been found to contain contamination in several different forms. In the past few years, several sites have been in various stages of remediation, including but not limited to the following:

HLB Parcel 3-078E – HLB continued to conduct environmental testing and monitoring as required by ADEC. New monitoring wells were installed in July to work towards delineating the potential contamination plume.

Wetland Mitigation – As the municipal agency solely responsible for management of conservation easements, the HLB has ongoing monitoring and management requirements as

outlined in the conservation easement and long-term management plans. The HLB must oversee funds generated from the sale of mitigation credits or acceptance of properties, subject to a conservation easement, to allow for care in perpetuity.

Table 2.1: Conservation Easements Managed by HLB

HLB Parcel	Year Established or Modified	Acreage
5-024; Blueberry Lake	2005	7.5 acres
3-049; Campbell Tract	2007	15.5 acres
Portions of 3-075; 3-076; 3-077; 3-065; Tudor Municipal Campus	2009	40.0 acres
3-035; Chester Creek Headwaters	2009	9.75 acres
3-029; Campbell Tract	2009	27.5 acres
3-064; Dowling Substation	2010	24 acres
6-251; Arlberg Extension	2015	5.5 acres
CE 5-041; 100 th Avenue Extension	2016	23.9 acres
CE 3-079; Best Bog Subdivision	2019/2023	4.0 acres
CE 3-037; Reflection Lake Creek	2022/2024	2.3 acres
		Total: 160.0 acres



*Wetland flora on HLB Parcel 6-013.
Photo by HLB Staff*

Table 2.2: 2024 HLBAC Resolutions

Resolution	Subject	Date	Action
2024-01	Recommending approval to extend the lease of HLB Parcel 4-013, legally described as Lot 7A Block 118 Original Townsite of Anchorage (Plat 75-129), to Rupinder Alaska, Inc., dba Ramada Anchorage Downtown, for fair market value, and to amend the 2023 HLB Annual Work Program.	1/25/2024	Postponed Indefinitely
2024-02 (AO 2024-41)	Disposal by lease, at fair market value, to the United States Department of Transportation, Federal Aviation Administration of portions within HLB Parcels 4-033A and 4-034, legally described as Tract A Airport Subdivision (Plat 95-5) and E2 Sec 31 T13N R4W and to amend the 2023 HLB Annual Work Program.	1/25/2024	Approved
2024-03 (AO 2024-48)	The withdrawal and transfer of HLB parcels 2-127 through 2-136 to the Parks and Recreation Department, legally described as the W2SE4SW4 Sec 3 T11N R3W, Lots 1, 5, 6, 9, 10, 14, 15, 18 Sec10 T11N R3W, AND E2E2W4 & E2W2NE4NW4 SEC 10 T11N R3W, S.M., and to amend the 2023 HLB Annual Work Plan.	2/22/2024	Approved
2024-04 (AR 2024-92, As Amended)	Approval of the 2024 HLB Annual Work Program and 2025-2029 Five-Year Management Plan.	2/22/2024	Approved
2024-05 (pending Assembly action)	The withdrawal from HLB inventory and transfer of management authority of HLB Parcel 6-075, legally described as Alyeska - Prince Addition Tract F, to the Girdwood Parks and Recreation Department.	8/22/2024	Approved
2024-06, As Amended (pending Assembly action)	The disposal by a relocatable public use easement to Girdwood Mountain Bike Alliance of portions within HLB Parcel 6-251 and 6-296, legally described as portions within Sec 3 and 10 T10N R2E, in Girdwood, for twenty (20) years at no cost and to amend the 2024 HLB Work Plan.	8/22/2024	Approved
2024-07 (pending Assembly action)	The disposal by competitive bid of HLB Parcels 5-010, 5-011, and 5-012, legally described as Lots 3, 4, and 5, Tract 3, Maui Industrial Park Subdivision (Plat 77-133), in Anchorage.	10/24/2024	Approved

Chapter 3. 2025 Work Program

Numerous initiatives within the Municipality are set to impact the Heritage Land Bank in the upcoming year. The Real Estate Department has been assigned the responsibility of supporting various development projects associated with these efforts. Additionally, the Heritage Land Bank has several ongoing multi-year projects. It is anticipated that the Heritage Land Bank Advisory Committee (HLBAC) will address action items in nearly every regularly scheduled meeting.

2025 Potential Disposals, Exchanges & Transfers

HLB Parcel 2-156 – A proposal submitted by Alaska Natural Burial, a local non-profit, was selected through the RFP process for the development of this 9.5-acre parcel for cemetery purposes. HLB intends to dispose of this property to Alaska Natural Burial at less than fair market value, with conditions and restrictions.

HLB Parcel 3-027A – Dispose of property to Chugach Electric Association. This disposal was recommended by HLBAC in 2022 (*HLBAC Res 2022-03*).

HLB Parcels 3-078A-D – The disposal of these lots, which included an ADEC contaminated site, was approved by HLBAC and the Assembly (HLBAC Res 2021-01; AO 2022-05). This transaction closed in January 2025, recorded as document number 2025-000661-0.

HLB Parcel 4-013 – Execute a lease with the current lessee for the continued use as a parking lot.



HLB Parcel 2-156. Photo by Alaska Natural Burial

HLB Parcel 4-043D – Review request from Joint Base Elmendorf-Richardson for a non-development easement.

HLB Parcels 5-010, 5-011, 5-012 – HLBAC recommended the disposal by competitive bid of these parcels in October 2024 following increased public interest (*HLBAC Res 2024-07*). After an initial bidding period that resulted in no bids, HLB Staff is considering the contingencies as laid out in AMC § 25.40.025D. This would not require further HLBAC action. This disposal will be taken to the Assembly for approval after having perspective purchaser(s) and set sale prices for the lots.

HLB Parcel 6-011A, 6-011B – The improvements to the Iditarod National Historic Trail (INHT) began in 2020 led by Girdwood Parks & Recreation and the USFS. Work on the trail is consistent with the *Girdwood Trails Plan (2024)*. A trail easement will be required to develop the INHT north of Hightower Road along the privately-owned Holtan Hills properties and up valley to Crow Creek and Winner Creek Trails.

HLB Parcel 6-014 – Evaluate process for disposal, with direct sale, to owners of Alyeska Resort.

HLB Parcels 6-036, 6-061, and 6-057F – Girdwood Parks and Recreation has requested a trail easement for the Joe Danich Trail which is on the east side of Glacier Creek from the Railroad Right of Way to Alyeska Highway. This is consistent with the *Girdwood Trails Plan (2024)*.

HLB Parcels 6-036 and 6-062 – Girdwood Parks and Recreation has requested a trail easement for the Lower Virgin Creek Trail which runs between the Joe Danich Trail and Virgin Creek Road. This is consistent with the *Girdwood Trails Plan (2024)*.

HLB Parcel 6-057F – Staff evaluated four options for the future of the Girdwood Industrial Park in 2024. The work has continued to illustrate the complexity of the Girdwood Industrial Park. HLB Staff will work with Girdwood Board of Supervisors to evaluate if the continued analysis, with recommendation on next steps, is better completed by the Girdwood Valley Service Area with their recently expanded powers to support local housing and economic stability in the Girdwood Valley.

HLB Parcels 6-074A, 6-074B – HLBAC has recommended, and Assembly has approved (AO 2022-47), a disposal to the Alaska Railroad Corp. by non-exclusive lease for the purposes of avalanche mitigation infrastructure. It is anticipated that this lease will be executed prior to construction.

HLB Parcel 6-075 – HLBAC recommended this parcel be withdrawn from HLB inventory, transferred to Real Estate general inventory, with management authority assigned to Girdwood Parks and Recreation (*HLBAC Res. 2024-05*). This transaction will be completed this year.

HLB Parcel 6-076 – Girdwood Community Land Trust submitted an application for a long-term ground lease. A Letter of Intent and Land Use Permit were executed to allow due diligence to move forward. GCLT released a Request for Information to determine to best use of the land. More details on the development potential will be shared as it becomes available, and it will be presented to the HLBAC. Development of the site consistent with the Girdwood South Townsite Plan is supported.

HLB Parcel 6-134 – HLB anticipates receiving a request from Girdwood Parks and Recreation for transfer of this parcel. Upon receiving this request HLB Staff will evaluate the development potential of this tract, perform an agency review to determine the public purpose need and feasibility of development, and determine consistency with the approved Girdwood South Townsite Master Plan or if the plan needs to be amended.

HLB Parcels 6-251 and 6-296 – HLBC and the Assembly approved granting a 20-year public use easement to the Girdwood Mountain Bike Alliance (Bikewood) for the development of a first phase of trails. It is anticipated that this easement will be recorded in the coming year. HLBC unanimously approved Resolution 2024-06 to the Girdwood Mountain Bike Alliance (Bikewood) for a 20-year public use easement for the development of a second phase of trails. The HLBC recommended several conditions that are still being resolved prior to this action going to the Anchorage Assembly.

Utility Easements Generally – HLB may coordinate with utility providers within the MOA to provide easements that benefit residents or the MOA in general.

2025 Potential Acquisitions

Municipal Entitlement Lands – HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the SOA to the MOA.

Laurel Acres Properties – HLB will continue to accept donations and key purchases of parcels located within the Laurel Acres subdivision. The inclusion of these parcels in the HLB Inventory will be for future conservation easement and wetland preservation credits to facilitate development in other areas of the MOA.

2025 Potential Projects

HLB Parcel 3-080 – Staff will begin to evaluate this parcel for land use entitlements including replating and rezoning for future disposal.

HLB Parcel 4-033B – The Clitheroe Center became vacant in April 2024. Staff is working with other departments to determine Municipal need, state of the structure, and propose next steps. HLB may pursue leasing the building to a non-profit to provide community benefits similar to previous uses.

HLB Parcel 4-046 and 4-047 – Until such time the Master Plan can be implemented, short-term use of the site, for the purposes of activating the site, will be pursued for immediate implementation. Uses that incorporate elements of the Master Plan will be prioritized. HLB will work with the Planning Department to incorporate the Master Plan as an element of the comprehensive plan. HLB will continue to engage with local stakeholders.

Holtan Hills Tracts 1 & 2, HLB Parcel 6-011A (formerly portions of HLB Parcels 6-011, 6-016 and 6-017) – HLB Staff will continue to collaborate with the developer and implement the Development Agreement and AO 2023-137, As Amended. HLB Staff will continue coordinating with AWWU for a sewer extension and other site-related work to support the Holtan Hills project. HLB is continuing work with the State Department of Natural Resource’s to vacate the Section Line Easement in the area. The Assembly authorized HLB to convey Tract 3 (HLB 6-011A) at a later date, upon other conditions being met (AO 2023-137, As Amended).

HLB Parcel 6-011B – This area has two proposed uses for this parcel at this time, specifically the portion east of Glacier Creek:

First, in 2017 HLBAC passed resolution 2017-09 supporting a 20-year public use easement at no cost to the Girdwood Nordic Ski Club for the development of Nordic ski trails similar to their easement with HLB for the nearby Nordic 5K loop. The dedication of this easement(s) has not been brought to the Assembly because conditions in the resolution remain outstanding.

Second, in 2021 HLB released a Request for Proposals (RFP) for housing to be developed in Girdwood on HLB land. The proposal selected was one submitted by Alyeska Holdings, LP and Seth Andersen, and included a disposal of approximately 72 acres (27 of which is for mixed-use development, the remainder for recreation and access) to facilitate the development of Glacier Creek Village through a purchase and development agreement.

The proposed action in the coming year is to work with the Girdwood Nordic Ski Club, Alyeska Holdings, LP, and Seth Andersen to dedicate trail easements on 6-011B. Additionally, HLB intends to start the process to replat 6-011B, in accordance with AMC 21.03.200. This future plat will be required to be in compliance with the Girdwood Comprehensive Plan, the Girdwood Trails Plan, and any other applicable adopted plans. The platting process will include opportunities for public input during a community meeting held in Girdwood prior to submittal of the plat application, and a subsequent public hearing at the Platting Board. The intent is to record the trail easement(s) prior to finalizing the plat. Additionally, HLB will not propose a disposal of the mixed-use development area until such a time that the trail easement(s) and plat have been recorded, as long as the Girdwood Nordic Ski Club continues to make reasonable progress towards trail development. For longer-term plans regarding a disposal for the Glacier Creek Village, see the Five-Year Management Plan (page 19).

HLB Parcel 6-011C – A separate tract containing the land that is zoned “Girdwood Institutions and Parks” may be included in a future platting action. This new tract will be available for current and future municipal or local community needs.

2025 Land Management

Fire Fuels Reduction – HLB will work with the Anchorage Fire Department to address high priority HLB parcels at the wildland-urban interface.

Conservation Easement Management – HLB staff shall continue management and required annual site monitoring of conservation easements. HLB performs annual site inspections and monitoring of ten Conservation Easements (Table 2.1). HLB is responsible for approximately 160 acres of conservation wetlands that were preserved through permittee-mitigation with approval as part of the Corps regulatory process. This management consists of annual site monitoring and reporting. Site monitoring for conservation easements is specific for each site and thresholds for wetland functions need to be assessed; these types of things include surface water mapping, plant identification and percent cover, water quality checks, the presence of fish and other wildlife, etc. Due to the remoteness and pristine state of the sites, considerable time is necessary to evaluate the wetland functions and overall health of the sites. While most of the sites are required to be visited once per year, it is often necessary to visit in the winter, as well. More area can be accessed on these sites in the winter frozen conditions.

Spatial Analysis of HLB Parcels – With the help of the MOA Geographic Data and Information Center (GDIC), HLB completed an inventory of potentially developable HLB Parcels in Girdwood in 2023. HLB Staff will continue to with GDIC Staff to expand the spatial analysis to all HLB Parcels.

Trespass and Encroachment Issues – HLB Staff will continue to identify, track, and resolve trespass and encroachment issues. HLB will consult with appropriate agencies as necessary, including Code Enforcement, Legal Department, and Anchorage and Whittier Police Departments. We ask that the public report any Public Lands (Title 25) code violations on HLB parcels (including prohibited motor vehicle use) to HLB Staff at HLB@anchorageak.gov.

Plans, Studies & Surveys

Chugiak parcels, Section 16, Site Specific study – Conduct a site-specific land use study for HLB Parcels 1-007A, 1-008, 1-090, 1-091, and 1-092 in compliance with the *Chugiak-Eagle River Comprehensive Plan Update* (2006) and the requirements of AMC subsection 25.40.025C. to determine an appropriate use for the area.

Girdwood Comprehensive Plan Update – In April 2021 the Anchorage Assembly formally authorized Imagine!Girdwood, a non-profit organization, to develop an update of the Girdwood Comprehensive Plan (formerly known as the Girdwood Area Plan) as an element of the Municipality of Anchorage's Comprehensive Plan. The GCP is pending Assembly action and will be used to guide management of HLB land in Girdwood for the planning horizon.

Chapter 4. Five Year Management Plan: 2026 – 2030

The HLB will review several of its holdings for disposal during this five-year planning period. The following pages represent HLB parcels that will be considered for sale, lease or exchange, provided such disposals are consistent with the MOA Comprehensive Plan, land use studies, wetlands mitigation policies, and market conditions. As recommendations for any disposals are made, the public hearing process will be initiated through the HLBAC and recommended to the Mayor, with subsequent approval required by the Assembly, also following a public hearing. Several of these parcels will need to be reviewed more carefully before determining final disposition or use. Housing is a municipal-wide need. HLB will continue to evaluate parcels for housing development potential as community planning documents are updated. Exploring non-profit entities for partnership is an avenue that will be considered to provide varied housing options.

Potential Disposals, Exchanges & Transfers: 2026 – 2030

HLB Parcels 1-081 & 1-082 – Staff may explore feasibility of residential development for an eventual disposal for that purpose with access to Chugach State Park is applicable.

HLB Parcels 2-116 through 2-122 – These parcels may be more appropriate to be withdrawn out of HLB inventory and into Real Estate Services with Management Authority provided to Parks & Recreation.

HLB Parcel 2-125 – Rabbit Creek Community Council is evaluating a connector trail from the elementary school to Bear Valley through HLB Parcel 2-125. An agreement or other proposal is anticipated for trail location, development, and management. Any trail development in this area will be in coordination with the Parks and Recreation Department and the Section 36 Park Master Plan (2014).

HLB Parcel 2-139 – Access needs to be established through a private parcel.

HLB Parcels 2-144A - D – Per the *PVLUA*, these parcels are designated for residential and open space recreational use. 2-144C was rezoned to R6-SL in 2018 (AO 2017-163) and may be considered for disposal in a future work plan.

HLB Parcel 2-146 – Although the *PVLUA* recommends a rezone for this parcel from PLI to R6-SL, the *HDP* suggests that due to slopes in the area, R-10 may be more appropriate in this general area. Staff may consult with the Planning Department to assess appropriate zoning for this parcel.

HLB Parcel 2-152 & 2-158 – Grant an Intergovernmental Permit to Project, Management & Engineering (PM&E) for the purpose of increasing access to HLB parcel 2-152, with construction at a later date. Coordinate with MOA Parks, CSP, and the public to determine recreation access potential to several nearby parklands, and to produce a context sensitive design for access improvements.

HLB Parcel 3-010 – Disposal by competitive bid or leasing of part or all of the parcel may be considered.

HLB Parcel 3-042 – Potential disposal by ground lease to CEA for the purpose of a substation. Trail easement for a Northeast Connector Trail to be completed for Parks & Recreation. Intergovernmental Permit for old Army access road used as a utility access road.

HLB Parcels 3-078E – Continue to evaluate environmental contamination and market this parcel for sale or lease.

HLB Parcels 4-032, 4-033A-F and 4-034 – The 2040 Land Use Plan Map identifies community facility uses for a portion of these areas and HLB will consider a long-term lease consistent with that approved planning document. TSAIA has a Right-of-Way easement and a Land Use Permit in the area, which would be taken into account in any future actions.

Public Access to the Tony Knowles Coastal Trail through HLB land may be considered if/when development of the parcel(s) are proposed. Additionally, HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to determine appropriate boundaries for a trail and natural space buffer within the areas designated as Park or Natural Area, and, as funding is available, will survey the trail and natural space buffer portions for transfer of management authority to Parks and Recreation. HLB will retain all management responsibilities pertaining to existing contracts affecting these parcels. HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to discuss possible park dedication or other permanent protection status for the trail and natural space buffer (Figure 1).

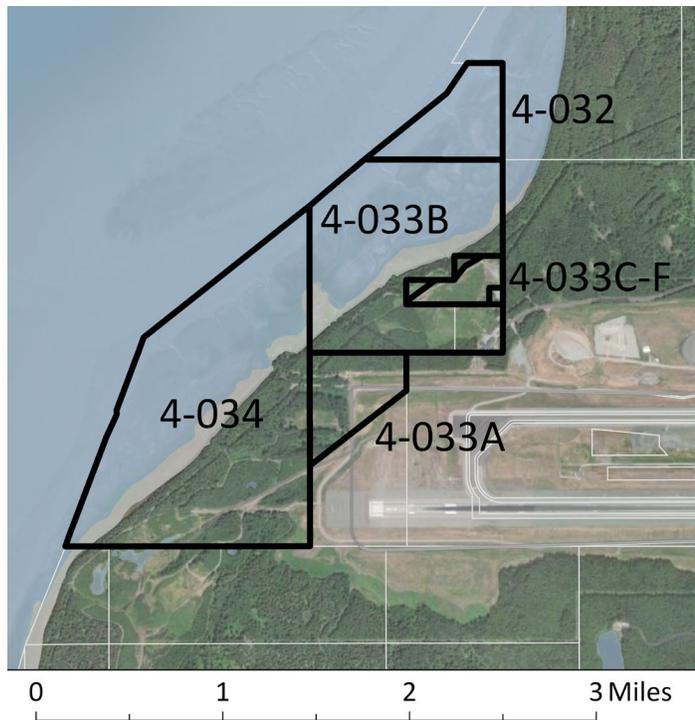


Figure 1: HLB Parcels 4-032, 4-033A-F & 4-034

HLB Parcel 4-045 – Resolve trespass issue and evaluate withdrawal of property out of HLB Inventory to Real Estate Services with management by Parks & Recreation.

HLB Parcels 6-003B – This parcel, located near the Indian Valley Bible Chalet, may be considered for disposal. The site is also located near utility lines and may be requested for expanded utility facilities.

HLB Parcel 6-003C – The Turnagain Arm Community Council has expressed interest in locating a community center on this parcel and passed a resolution in support in 2016. The TACC will notify HLB when able to move forward on their effort.

HLB Parcel 6-011B – After a replat of 6-011B is complete, the disposal process to Alyeska Holdings, LP and Seth Andersen to facilitate the development of Glacier Creek Village through a purchase and development agreement will begin (see page 17 for historical context and short-term plans for the area).

This project will be required to be in compliance with the Girdwood Comprehensive Plan, the Girdwood Trails Plan, and any other applicable adopted plans. As with any HLB disposal, it will be taken to HLBC (with public noticing) for a public hearing and recommendation to the Assembly. Then an ordinance seeking authorization for the disposal will be brought to the Assembly for an additional public hearing and decision. The Assembly will have the opportunity to approve, amend (place conditions on the disposal), or deny the ordinance. If the Assembly passes the ordinance, HLB will then be authorized to move forward with a disposal, subject to the conditions of the ordinance. HLB will include a reversionary clause, so that if conditions are not met, the Glacier Creek Village area will come back into public ownership.

Many other ideas about conditions were mentioned during the drafting and approval process of the Girdwood Comprehensive Plan and will be provided to the HLBC and Assembly if and when they consider the disposal. These include limiting short term rentals, minimizing trail and road crossings, integrating the residential development with the existing and planned trail network, developing a Nordic ski hut and additional parking for recreators, prioritizing conventional mixed-density housing, implement design strategies for efficient construction and clustered residences, and other conditions related to making the housing more attainable for the local workforce.

HLB Parcel 6-039 – Evaluate this parcel for potential replat into residential lots for disposal. HLB will coordinate with GBOS, LUC, and GVSA on the proposed subdivision.

HLB Parcels 6-053, 6-054, 6-055 and 6-056 – ADOT&PF has expressed interest in potentially acquiring these parcels. HLB may consider a disposal or exchange.

Potential Acquisitions: 2026 – 2030

Municipal Entitlement Lands – HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the State of Alaska to the Municipality.

Potential Projects: 2026 – 2030

Revolving HLB Fund – HLB staff will draft a revolving fund account policy and procedure instrument, for review and approval by the HLBC, to allow proactive acquisition of key parcels to achieve the mission of the HLB.

Chugach State Park Access – In order to improve access to Chugach State Park (CSP) as the *Anchorage 2020 Comprehensive Plan (2001)* encourages, HLB will continue exploring the feasibility of exchanging parcels or allowing development of access to CSP from certain HLB parcels, such as HLB Parcels 2-139, 2-147, 2-152 and 2-158 in upper Bear Valley. CSP has produced an access inventory and trails and access plans. HLB will work with the State and the public to accommodate some of these desired access areas and evaluate these parcels for issuance of access easement across HLB land to provide CSP access (Figure 2).

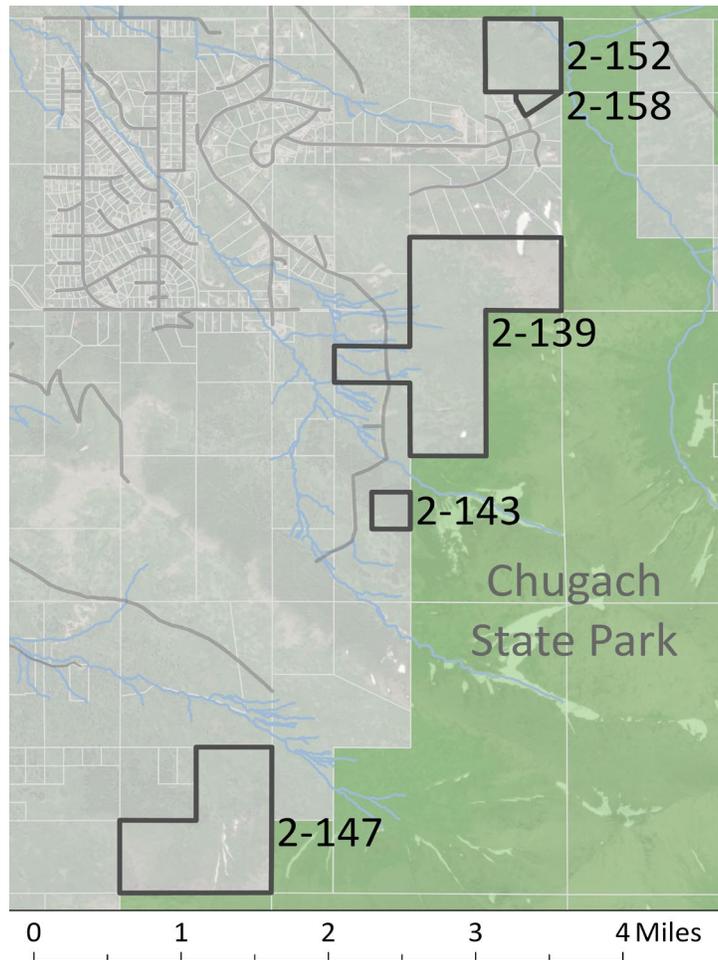


Figure 2: HLB Parcels adjacent to Chugach State Park

HLB Parcel 1-111 – In February 2024, the Anchorage Assembly voted to add a bond to the general election to fund cemeteries in Eagle River and Girdwood. However, the bond did not pass. HLB Staff will continue to work with the Chugiak-Eagle River Cemetery Committee, and Chugiak-Eagle River Parks & Recreation, and the Planning Department as they work towards next steps.

HLB Parcels 4-046 and 4-047 – The 3rd & Ingra Former Alaska Native Service Hospital Master Plan 2019 will be implemented. Uses that incorporate elements of the Master Plan will be prioritized. HLB will commence action and by 2029 complete the Near-Term Implementation (Pre-Development) Actions listed in Section 8.7 of the Master Plan. HLB will also explore means to incorporate the Master Plan as an element of the comprehensive plan, whether alone or as part of a neighborhood, district or small-area plan.

HLB Parcel 6-018 – In February 2024, the Anchorage Assembly voted to add a bond to the general election to fund cemeteries in Eagle River and Girdwood. However, the bond did not pass. HLB Staff will continue to work with the Girdwood Board of Supervisors and the Cemetery Committee as they work towards next steps.

HLB Parcels 6-251, 6-295 and 6-296 – A survey of the approximately 1,200 acres comprising the study area will be required prior to final conveyance of the land by the State to the Municipality. The BLM needs to issue a final patent to the State prior to conveyance to the MOA. *Glacier-Winner Creek Access Corridor Study (1996)* and the *Girdwood Area Plan (1995)* identified several

thousand acres of HLB and state land near the confluence of Glacier and Winner Creeks in the upper Girdwood Valley for development, constrained at this time by market demand and infrastructure costs.

Heritage Land Bank Umbrella Mitigation Banking Instrument – HLB staff still finds that developing a program that will allow the sale of compensatory mitigation credits for the preservation of wetlands and streams is in the best interest of the Municipality of Anchorage. This program will utilize strategies available through the USACE permitting process, establishing a mitigation banking agreement with the USACE to protect our waterways and watersheds. Stewardship fees paid by permittees will provide care in perpetuity for the conserved wetlands. In response to USACE and agency comments, HLB developed the MOA Wetlands Prioritization Project to be used as a tool for selection of highest value municipally owned wetlands for preservation in the HLB Mitigation Bank. Additions to the Bank will also be subject to public review and comment. Upon USACE approval of the Heritage Land Bank Umbrella Mitigation Bank, HLB plans to place conservation easements on those sites approved as Bank sites. Staff will continue to evaluate bank sites and use the MOA Wetlands Prioritization Project as a guide.

Potential Heritage Land Bank Umbrella Mitigation Bank Sites

Girdwood Valley Parcels – Create a site plan for a mitigation bank site in the Girdwood Valley.

HLB Parcel 5-023 – Tract C Mike Bierne Subdivision is a parcel adjacent to Sand Lake in west Anchorage primarily made up of wetlands. The *West Anchorage District Plan (2012)* recommends the parcel be transferred to Parks. This site will be considered for a wetland bank site prior to management authority transferring to Parks & Recreation. Any conservation easement placed on the property will be managed by HLB.

Land Management: 2026 – 2030

HLB Parcel 6-002 – One remaining party claims an interest in a mining claim on the parcel. HLB will evaluate the validity of the claim and consider the purchase of the remaining mining claim. HLB will then work towards remediation of the property and obtain a patent.

Bird Creek Homeowners' Exchange – A group of homeowners have been working with the State and MOA to resolve long term trespass on municipal lands in Bird Creek Regional Park. This ongoing project will clear up property descriptions for the members of the Bird Creek community and add two additional parcels to the park.

Potential Plans, Studies & Surveys: 2026 - 2030

Girdwood South Townsite Master Plan – potential update after the GCP is adopted.

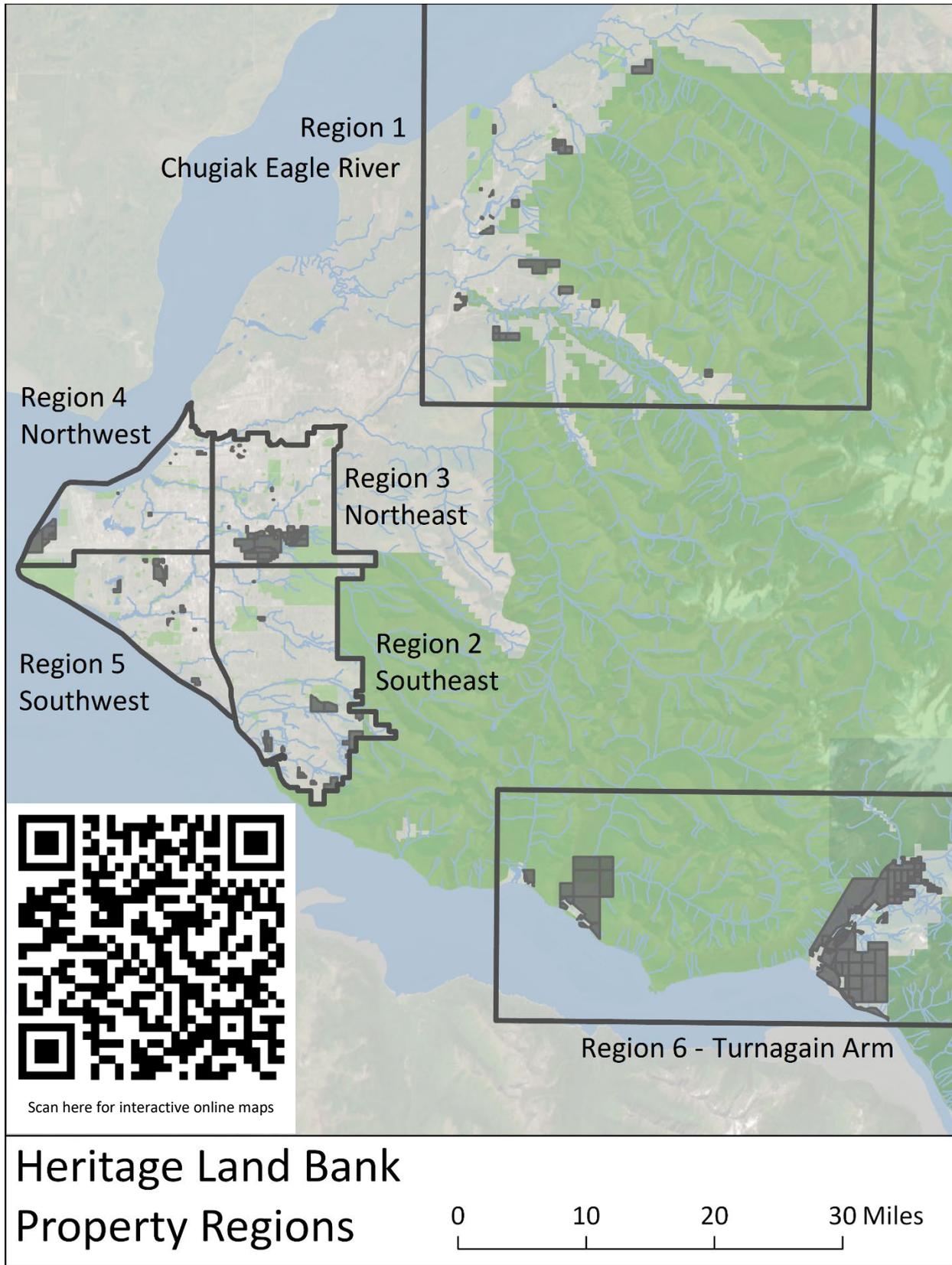
Girdwood Trails Plan Implementation – The Girdwood Trails Plan was approved by the Assembly in February 2024 (AO 2024-21). When located on HLB land, HLB’s involvement in the establishment of new trails generally begins in the conceptual phase (proposals require the support of HLBAC and the Assembly) and continues beyond approval with permitting and disposal by easement(s). HLB is aware of several proposed trails in Girdwood, both by non-profits and Girdwood Parks and Recreation, that are located on or go through HLB properties.

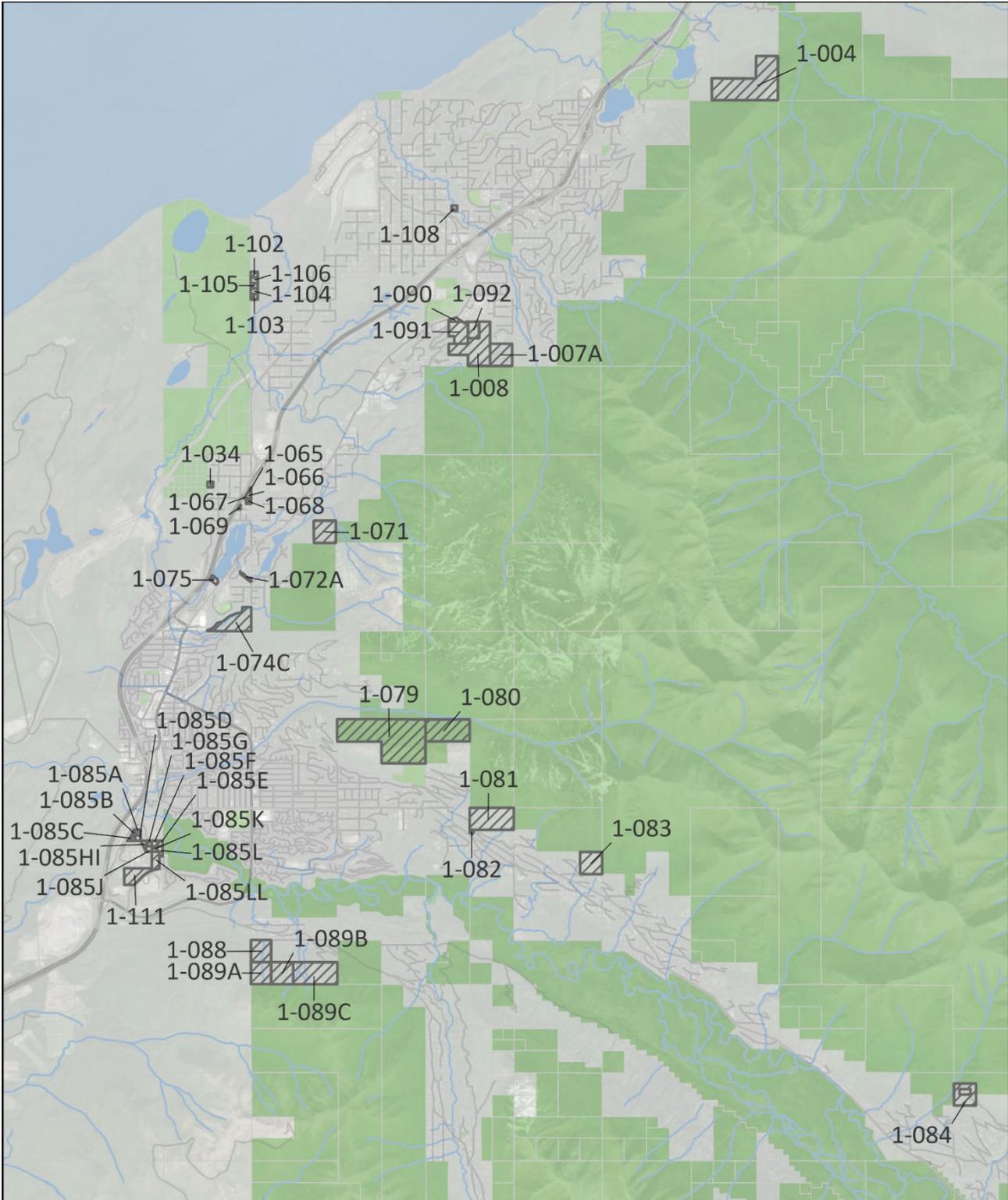
Girdwood Valley Watershed Management Plan – HLB recognizes the need for a watershed plan and would participate as a stakeholder on any future planning effort.



HLB Parcel 6-039. Photo by Margaret Tyler

Appendix A

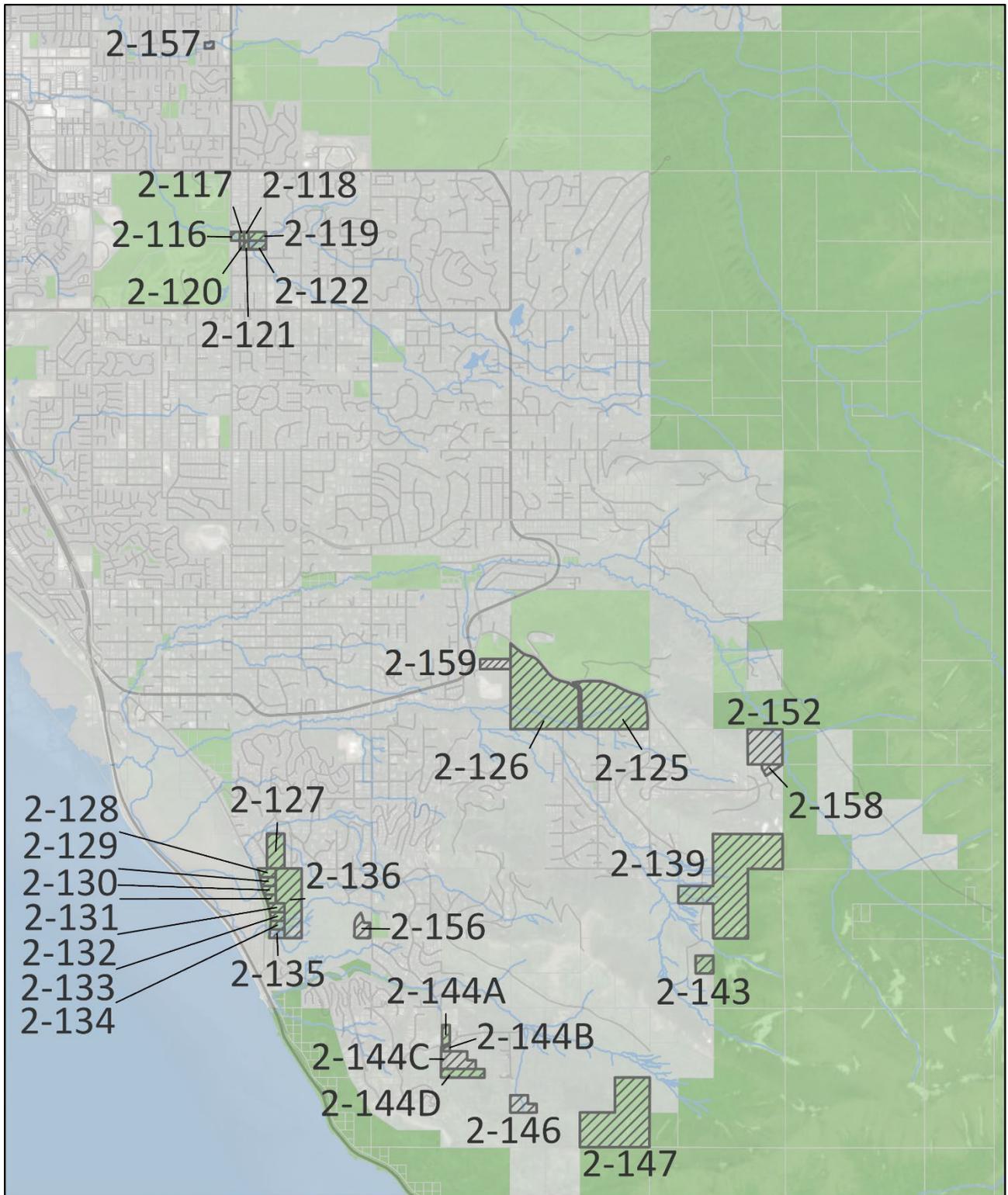




HLB Property Region 1

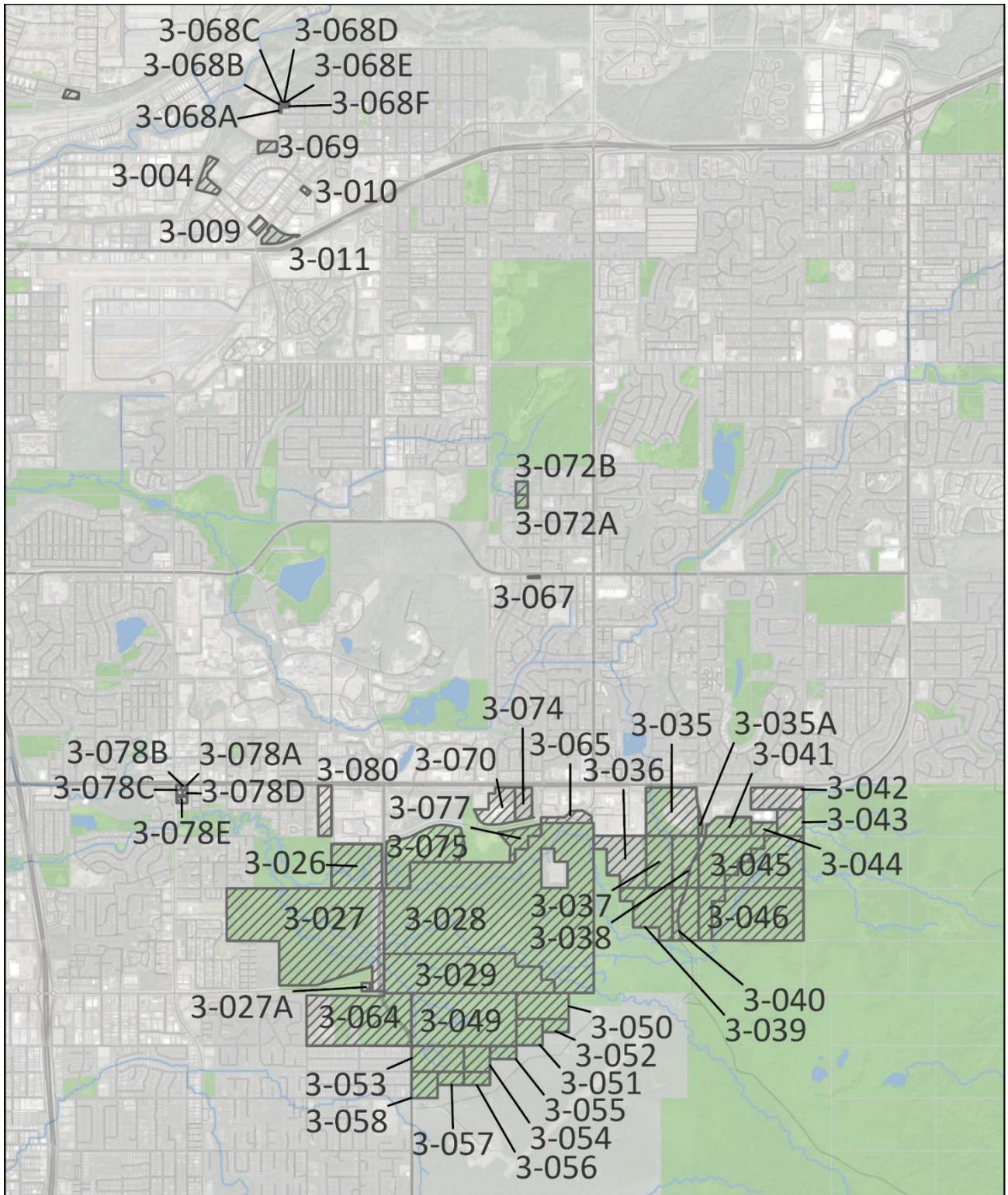
Chugiak Eagle River Parcels





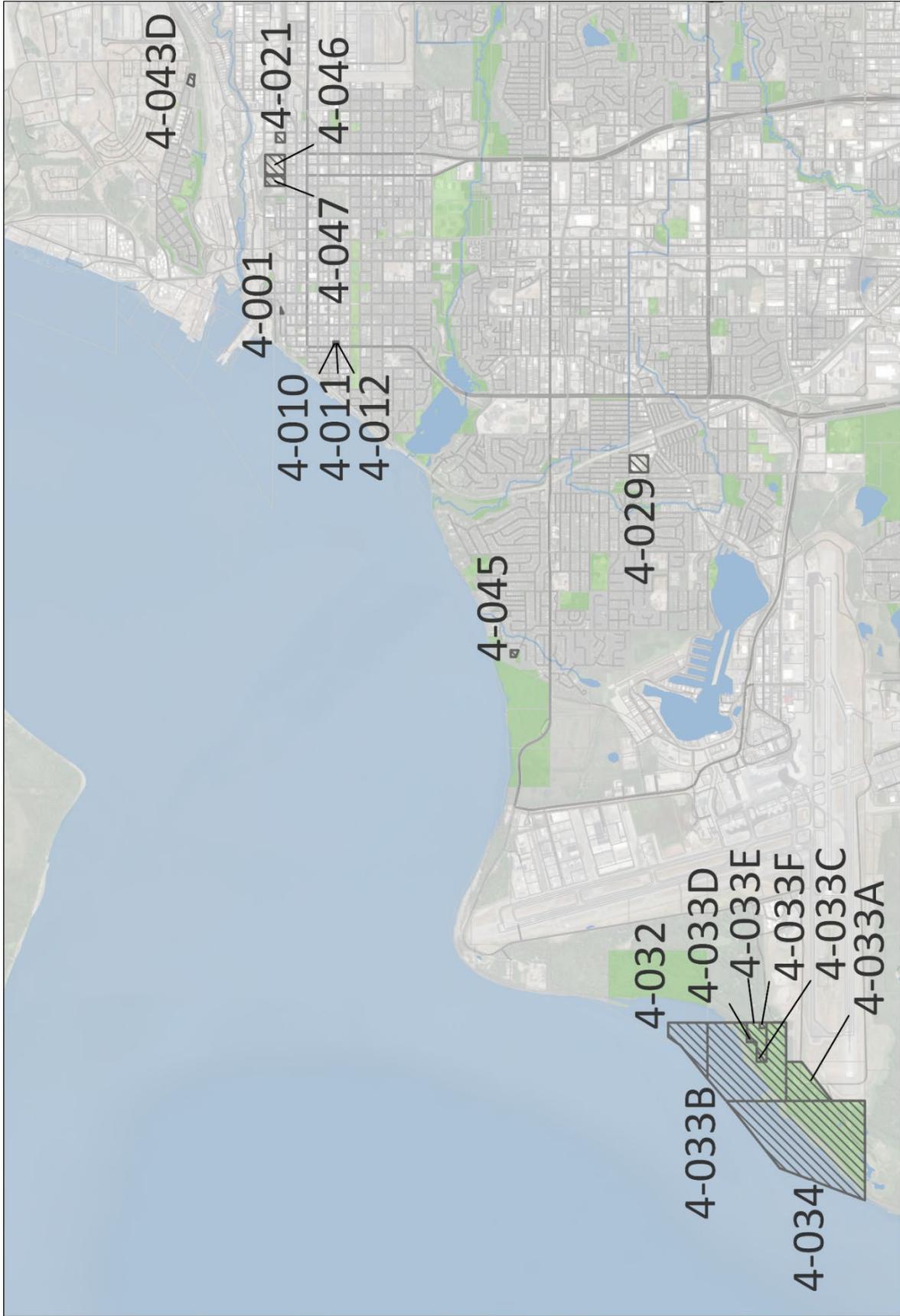
HLB Property Region 2 Southeast Parcels

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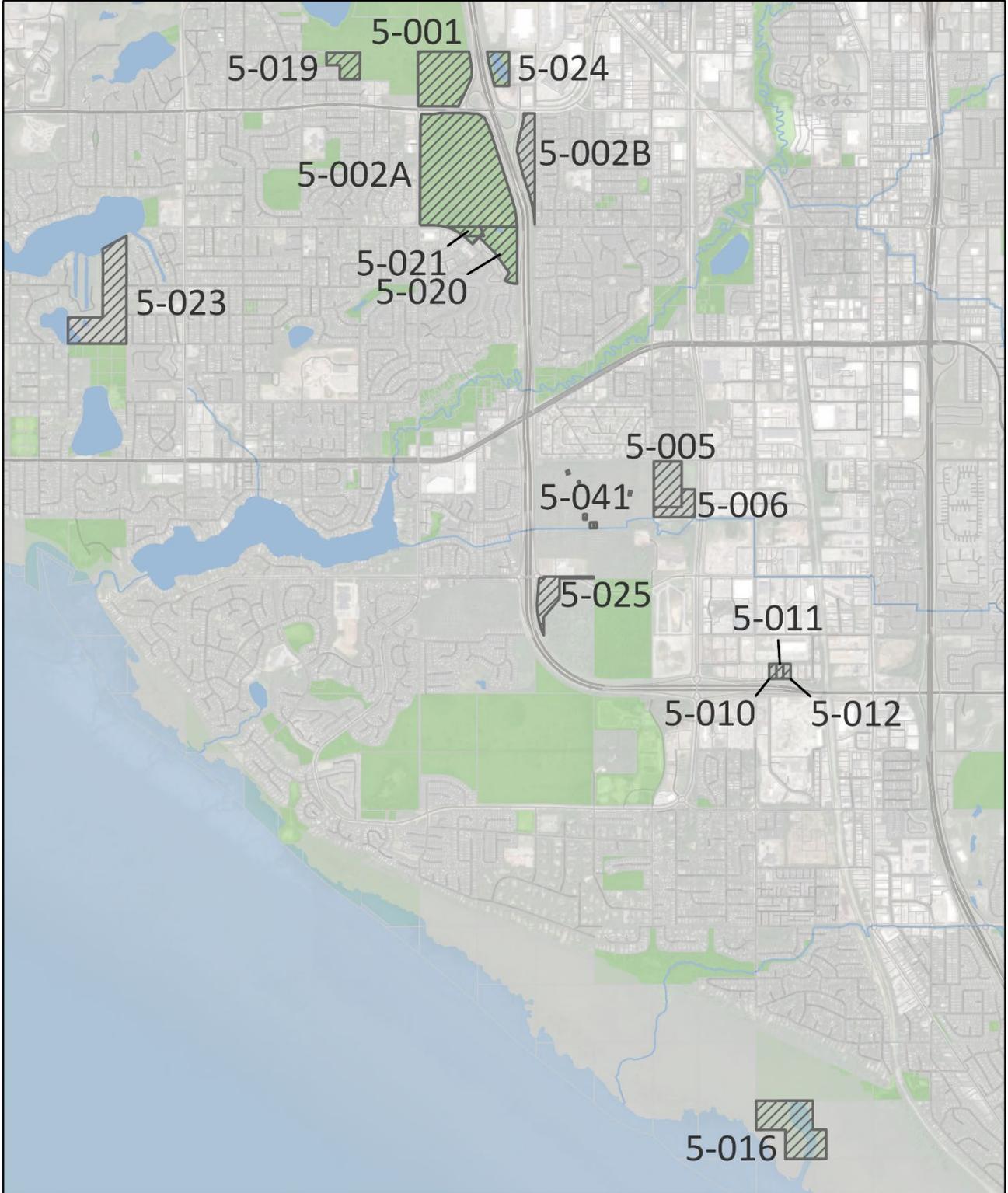


HLB Property Region 3 Northeast Parcels

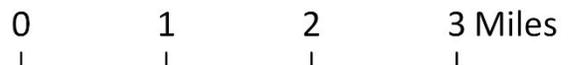
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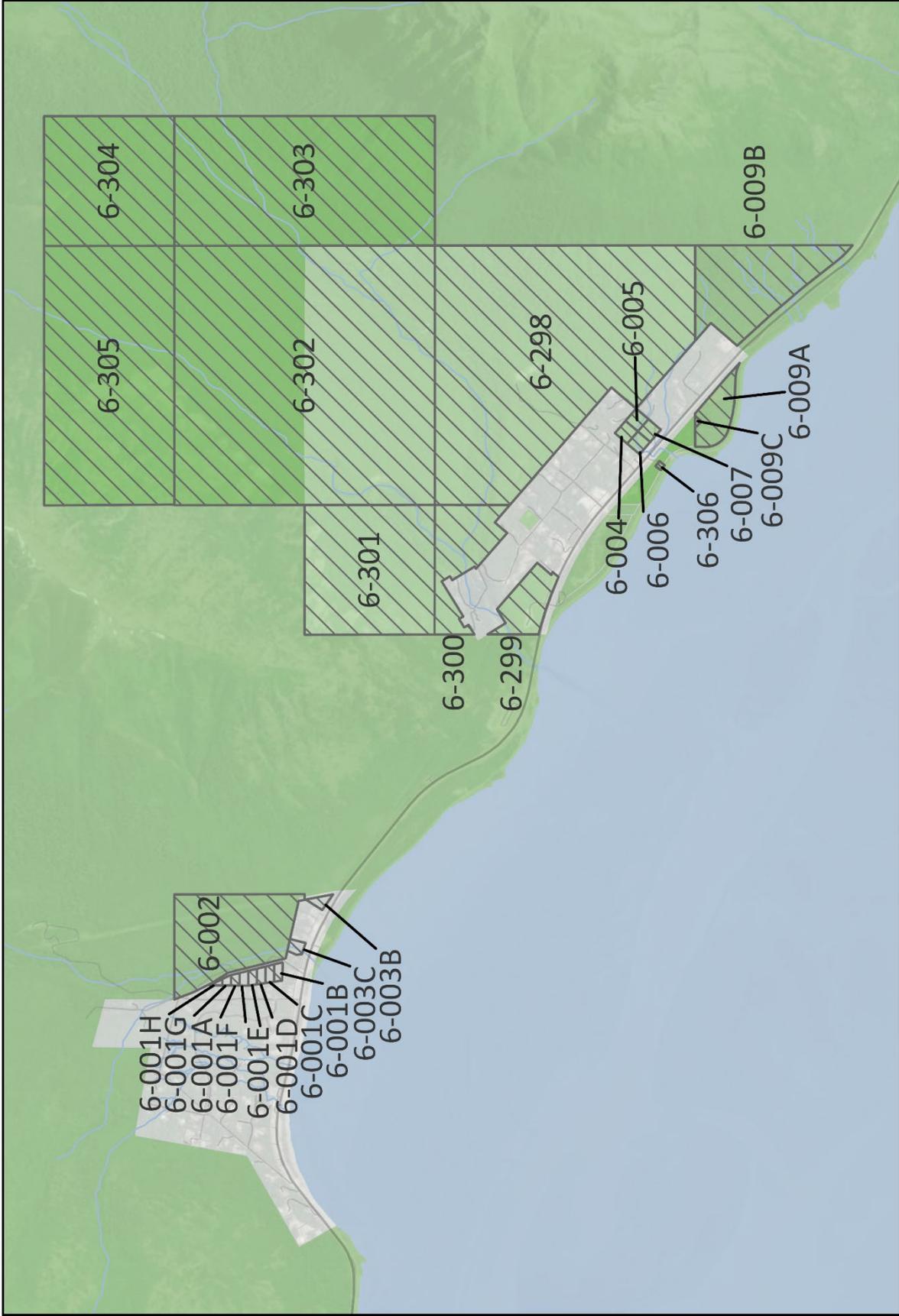


**HLB Property Region 4
Northwest Parcels**



HLB Property Region 5 Southwest Parcels





HLB Property Region 6 Turnagain Arm Parcels

Appendix B

OVERVIEW & POLICIES

I. Overview

The Municipality of Anchorage Heritage Land Bank (HLB) is responsible for managing the majority of the municipality's uncommitted land base, currently consisting of over 12,000 acres. This acreage is distributed from Chugiak to Girdwood and classified as residential, commercial, industrial, open space, and recreational areas. The HLB manages this land in a manner designed to benefit the present and future citizens of the Municipality of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan (AMC § 25.40.010).

All land and resources subject to HLB management should be included in the HLB Inventory. Land transferred to the Municipality from the State of Alaska under separate agreement or as part of the Municipal Entitlement Act is added to the inventory. Land may be withdrawn from the inventory and management transferred to other municipal agencies if such land is needed for the location of public facilities or purposes, including schools and dedicated or designated parks and open space. In addition, if HLB land is determined excess to municipal need, such land may be disposed of through land sales, exchanges, or leases. HLB staff also issues land use permits for a variety of temporary uses on HLB land.

The HLB Fund exists to receive income generated by the HLB land. The HLB Fund is used for HLB operating expenses, to acquire new land needed for municipal use, and for improvements to HLB land. All monies held in the HLB Fund are managed in a public fiduciary capacity in an account separate from other municipal funds. HLB is not tax supported and therefore has no impact on property tax revenues.

The HLB Policies and the Anchorage Municipal Charter and Code provide the general principles and guidelines necessary to govern the HLB functions related to the management of HLB land and the HLB Fund.

Any issues not explicitly covered by these policies shall be reviewed and decisions made on a case-by-case basis by the Executive Director of the Office of Economic and Community Development or their designee after consultation with the Municipal Attorney and a determination of conformance with AMC § 25.40.

II. Heritage Land Bank Advisory Commission

A seven member HLB Advisory Commission (HLBAC) from a diversity of geographic residence, occupations, and civic involvement is appointed by the Mayor and confirmed by the Assembly. The HLBAC generally makes advisory recommendations on proposed HLB actions to the Mayor and Assembly. HLBAC members serve a maximum of two consecutive three-year terms. The commission holds regular monthly meetings to consider proposed actions, except when there is no action pending.

III. Public Notice and Hearing Procedures

HLB staff provides public notice and holds a public hearing prior to making a recommendation to the Mayor and Assembly regarding actions affecting HLB land or the HLB Fund. Public notice must be postmarked 14 days prior to the public hearing. Public noticing is accomplished by:

- a. posting a sign on the land proposed for the action; and
- b. mailing notices to all property owners within 500 feet of the outer boundary of the affected HLB parcel (or the 50 parcels nearest the outer boundary of the HLB parcel, whichever is greater); and
- c. emailing notification to the Community Council where the affected HLB land is located, and the HLB distribution list, per AMC § 25.40.030; and
- d. posting the agendas on the HLB web page at <http://www.muni.org/HLB>, as well as the Municipal Boards and Commissions and Public Hearing Notices websites.

IV. HLB Land Disposals

The HLB periodically makes determinations regarding disposal of land or interests in land, consistent with the Municipal Charter, Municipal Code, the HLB Annual Work Program and Five-Year Management Plan, and HLB Policies. All land disposals must also be consistent with the Comprehensive Plan and implementing measures as well as long-term municipal and community development needs. After a public hearing on a proposal, the HLBAC submits a written finding and recommendation to the Mayor and Assembly, stating whether or not a proposed land disposal is in the best interest of the Municipality and consistent with the HLB mission and purpose. Any disposal utilizing AMC § 25.40.025H shall include additional requirements and conditions to ensure the proper development and completion of the project in the public interest, these types of disposals shall be solicited through requests for proposals or through invitations to bid.

A. Land Sales

All proposed HLB land sales occur by a competitive bid process as described in AMC § 25.40.025D for at least the appraised fair market value of the land. An application to purchase HLB land grants the applicant no right of preference or other priority.

B. Land Exchanges

The HLB may exchange HLB land for other land on at least an equal value basis, as determined by a fair market value appraisal by a certified real estate appraiser.

C. Leases

Per AMC § 25.40.025F, leases are awarded by open competitive bid process based upon one of three forms of compensation:

1. for at least appraised fair market rental rates as determined by a certified real estate appraiser; or

2. a percentage of gross receipts; or
3. a user fee. Lease rates are adjusted at intervals of not more than every five years, except as otherwise approved by the Mayor and Assembly, to reflect current market conditions. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. An application to lease HLB land grants the applicant no right of preference or other priority.

D. Easements

Easements are a disposal of an interest in land, granted non-competitively for a one-time fee based upon appraised fair market or use value, with approval of the Mayor and Assembly.

E. Rights-of-Way

Rights-of-Way (ROW) are another form of land disposal where an area may be awarded non-competitively to a specific utility or government body requesting the ROW. As with easements, the HLB allows the disposal for a one-time fee or payment based on fair market or use value of the area to be disposed of as ROW.

F. Anchorage School District

AO 2007-124(S), passed 9/25/07, covers specific procedures for site selection and acquisition of properties for school lands, amending AMC § 25.40 to include a new section (AMC § 25.40.015D), detailing selection, acquisition, and compensation to HLB for land selected as a school site.

V. Permits

HLB staff administratively issues a variety of land use permits for HLB land and resources. These permits are not a disposal of HLB land; rather a permit is a temporary grant to an individual, corporation, or agency of the right to use HLB land for a particular purpose for one year or less in duration. These authorizations include Land Use and Special Event Permits. The HLB Fee Schedule specifies the fees appropriate to various permits and use authorizations (see Section X).

VI. Intra-Governmental Authorizations and Intra-Governmental Permits

Generally Intra-Governmental Authorizations and Intra-Governmental Permits are granted to another municipal department or agency for the duration of a construction/utility project; where necessary to complete a specific project, the timeframe may exceed one year. Intra-Governmental Permits may be public use easements that are recorded and convert to full easements if the property is ever conveyed.

VII. Withdrawals from the HLB Inventory

Some HLB lands are needed by other municipal agencies for specific municipal purposes. If the need is permanent or long-term in duration, the Mayor and Assembly may withdraw the land from the HLB Inventory and transfer it to Real Estate Services. Withdrawals requested by the Mayor with Assembly approval become effective only after at least 30 days prior written notice to the HLB Advisory Commission and at least one HLBC public hearing, per AMC § 25.40.015B. If land is withdrawn from the HLB Inventory for the use and management of a public agency not supported by municipal taxes, compensation must be paid to the HLB for at least the fair market value of the land as well as administrative and associated costs. Withdrawals of HLB land for other municipal agencies may include a date certain reversionary clause, as determined by the Director of Community Development or their designee. If the agency does not use the parcel for the requested municipal purpose by the date certain, the Mayor may designate the land for return to the HLB inventory. The requesting agency may resubmit a second request for withdrawal at a later date, if necessary.

VIII. HLB Land Management

HLB land management practices are governed by AMC § 25.40. The code requires the HLBC to submit for Assembly approval an Annual HLB Work Program that conforms to the Five-Year Management Plan, Policies covering the management of the HLB land, and the HLB Fund. The Five-Year HLB Management Plan is often included with the annual work program but is required by code to be updated at least once every five years. The Five-Year Management Plan generally identifies the land acquisition, inventory, management, transfer, and disposal objectives anticipated during this timeframe. The Annual HLB Work Program includes more detailed descriptions of the proposed activities for the coming calendar year and related revenue and expenditure projections.

IX. HLB Policies

A. Land Management Policies

1. HLB staff shall manage land in the HLB inventory with the objective of maximizing municipal purposes and benefits. Its present responsibility is to provide sites for public facilities and uses for the present and future citizens of the Municipality of Anchorage. HLB staff shall consult regularly with other municipal agencies and the Assembly to determine whether HLB land is needed to fulfill various municipal purposes. If an agency has identified a municipal need for HLB land (present or future), and provides sufficient justification in support of the need, HLB staff may either (a) initiate a process to remove the land from the HLB inventory and transfer to Real Estate Services for transfer of management authority to the requesting municipal agency, or (b) create an Intra-governmental Authorization, and retain the land in the HLB Inventory.
2. All HLB land management decisions shall be based upon a finding of compatibility with municipal interests and the overall mission of the HLB. It is anticipated the majority

of the land in the HLB inventory shall continue to be held for future municipal use. Where retained, HLB land shall be managed in a manner to protect and enhance its present and future economic and other municipal values. The HLB shall ensure all HLB lands are reasonably protected from adverse impacts, including fire, insect damage, plant disease, illegal dumping, Off-Road Vehicle damage, hazardous or contaminated materials, trespass, vandalism, theft, etc.

3. HLB staff may allow temporary use permits on HLB land, provided such permits do not exceed one year (12 months), any contract longer than one year requires Assembly approval. Such temporary use includes short-term Land Use Permits (LUP), Temporary Construction Permits (TCP), and such other specific use authorizations as approved in advance by HLB staff. Where there are agreements for another MOA Agency to do maintenance or land management activities on a parcel HLB is considering a LUP, HLB will provide an opportunity for that agency to review and concur on any issued LUP. Revenue sharing will be at the discretion of the HLB Executive Director.
4. All land use permits shall be based upon prevailing market rates, unless otherwise provided by AMC § 25.40 or the HLB Fee Schedule. All payments due to the HLB and all terms of the permit shall remain current, or the HLB shall take appropriate action to ensure payment or terminate the permit.
5. HLB staff shall regularly update and maintain complete and accurate land records in the HLB Inventory. HLB staff shall continue integrating its land records with the municipal Geographic Information System (GIS) to enhance the ability of the HLB to make land use decisions based upon the best available information, including geospatial data.
6. The use of HLB land for wetlands mitigation approved by the U.S. Army Corps of Engineers (USACE) is allowed, provided the mitigation is consistent with the mission of the HLB and is approved by the HLBAC and Assembly.
 - a. HLB staff may execute an In-Lieu Fee Agreement with the USACE allowing the sale of credits to public or private developers. The funds received pursuant to an In-Lieu Fee Agreement shall be used for subsequent wetland and/or riparian acquisition, restoration, creation, enhancement, and preservation in accordance with plans authorized by the USACE.
 - b. HLB may create a mitigation bank by placing conservation easements on lands owned by the MOA. HLB staff may then sell the mitigation credits to developers needing credits to satisfy USACE permit requirements.
 - c. HLB staff may enter into permit-specific agreements with developers to provide mitigation credits on an ad hoc basis, when approved by the USACE.
 - d. When HLB land has a recorded Conservation Easement, that property would be withdrawn from the HLB inventory into RES for land management. HLB staff would be responsible for the management of the Conservation Easement.

B. Land Use Planning Policies

1. HLB staff shall manage land and resources consistent with approved Comprehensive Plans and implementing measures. If it cannot be determined whether a proposed land management or disposal action is consistent with the appropriate comprehensive plan or implementing measures, HLB staff shall complete a site-specific land use study prior to taking action on the proposal; the land use study and process may be coordinated with the Planning Department. A site-specific land use study shall address, at a minimum, the following information:
 - a. The need for community facilities such as roads, parks, trails, schools, satellite municipal offices, etc.
 - b. Identify historical and natural landmarks, natural hazards, and environmentally sensitive areas.
 - c. Public utility needs.
 - d. Potential residential, commercial and industrial uses.
 - e. Land use compatibility with adjacent areas.
 - f. Consistency with land uses identified in the Comprehensive Plan, adopted area plans, and with zoning in the area.
 - g. Potential municipal, public and community development needs.

Site specific land use studies shall be adopted through a public process, including public notice, opportunity for public comment, public hearing, and review by appropriate community council(s), HLBAC, Planning and Zoning Commission, and Assembly adoption.

2. The HLB shall initiate prudent predevelopment activities as appropriate in order to increase the value of an HLB parcel including, but not limited to, rezoning, re-platting, master planning, environmental assessment and/or remediation, and geotechnical investigations.
3. To the extent possible, the HLB shall strive to acquire and assemble additional HLB land to achieve more efficient and cost-effective land management. The HLB shall explore land exchange opportunities with other landowners where doing so benefits municipal interests.

C. Land Disposal Policies

1. HLB staff regularly reviews land in the HLB Inventory to identify parcels that are potentially excess to municipal needs as part of drafting the annual HLB Work Program and Five-year Management Plan. HLB may take advantage of unforeseen opportunities or urgent need not identified in the work program or five-year management plan. If a proposed disposal is included, HLB staff may initiate the disposal process. An unforeseen situation may prompt an amendment to the Work Plan and is brought to the Commission and Assembly in tandem with the action item resolution.

2. The HLB may dispose of land when it is determined there is no current or considered municipal use for the land and market conditions are determined to be favorable. A decision to dispose of HLB land shall be based upon written findings addressing how the disposal is in the best interest of the Municipality and consistent with the purpose and mission of the HLB. The written finding shall also identify the details associated with the disposal, including method, timing, terms, projected effects on the neighborhood and public facilities, and other relevant information. HLB, will consider adding a reverter clause stating that if the buyer does not initiate progress on a development project, the land will revert back to the MOA Heritage Land Bank inventory after five (5) years of inactivity.
3. All land sales shall occur by a competitive bid process for at least the appraised fair market value of the land. HLB staff shall provide at least a 14-day period for accepting qualified bids to purchase land. The successful bidder shall be the applicant submitting the highest qualified bid. Unless otherwise authorized, sealed bid offerings shall be the preferred method of disposal. An application to purchase HLB land shall grant the applicant no right of preference or priority.
4. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value, if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. **HLB land may be leased to other than non-profit agencies only through an open competitive bid process.** The method of compensation to the HLB shall be one of the following:
 - a. At least appraised fair market value;
 - b. A percentage of the annual gross receipts as determined by the HLB;
 - c. A user fee as determined by the HLB; or
 - d. Any combination of the above.

Lease rates shall be adjusted at intervals of no more than five years, except as otherwise authorized by the Assembly, to reflect current market conditions. An application to lease HLB land grants the applicant no right of preference or priority. Lease terms shall generally be commensurate with the length of the proposed uses, although no lease shall be longer than 55 years.

5. Prior to issuing an RFP for a specific project, the Executive Director will inform the HLBAC of the pending action during the Director's Report at a regular meeting. After the RFP is issued, HLB will provide periodic updates on the progress through written monthly updates provided in the HLBAC meeting packet.
6. HLB will deliver an executed Development Agreement along with a pro forma to the HLBAC prior to any resolution seeking a recommendation for disposal.
7. Lessees shall be consulted on proposed activities affecting their authorized uses or any proposed changes in lease terms and conditions. HLB staff shall encourage lessees to make improvements to HLB land consistent with lease purposes. However,

any lessee proposing such improvements must obtain HLB staff authorization, or as instructed in lease agreement, prior to making the improvement, and must agree in writing to maintain the improvement in good working order over the term of the lease.

8. If there is reason to believe HLB land proposed for disposal may contain hazardous or contaminated waste or other materials, HLB staff shall complete an environmental assessment of the property prior to offering the land for disposal. If the assessment reveals the potential presence of hazardous or contaminated waste or materials, HLB staff may exclude the land from the proposed disposal and remediate the site in accordance with applicable law. Contamination and indemnity clauses on all contracts shall be reviewed during annual contract summaries and upon amendments or renewals.
9. HLB land may be exchanged for other land of equal or greater fair market appraised value with greater potential value or attributes for municipal use. HLB staff may accept or pay cash to another party in order to equalize land values.
10. The HLB shall authorize easements at the current fair market rate, although another public agency may obtain an easement at less than fair market value if determined to be in the best interest of the municipality, including Intra-Governmental Permits.
11. Any entity acquiring HLB property shall indemnify or hold the HLB/MOA harmless from any third-party liability, damages, or claims arising from the disposal.

D. Land Acquisition Policies

1. HLB staff shall seek to obtain the highest quality land available when acquiring new land by exchange or by selection from the state under the Municipal Entitlement Act. Particular priority and emphasis shall be placed upon obtaining lands to satisfy present or future municipal needs and purposes.
2. HLB staff shall ensure all prior land agreements, court settlements, and legislative acts are fulfilled as intended to result in the conveyance of land to the Municipality.
3. The HLB may accept donations of land, consistent with the mission of the HLB.
4. If there is reason to believe land proposed for acquisition by the HLB may contain hazardous or contaminated waste or other materials, HLB staff shall ensure an environmental assessment of the property is conducted prior to making a recommendation to acquire the land.

E. HLB Fund Management

1. The HLB Fund shall be used only for HLB operating expenses, acquisition of land for municipal purposes, and for maintenance and improvements to HLB land.
2. HLB staff shall manage the HLB Fund in a fiduciary manner seeking to increase the value of the Fund corpus over the long-term.

3. The HLB Fund may be used to acquire land for municipal purposes if alternative means of acquisition have been explored and determined to be untimely, impractical, or infeasible.
4. HLB staff may invest HLB capital in land improvements on HLB land, or other lands with community benefit consistent with the Comprehensive Plan, Assembly approval, in such direct capital investments and value enhancement activities including but not limited to site planning, rezoning, platting, access and utility acquisition, pursuant to AMC § 25.40.035F.

X. HLB Fee Schedule

The HLB shall establish administrative and other fees associated with processing land disposals and permits. Please refer to Section IV for an overview of the types of land disposals and general procedures. **All fees may be modified at the discretion of the Director of Community and Economic Development or their designee.**

A. Application Review Fee

Applicants seeking to acquire HLB land are required to pay the HLB a non-refundable \$500 fee to initiate the application review process. The application fee must be submitted with the application. An additional \$500 fee may be charged by HLB for acquisitions or disposals where an expedited review, to be completed within ten business days, is requested. NOTE: An application to purchase HLB land grants the applicant no right of preference or other priority (AMC § 25.40.025A).

B. Disposal Fees

1. Land Sales - All HLB land sales shall be awarded competitively for no less than the fair market appraised value of the land plus costs and a \$500 administration fee. Land sales shall be awarded to the highest qualified bidder through a procedure determined by HLB to be the most appropriate for a given sale. Details for this process shall be provided in advance in the bidding instructions. In the case of identical highest qualified bids, the HLB shall obtain a best and final offer from among the highest identical qualified bids (AMC § 25.40.025D).
2. Leases – Leases shall be awarded by an open competitive bid process, unless issued under Section IX.C.4., and HLB shall determine the most appropriate compensation method for the particular property, with details described in the bidding instructions, and may include one or more of the following:
 - a. At least the fair market appraised value of the land; or
 - b. A percentage of the gross receipts anticipated to be received by the bidder and attributed to the leasehold; or
 - c. A user fee attributed to the leasehold; or
 - d. Any combination of the above.

An administrative fee of \$500 shall also be paid by the successful bidder upon completion of the lease award. The successful bidder shall be the applicant proposing the method of compensation providing both the greatest monetary return to the HLB and the most consistent with the HLB mission and the best interests of the municipality.

Lease rates shall be adjusted by the HLB at intervals of not less than every five years to reflect current market conditions, except as otherwise specifically authorized by the Assembly.

C. Disposals to Non-Profit Agencies

The HLB may lease or sell HLB land non-competitively, where the lessee or purchaser is a non-profit or governmental agency, for less than its appraised fair market value, if the projected municipal benefits are found by the Mayor and the Assembly to be in the best interest of the Municipality.

A \$500 administrative fee shall apply for processing non-competitive or less than fair market value disposals to non-profit agencies or groups.

Other non-competitive disposals include:

1. Exchanges – HLB may conduct an equal value land exchange for other land on at least an equal value basis plus \$500 administrative fee (AMC § 25.40.025E).
2. Easements – Easements are awarded non-competitively for a one-time fee equal to the fair market value of the easement interest to be conveyed; a \$500 administrative fee shall be paid by the requestor.

D. Permit Fees

1. Applicants seeking to acquire a Permit are required to pay HLB a non-refundable \$250 fee to initiate the application review process. An additional administration fee of \$250 may be charged by HLB for issuance of permits on an expedited basis, i.e., within 10 working days.
2. Intra-Governmental Authorizations requested by non-tax based municipal agencies, including but not limited to AWWU, Port of Anchorage and ACDA, shall pay a minimum \$500 administration fee or 10% of the property's assessed value, whichever is greater.
3. Renewals, amendments, subleases, assignments or extensions of existing HLB leases and permits may require a minimum administrative fee of \$250 for each action (includes subleases and assignments). A security deposit may be required, based on the property to be permitted and the use proposed.

Permit Type	Fee Estimate
Special Event Permit (race, tournament, etc.)	\$500/day
Land Use Permit	10% of Assessed Value per year, or minimum of \$750/week for up to four weeks; \$250/week for remaining 48 weeks.
Land Use Permit (user fee)	Fee based on number of users. Minimum \$2 per user adjusted based on anticipated impact.
Intra-Governmental Authorization/Permit	\$500 or 10% of the Assessed Value, whichever is greater

All permit fees are reviewed and approved by the Director.

XI. Definitions

Appraised Fair Market Value. The most probable price in cash, terms equivalent to cash, or in other precisely defined terms, for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming neither is under duress. Professional services may be obtained to coordinate an agreed upon purchase price and/or terms.

Disposals. Per AMC § 25.40.025A, HLB land disposals include land sales, land exchanges, leases and easements.

Fair Market Lease/Rental Value. The rental income a property most probably commands in the open market, indicated by the current rents paid for comparable area or space as of the effective date of agreement.

Gross Receipts. All money, income, revenue and any and all other things of value received by, paid to or transferred for the benefit of a lessee on HLB land, without offsets or deductions of any sort whatsoever, where such receipts or payment(s) are made as a result of or in connection with the lessee's interest in the leasehold.

Improvements. A valuable addition to HLB property or an amelioration in its condition, intended to enhance its value or utility or adapt it for new or further purposes, including expenditures to extend the useful life of the property asset, to improve its performance, or for off-site mitigation necessary to improve HLB land.

Appendix C

MAJOR FUND ACTIVITIES BY YEAR

YEAR	END BALANCE
1983	\$2,586,713
1984	\$4,537,120
1985	\$4,308,970
1986	\$3,005,271
1987	\$1,803,175
1988	\$2,594,701
1989	\$3,293,525
1990	\$3,624,931
1991	\$3,700,673
1992	\$3,966,486
1993	\$2,406,449
1994	\$2,962,852
1995	\$3,546,394
1996	\$4,138,399
1997	\$3,228,745
1998	\$4,217,517
1999	\$4,185,393
2000	\$3,234,525
2001	\$2,924,418
2002	\$3,925,486
2003	\$5,981,641
2004	\$4,289,774
2005	\$2,971,400
2006	\$2,265,044
2007	\$1,530,258
2008	\$713,705
2009	\$1,005,448
2010	\$1,699,849
2011	\$1,134,197
2012	\$884,995
2013	\$6,670,173
2014	\$6,792,168
2015	\$6,328,043
2016	\$5,388,261
2017	\$5,392,257

2018	Start Balance	\$5,392,257
	Revenue	\$775,747
	Expenses	-\$840,147
	Other Sources	-\$164,000
	End Balance	\$5,163,857

2019	Start Balance	\$5,163,857
	Revenue	\$1,521,635
	Expenses	-\$696,377
	Other Sources	\$426,250
	End Balance	\$6,415,365

2020	Start Balance	\$6,415,365
	Revenue	\$999,189
	Expenses	-\$690,134
	Other Sources	\$643,000
	End Balance	\$7,367,420

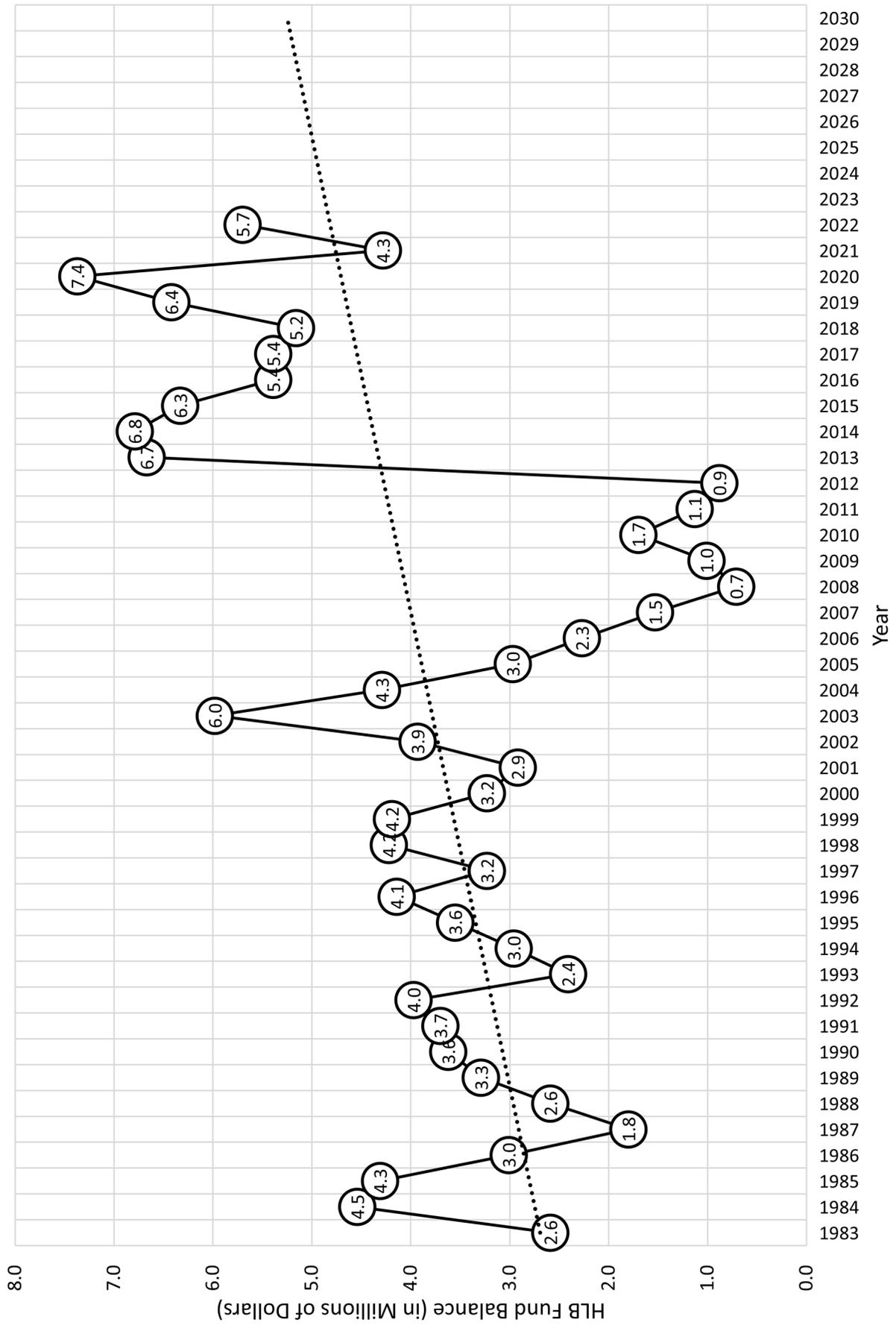
2021	Start Balance	\$7,367,420
	Revenue	\$493,783
	Expenses	-\$650,117
	Other Sources	-\$2,933,352
	End Balance	\$4,277,734

2022	Start Balance	\$4,277,734
	Revenue	\$669,525
	Expenses	-\$437,482
	Other Sources	\$1,172,054
	End Balance	\$5,681,831

2023	Start Balance	\$5,681,831
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2023 and 2024 financials have not yet been completed and audited by the Finance Department.

HLB Fund Balance (year-end in millions) with 5-year projection



Appendix D

LEASE AND PERMIT LIST (AS OF DECEMBER 2024)

Contract Number	Permittee / Lessee	HLB Parcel Number	Permitted Use	Contract End Date
73-001	Chugach Electric Association	3-027A	Dowling Substation	2028-01-28
87-002	Mt. Alyeska Ski Resort, LP sublease to Alyeska Resort Operations LP	6-014	Ski Operations	2028-02-28 sublease; 2048-03-31 lease
96-004	Alascom, Inc. dba AT&T Alaska	6-048 (portion); 6-049; 6-050	Cell tower and equipment	2029-12-31
96-005	SOA DNR/DPOR	1-090 & 1-091	Ptarmigan Valley trailhead	2046-11-03
98-003	Anchorage Fueling and Service Co.	Tidelands on west side of AKRR ROW and 1 Port leased parcel	12" pipeline	2038-10-11
2003-02	Alaska Botanical Garden, Inc.	3-038; 3-040; 3-041; 3-044; 3-045; 3-046	Botanical garden	2058-01-31
2004-05	Catholic Social Services assigned to Cook Inlet Housing Authority	4-021	Brother Francis shelter	2043-02-02
2007-08	Girdwood Parks & Recreation	6-134, 6-076 (portion)	Frisbee Golf Course	2024-12-31
2008-06	ACS Easement	4-033A, 4-033B, 4-034	non-exclusive utility easement	2028-04-29
2008-23	The Salvation Army (Clitheroe Center)	4-033B (portion)	Rehabilitation Facility	2024-04-15
2009-03	SOA/Dept. of Admin. GSA	3-070	Crime Lab	2059-02-28
2009-06	Rupinder Alaska, Inc. (Ramada)	4-013	Ramada parking	2024-03-31
2009-13	Girdwood Valley Service Area	6-057F (portion)	Equipment & materials storage; woodlot	2024-12-31
2011-15	Robert Wolfe dba Snow Free Snowplowing	6-057F (portion)	Equipment and sand materials storage	2024-12-31
2012-05	GCI Cable, Inc.	6-002	Telecommunication Easement	2030-12-31
2012-07	Chugach Electric Association Telecom	6-009C	Telecommunication facility lease	2032-01-31
2014-09	Chugiak Volunteer Fire & Rescue Lease	1-075	Lease fire station #35	2069-12-31
2015-06	Boys & Girls Clubs of Southcentral Alaska; Woodland Park	4-029	Lease: Operate Boys & Girls Club; Ice Rink Management Agreement	2025-05-31

Contract Number	Permittee / Lessee	HLB Parcel Number	Permitted Use	Contract End Date
2015-17	Girdwood Nordic Ski Club	6-251, 6-296	Nordic 5k ski loop	2029-07-29
2016-17	Tesoro Alaska Pipeline Co.	4-033A-E (portion), 4-034 (portion)	Nikiski pipeline	2031-01-29
2016-21	Silverton Mountain Guides	6-011; 6-064; 6-066; 6-067; 6-068; 6-069; 6-070; 6-073; 6-074E; 6-251; 6-295; 6-281; 6-296	Heli-skiing	2025-06-30
2017-10	Alaska Railroad Corp.	6-060; 6-074A; 6-074B	Avalanche mitigation	2024-12-31
2017-12	FAA	4-033A; 4-043	Runway protection zone	2021-09-30 holdover
2017-29	Chugach Adventure Guides, LLC dba Chugach Powder Guides	6-014, 6-251, 6-281, & 6-295	Sno-Cat, Heli-skiing	2025-05-31
2018-01	ADOT&PF/TSAIA	4-034	Access permit	2025-03-30
2018-10	Chugach Adventure Guides, LLC dba Chugach Powder Guides	6-281	Shelter access	2025-08-31
2018-13	Alaska Guide Collective, LLC	6-011; 6-066; 6-067; 6-068; 6-069; 6-251; 6-295; 6-281; 6-296	Recreation	2024-06-30
2019-08	GVSA Street Maintenance	6-022 (portion)	Park & Ride	2023-12-31
2020-10	Straight to the Plate	6-057F (portion)	Storage	2025-08-20
2021-03	SOA Department of Public Safety	3-065 (portion)	Emergency Heliport	2032-11-01
2021-07	Turnagain Tree Care	6-057F (portion)	Contractor wood lot	2025-02-10
2021-18	Ridgetop Builders	6-057F (portion)	Wood mill	2025-07-31
2022-02	Girdwood Equipment Rental	6-057F (portion)	Storage	2024-05-31
2022-04	Girdwood Community Land Trust	6-057F (portion)	Storage	2025-02-10
2023-01	Ritual Bough	6-061; 6-062; 6-036; 6-067; 6-034; 6-011 (portion)	Ceremonies	2025-01-31
2023-02	Girdwood Community Land Trust	6-076	Land and site planning, surveying etc.	2025-04-30
2023-03	AWWU	6-011 & 6-029 (portions)	Investigative geotechnical	2024-07-15

Contract Number	Permittee / Lessee	HLB Parcel Number	Permitted Use	Contract End Date
2023-05	Alyeska Development Holdings, LP and Seth Andersen	6-011 (portion)	Land and site planning, surveying etc.	2025-09-15
2023-07	3 Barons Renaissance Fair, Inc.	3-080 (portion)	Storage	2024-05-31
2024-01	ACDA	4-046 & 4-047	Due diligence	2024-04-15
2024-02	QAP	3-064 Snow Dump	Storage	2024-10-31
2024-03	USFS Forest Inventory and Analysis	3-029	forest research	2024-09-30
2024-04	USFS	3-028 & 3-029	spruce beetle research	2024-07-31
2024-05	True North Sustainable Development Solutions, LLC	6-060	archaeological surveying	2024-06-30
2024-06	Alaska Natural Burial	2-156	due diligence	2025-10-27
2024-07	Ridgetop Builders	6-057F (portion)	Wood Mill	2025-05-31
2024-08	Sundog Mountain Guides	6-010 (portion), 6-011B, 6-251, 6-296, 6-295, 6-281, 6-062, 6-065, 6-066, 6-067, 6-068, 6-069, 6-071, 6-072, 6-073, 6-074A, 6-074B	Guided Skiing	2025-05-31



Campbell Creek on HLB Parcel 3-027. Photo by HLB Staff

Appendix E

Response to Public and Community Council Comments on the Public Review Draft 2024 Annual Work Program & 2025-2029 Five-Year Management Plan

Chapter 1. Heritage Land Bank Overview			
Reference	Commenter	Comment	Response
1	Pg. 5 Amanda Tuttle	Regarding the mission statement: Heritage Land Bank has not managed selected and conveyed municipal land in a manner to benefit present residents by the lack of promoting orderly development, and by the failure to take on the responsibility to work with the public works department. AMC 25.40.010	It is difficult to respond to this comment without specific examples. HLB works collaboratively with all MOA Departments and in compliance with all adopted plans, codes, and regulations.
2	Pg. 6 Girdwood Board of Supervisors	Add to Accomplishments: HLB staff researched levees in Girdwood at California Creek in the New Townsite and at the west bank of Glacier Creek from its confluence with California Creek and Turnagain Arm, producing a detailed memo in the latter case. Girdwood Board of Supervisors appreciates the work that went into this memo.	Thank you for your comment. Typically, we do not include memos in our accomplishments, but per your suggestion, the following text will be added to the 2024 Progress Report: <i>HLB Parcel 6-060 – HLB Staff researched, drafted, and distributed a memorandum regarding the earthen embankment along Glacier Creek in Old Girdwood.</i>
3	Pg. 7 Brenden & Julie Raymond-Yakoubian	Regarding the last bullet point of Land Management Objectives: This is forward-thinking, and taking practical steps to implement this will greatly assist in ensuring the long-term stewardship and quality of life throughout the Municipality. The Muni would also benefit from understanding that conservation can be seen as a form of development. One potential application of this concept for Girdwood would be the pursuit of a large protected area for its natural and recreation qualities and experiences. Girdwood’s lands heritage of in- and near-community natural lands and beauty is a core part of the community and Anchorage’s identity and economy, and this would be an incredible long-term asset to the Municipality. An obvious choice for such a development would be the lands between the edge of the Timberline Drive/Alyeska Basin and Glacier Creek (i.e. the “Virgin Creek area”), which has a long-history of the community desiring its protection, contains a diverse ecosystem supporting Anchorage’s largest old growth rainforest and wetlands, and is a hub for year-round low-impact recreation activities on trails. This could be a legacy crown jewel for Anchorage.	Given that so much of the HLB Inventory lands contain environmentally sensitive areas, this provides increased opportunity to meet this objective.

4	Pg. 7	Amanda Tuttle	Regarding Land Management Objectives: Land Management Objectives outlined in the Coastal Management Plan list Old Girdwood as an Area Meriting Special Attention. Heritage Land Bank has not produced a document in 47 years, including special site and area land use study or a site-specific study, that identifies historic Girdwood and the land subjected to development which endangers the public safety within hazard zones. AMC 25.40.025(c); ADL 201175	Heritage Land Bank over the years has produced numerous documents including Potter Valley Land Use Analysis, Crow Creek Road Neighborhood Plan, Girdwood South Townsite Master Plan (plus amendments), and Chugiak-Eagle River Site-Specific Land Use Plan, etc. These documents are linked on our website, www.muni.org/hlb. A site-specific land use study is only required when comprehensive planning is insufficient to determine whether the disposal of a parcel is consistent with the plan.
5	Pg. 7	Amanda Tuttle	Regarding Land Management Objectives: Heritage Land Bank have not taken into consideration intra-governmental agreement, land conveyance ADL 201175, which states a perpetual 200 foot public easement along both sides of Glacier Creek, Indian Creek, Rabbit Creek, and along California Creek downstream from the Crow Creek (Alyeska) Highway; a 350- public easement along the southwesterly (right) bank and a 250- foot public easement along the northeasterly (left) bank of California Creek upstream from the Crow Creek Highway, a 25-foot public easement along both sides of Virgin Creek, Crow Creek, and along all other public or navigable water bodies, and a 100' public easement landward from the mean high tide mark of all coastal waters. The perpetual stream setback variances have been grotesquely ignored with several homes built over drainages throughout the Glacier Creek Watershed and many homes built within 25' of any drainage and navigable waters.	Heritage Land Bank is aware of ADL 201175. When areas are replatted, those setbacks are annotated on newly recorded plats. Instances where setback variances are not legally approved through a variance process should be alerted to MOA Code Enforcement as HLB is not a responsible agency for compliance with building and zoning code.
6	Pg. 7	Amanda Tuttle	Regarding Overview of Land Disposals: HLB has not consulted with the public works to determine impacts of disposals including MOA Drainage Design Guidelines and the 10% Method Routing Analyses for storm water runoff.	All disposals go through an agency review period where all departments are given an opportunity to comment on the proposed disposal.
7	Pg. 8	Amanda Tuttle	Regarding Overview of Land Acquisition: The State notified HLB that for management purposes, ADL 201175 document issues for conveyance of lands is equivalent to patent and considered equitable title and perpetual.	Acknowledged.
8	Pg. 9	Amanda Tuttle	Regarding Overview of Annual Work Program: Listed notification procedures in the paragraph do not reflect the requirements of substantial compliance by publication calculated to achieve the greatest reasonable notice, and should be	Thank you for bringing this paragraph to our attention. To help clarify we will replace the last two paragraphs of the section to read: Per AMC § 25.40.020B, each year an

			<p>updated to reflect compliance requirements. AMC 25.40.030</p>	<p>Annual Work Program will be submitted through the HLB Advisory Commission to the Assembly. The Work Program will include anticipated HLB work items for the calendar year and will be reviewed in advance by the public and be approved after public hearings before the HLBAC and the Assembly. The code states that public notice for the HLBAC public hearing on the Annual Work Program is no less than forty-five (45) days prior to the hearing. Work Program public notice procedures include direct email notification to affected community councils, list of email subscribers, as well as posting notice online. Throughout the year, the Program may be amended as recommended by the HLBAC and approved by the Assembly to include any additions to the proposed list of action items.</p> <p>While implementing the Work Program throughout the year, AMC requires a fourteen (14) day public notice prior to HLBAC holding a public hearing and taking action to make recommendations on land disposals (sales, leases, exchanges, easements) and withdrawals from the HLB inventory. To receive public hearing notices, the public may join our mailing list by emailing HLB@anchorageak.gov</p>
9	Pg. 10	Amanda Tuttle	<p>Regarding Overview of Five-Year Management Plan: Land Management decisions are inconsistent with implementing measures for snow disposal to receiving waters as HLB has not selected effective snow storage and disposal sites in the Glacier Creek Watershed. APDES AK2052558</p>	<p>All snow disposal sites within the Municipality are evaluated by the Planning Department and reviewing agencies to include Project Management and Engineering, as well as Development Services. AMC Title 21 places regulations on their development, drainage, and litter management prior to approval. HLB does not manage any snow disposal sites anywhere within the Municipality; however, there are municipal snow disposal sites on several HLB properties in Anchorage.</p>

Chapter 2. 2024 Progress Report			
Reference	Commenter	Comment	Response
10	Pg. 11: 2-127 thru 2-136 Rabbit Creek Community Council	RCCC thanks HLB for its action in 2024 to implement the PVLUA regarding Parcels 2-127 through 2-136. We appreciate that HLB leveraged 100 acres to help acquire 200 additional acres (through an in-kind match for federal grants, led by a non-profit partner). The resulting creation, 300-acre Potter Marsh Watershed Park, is an invaluable asset for the entire city. Well done, HLB!	Thank you for these kind words. As the Community Council is aware, it was a multi-partner effort and having the support of the Community Council helped make this a reality.
11	Pg. 11: 2-127 thru 2-136 Nancy Pease	I thank HLB Commissioners and Staff for the transfer of Parcels 2-127 – 136 to Parks and Recreation as an in-kind match for federal grants. HLB, together with Great Land Trust, leveraged 100 acres into 300 acres of public watershed and recreation land that will sustain Potter Marsh. The new Potter Marsh Watershed Park is a highly visible, easily accessible public land asset for current and future generations. HLB has shown excellent use of its land bank assets to provide public value for current and future generations. Kudos!	Thank you for your kind words.
12	Pg. 11: Ptns of HLB Parcels 6-011, 6-016, 6-017 Amanda Tuttle	The 2006 Crow Creek Neighborhood Feasibility Study Final Report does not meet AMC 25.40.025 by failure to identify historic Girdwood and the impacts within the 10% Downstream Analysis as outlined by the Coastal Management Plan as an Area Meriting Special Attention.	The 2006 Crow Creek Neighborhood Land Use Plan is an area specific plan that evaluated the land use potential of the Crow Creek Neighborhood. Downstream impacts from any development would be evaluated before a proposed development were to break ground (i.e. platting, site plan review, etc.) Additionally, the plan was supported by the Girdwood Board of Supervisors (Res. 2005-06), MOA Planning and Zoning Commission (Res. 2005-071 and Res. 2005-072), and was adopted by the Anchorage Assembly (AO 2006-47). Legal review occurs on all legislation before the Anchorage Assembly.
13	Pg. 11: Ptns of HLB Parcels 6-011, 6-016, 6-017 Amanda Tuttle	The 2006 Crow Creek Neighborhood Feasibility Study Final Report is not accessible to the public on your website. Why?	Thank you for bringing this to our attention, the specific link has been restored. While our website lists many of the documents and reports created by or for HLB, other plans can be found on the Planning Department Publications website. If additional broken links are discovered, please report them to HLB staff.
14	Pg. 12: 6-013 Girdwood Board of Supervisors	Girdwood Board of Supervisors appreciates HLB's evaluation of Parcel 6-013.	Thank you for your comment.

15	Pg. 12: 6-013	Amanda Tuttle	The HLB executive director and commissioners are unqualified to make wetland assessments and determinations.	HLB staff performs wetland assessments in close consultation with the Planning Department, Watershed Management Services, U.S. Army Corps of Engineers and private consultants.
Chapter 3. 2025 Work Program				
	Reference	Commenter	Comment	Response
16	Pg. 15: 2-156	Rabbit Creek Community Council	RCCC continues to support this proposed use, subject to conditions for approval. RCCC members have voiced the concerns about minimum burial depth to prevent disinterment by wildlife and protecting the watershed from toxicity of some human remains (medications, batteries associated with implants, artificial joints, etc.). Alaska Natural Burial Ground has furnished information indicating that soils, slopes and drainage patterns should minimize those concerns. RCCC advocates coordinating parking development in order share parking with adjoining uses (Moen Park and Potter Marsh Watershed Park). RCCC requests that the Work Plan proper include the following language (shown here in italics) "...HLB intends to dispose of this property to Alaska Natural Burial, with conditions and restrictions. <i>The purpose of those conditions shall be to: maintain natural terrain and native vegetation, ensure secure and sanitary burial practices, provide efficient, shared parking with adjoining park uses, and, provide for watershed conservation and public open space after the burial site reaches capacity.</i> "	Thank you for this comment. HLB Staff will carefully consider these proposed restrictions and conditions when bringing the project before the Commission and Assembly. There will be continued opportunities to weigh in on this project. RCCC will receive notice of any HLBAC meeting regarding this item.
17	Pg. 16: 6-011A 6-011B	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports and encourages the INHT development and acquisition of easement. Improvement to this trail is one of Girdwood Board of Supervisors' priorities for 2025.	Thank you for this comment. GBOS will receive notice of any HLBAC meeting regarding this item.
18	Pg. 16: 6-011B ptn	Girdwood Board of Supervisors	Request Action: Clarify the acreage to be disposed, since the potential purchaser has publicly mentioned acquiring up to 100 acres. Prior to any disposal, Girdwood Board of Supervisors will seek binding commitments for community housing, recreation, trails, hut and easement-protected access to Glacier Creek. In particular, development of community housing should be subject to a reversion clause if not achieved within a reasonable timeframe.	We anticipate, based on the RFP response, that the acreage expected to be conveyed is approximately 72 acres (27 of which is for mixed use development, the remainder for recreation and access). However, a development agreement has not been finalized, nor has platting action been initiated. This project is still in the early stages and more information will be shared publicly as it is known.
19	Pg. 16: 6-011B ptn	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports the public use easement for Girdwood Nordic Ski Club.	Your support is noted.
20	Pg. 16: 6-011B ptn	Deb Essex	The sole purpose and creation of the Girdwood Nordic Ski Club was driven by the 2006 HLB Feasibility Study for Nordic Trails. The GNSC has	Thank you for the well thought out questions, due to the specifics and the nature of the project, we encourage you

		<p>funded the design and mapping of this new approved proposal, sat through hundreds of hours of committee meetings, and yet the land is under now consideration to be sold for residential development – even though-out the 60 year history with 17 Land Use and Planning documents compiled for the Girdwood valley...none of them suggest residential development in this area. Parcel 6-011B now has 27 acres designed for residential development through an RFP that is in working progress with Pomeroy Development. This RFP did not mention HLB Resolution 2017-09, and is in conflict with the corridors shown in the HLB Winner Creek Feasibility Study.</p> <p>So here are my questions from last year still unanswered by the HLB Staff or HLBAC:</p> <ol style="list-style-type: none"> 1) If Parcel 6-011 is sold to a private entity, will the Resolution 2017-09 be included in the transaction? 2) Will a trail corridor be included to connect the south valley trails with north valley trails, in perpetuity, as shown in the Girdwood Trails Plan? 3) Will a trail corridor continue to have year-round free public access or public easement? 4) This parcel, as mentioned in your report AR2023-40 as delivered to the Enterprise and Utility Oversight Committee, would cost over \$8M to bring in infrastructure which ranks it low on suitability for development. Why is HLB surpassing other more economical parcels for residential development when the expensive condos and houses proposed will not address the needed housing in Girdwood? 5) Within HLB Land Use Planning Policies (Page 32 HLB Work Program) has HLB addressed land use compatibility with adjacent areas – specifically considering the Girdwood Airport – has HLB addressed congested areas, safety concerns, airport traffic, and noise abatement corridors? Has HLB realized the housing project will permanently alter the airport flight path for all external-load helicopter flights? There are six helicopter companies that fly out of Girdwood. 6) Has HLB considering dedicating Parcel 6-011 as Open Space in similar fashion to the donated parcel east of Potter Marsh to ensure the trail connectivity as an investment and economic driver of Girdwood’s popular trail system? <p>I really appreciate the time for public comment and the time HLB (and MOA) has spent creating</p>	<p>to arrange a meeting with the HLB Director to discuss further. As with any project, HLB works to provide projects that are implementing existing adopted plans. Issuing the RFP was the first step in a long list of activities that will need to occur prior to the Glacier Creek Village project moving forward. Your feedback will be helpful as the applicant of HLBAC Res. 2017-09.</p>
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			healthy public use areas in Girdwood. I also appreciate the transparency for proposed Pomeroy development of Parcel 6-011 and their consideration of a trail presence in this area – especially by Seth Anderson. Thank you.	
21	Pg. 16: 6-014	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports valuation of this parcel for disposal.	This parcel received an appraisal in 2021. A presentation was given to the Commission on this subject at the July 2022 HLBAC meeting. These materials are available upon request.
22	Pg. 16: 6-036, 6-061, 6-057F	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports and encourages trail easement for Lower Virgin Creek Trail as outlined in the Girdwood Trails Plan (2024).	Thank you for this comment. GBOS will receive notice of any HLBAC meeting regarding this item.
23	Pg. 16: 6-036 and 6-062	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports and encourages trail easement for Lower Virgin Creek Trail as outlined in the Girdwood Trails Plan (2024).	Thank you for this comment. GBOS will receive notice of any HLBAC meeting regarding this item.
24	Pg. 16: 6-036 and 6-062	Brenden & Julie Raymond-Yakoubian	We support this trail easement request, and encourage HLB to work with Girdwood P&R towards providing an easement for these important resources.	Thank you for this comment.
25	Pg. 16: 6-057F	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports and looks forward to working with HLB to find a solution during 2025 to advance this project.	We look forward to making progress on this project in the coming year.
26	Pg. 17: 6-076	Girdwood Board of Supervisors	Girdwood Board of Supervisors notes that the Project Anchorage Sales Tax proposal includes a shortlisted “Girdwood Arts and Recreation District” project to be developed on this parcel. That project was put forward by a group working with Girdwood Inc. Request Action: Development of the site by any entity must be consistent with the Girdwood South Townsite Plan as amended to conform to the adopted Girdwood Comprehensive Plan.	HLB has identified, in the 5-year Management Plan, that a Girdwood South Townsite Master Plan amendment may be required. The inclusion of the potential update was driven more by the incompatibility of potential development ideas for the area than the outcome of the Girdwood Comprehensive Plan. GBOS will be notified as this item progresses.
27	Pg. 17: 6-134	Girdwood Board of Supervisors	Request Action: Add to 2025 Work Plan: Withdrawal of this parcel from HLB inventory and transfer to Girdwood Parks and Recreation is a priority of the community with broad formal committee support (RV Park proposal).	The following text will be added to the Annual Work Plan: HLB Parcel 6-134 - HLB anticipates receiving a request from Girdwood Parks and Recreation for transfer of this parcel. Upon receiving this request HLB Staff will evaluate the development potential of this tract, perform an agency review to determine the public purpose need and feasibility of development, and determine consistency with the approved Girdwood South Townsite Master Plan or if the plan needs to be amended.

28	Pg. 17: 4-033B	Turnagain Community Council	TCC requests that the 2025 Potential Projects section for Parcel 4 include additional language reflecting that West Anchorage community councils have an opportunity to collaborate with HLB and the Parks and Recreation Department with regard to future use of HLB land designated in the 2040 LUP as “Community Facility or Institution” and “Park or Nature Area” in this area — to ensure compatibility with any proposed potential use in the area designated as “Community Facility or Institution” with the high value land along the Tony Knowles Coastal Trail/Greenbelt area. Intent would be to transfer to the Parks and Recreation Department for park dedication HLB land designated “Park or Nature Area” (and potential re-evaluation of the highest and best use of the “Community Facility or Institution) as well as consideration of potential development of a much-needed connectivity trail link to the Coastal Trail.	HLB staff looks forward to coordination with TCC on this issue. Further information regarding our intention to coordinate with TCC and the Parks and Recreation Department can be found on page 20 of the draft Five-Year Management Plan.
29	Pg. 18: Holtan Hills Tracts 1&2, 6-011A	Girdwood Board of Supervisors	Request Action: Ensure that required land set aside for community housing is included in the final agreement, as described in AO 2023-137. Girdwood Board of Supervisors supports and encourages an easement for the INHT prior to land development.	Correct, HLB will continue tracking the requirements of AO2023-137 and will be partnering with the developer to ensure those items occur.
30	Pg. 18: Holtan Hills Tracts 1&2, 6-011A	Amanda Tuttle	The 2006 Crow Creek Neighborhood Feasibility Study Final Report does not meet AMC 25.40.025 by failure to identify historic Girdwood and the impacts within the 10% Downstream Analysis as outlined by the Coastal Management Plan as an Area Meriting Special Attention.	The 2006 Crow Creek Neighborhood Land Use Plan is an area specific plan that evaluated the land use potential of the Crow Creek Neighborhood. Downstream impacts from any development would be evaluated before a proposed development were to break ground (i.e. platting, site plan review, etc.) Additionally, the plan was supported by the Girdwood Board of Supervisors (Res. 2005-06), MOA Planning and Zoning Commission (Res. 2005-071 and Res. 2005-072), and was adopted by the Anchorage Assembly (AO 2006-47). Legal review occurs on all legislation before the Anchorage Assembly.
31	Pg. 18: 6-011C	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports this action to zone this area as Girdwood Institutions and Parks.	Thank you for the confirmation of support. A portion of this tract is already zoned Girdwood Institution and Parks (GIP). HLB is not proposing to increase the extent of GIP zoning in the area. The following text will be modified in the Annual Work Program:

				HLB Parcel 6-011C – A separate tract containing the land that is zoned “Girdwood Institutions and Parks” may be included in a future platting action. This new tract will be available for current and future municipal or local community needs.
32	Pg. 17	Amanda Tuttle	Regarding Utility Easements Generally: HLB must coordinate with utility providers within the MOA. AMC 25.40.010 and ADL 01175	Acknowledged. HLB currently coordinates the dedication of utility easements with providers and reviewing agencies.
33	Pg. 19	Girdwood Board of Supervisors	Regarding the Girdwood Comprehensive Plan Update: Girdwood Board of Supervisors supports this and advises that adoption of GCP will necessitate review and amendment of other plans, such as the South Townsite Plan	HLB will evaluate the need to amend the Girdwood South Townsite Master Plan during the 2025 Work Plan timeframe for consideration of change in the 2026 Work Plan. For this work plan, it is identified in the 5-year plan.
34	Pg. 19	Girdwood Board of Supervisors	Regarding the Plans, Studies, Surveys section: Request Action: Add: Girdwood Parks Plan, project will be initiated in 2025.	We appreciate being informed of the proposed plan, and will track this and incorporate this into a future HLB work plan as it becomes more formalized.
35	Pg. 18	Amanda Tuttle	Regarding 2025 Land Management: HLB must outline their natural resource management for the Glacier Creek Watershed to include funding of their easements. Additionally HLB must outline natural resource management of Waste Water within the Glacier Creek Watershed and the valley will be brought into compliance with the Clean Water Act. MS4 APDES AKS052558	Anchorage Water and Wastewater Utility (AWWU) would be the entity to engage with regarding waste water concerns and compliance with the Clean Water Act. MOA Watershed Management is the entity to engage with regarding the MS4 and APDES permits.
36	Pg. 18	Amanda Tuttle	Regarding 2025 Land Management: HLB must outline the natural resource management of Waste Water within the Glacier Creek Watershed and compliance with municipal drainage requirements to include discussion of failing culverts and the flooding of the Historic Girdwood homes, property, and businesses. Management and permit requirements must be stated to show how HLB will bring Historic Girdwood into compliance with the Clean Water Act. MS4 APDES AKS052558	HLB staff works closely with MOA Watershed Management. HLB has not been notified of any outstanding violations or noncompliance issues that may pertain to HLB lands. If there are specifics that can be shared, HLB staff could investigate further.
Chapter 4. Five Year Management Plan: 2026-2030				
Reference	Commenter	Comment	Response	
37	Pg. 20: 2-116 thru 2-122	Rabbit Creek Community Council	RCCC supports the intent of the draft Work Plan to transfer management to Parks and Recreation Department. These parcels are part of the Little Campbell Creek Greenbelt. The Hillside District Plan advocates for riparian greenbelt acquisitions (Policy 5-C) and the Anchorage Bowl Park Plan supports acquisition of greenbelts on all Hillside creeks.	Thank you for your comment. RCCC will receive notice of any HLBAC meeting regarding these parcels.

38	Pg. 20: 2-125	Rabbit Creek Community Council	RCCC looks forward to supporting a connector trail to link neighborhoods to the school. There may be efficiencies if this trail approval progresses concurrently with proposed trail development in nearby parts of Section 36. <i>"...Coordinate the timing of the trail approval with proposed trail development in nearby parts of Section 36 that are under Parks and Recreation's management."</i>	Thank you for your comment. The text will be edited to add "Any trail development in this area will be in coordination with the Parks and Recreation Department and the Section 36 Park Master Plan (2014)"
39	Pg. 20: 2-139	Rabbit Creek Community Council	RCCC supports acquisition of a right of way (ROW) as well as HLB action to improve access to Chugach State Park via Parcel 2-139. Add to the Work Plan: "HLB Parcel 2-139 – access needs to be established through a private parcel. <i>Future trail and trailhead access to the ridgetop needs to be coordinated with CSP, the Municipality, and neighboring landowners."</i>	Thank you for your comment. Our first step is to secure access, once access has been established, we will coordinate with agencies of the MOA, CSP, and neighboring landowners regarding next steps.
40	Pg. 20: 2-139	Chugach State Park Advisory Board	This parcel has potential for the development of a parking lot and trailhead to improve public access to Bear Valley and McHugh if access can be established through the private parcel on Brewster Drive.	Acknowledged.
41	Pg.20: 2-139	Judy Caminer	it would be very worthwhile for HLB to have legal access on the Brewster Road. It would be a perfect place to have parking, a trailhead and to have a trail built to access the ridge. I encourage discussions with the Greatland Trust and the Park.	Acknowledged
42	Pg.20: 2-139	Nancy Pease	I support HLB's intent to acquire a legal ROW to access Parcel 2-139 on Brewster's Road but I recommend additional intent language to develop future access to Chugach State Park. HLB Parcel 2-139 – access needs to be established through a private parcel. Add to the Work Plan: "Future trail and trailhead access via Parcel 2-139 to the McHugh Trail on the ridgetop needs to be coordinated with CSP, the Municipality, and neighboring landowners."	Thank you for your comment. Our first step is to secure access, once access has been established, we will coordinate with agencies of the MOA, CSP, and neighboring landowners regarding next steps.
43	Pg. 20: 2-144A 2-144B	Chugach State Park Advisory Board	These parcels are designated for open space recreational use in the PVLUA and have potential for development of a parking lot and trailhead to improve public access to Potter Vally and the Stewart Trail.	Acknowledged.
44	Pg. 20: 2-144A 2-144B	Judy Caminer	Parcel 2-144A and 2-1448 could be reviewed for use as a trailhead development to meet the growing needs for more access. They could serve not only the state park but also the new Municipal park above Potter Marsh. We need to find ways to disperse the users and provide better trailheads and parking.	Acknowledged.
45	Pg. 20: 2-144A Thru D	Rabbit Creek Community Council	Parcel C is mentioned for possible re-zone from R-6 to R-10. RCCC has no comment on Parcel 2-144C at present; but would like to be notified	2-144C is currently zoned R-6SL (incorrectly listed in text as R-6), the text will be edited to correct the current

			<p>directly if proposed re-zoning moves forward. RCCC would like the Work Plan to note the potential use of Parcels A and B as trailhead locations in the next few years. There are several new trails in the Potter and Goldenview areas, but insufficient trailheads and parking for the Stewart Trail, Potter Ravine Park, and Potter Marsh Watershed Park. Trail connectivity will continue to improve in this area as tracts are subdivided and missing trail links are acquired. Please add the following wording: <i>Parcel 2-144A and 2-144B may be reviewed for trailhead development to meet the growing need for orderly trail access in the Potter Valley and Goldenview area.</i></p>	<p>zoning. Any trailhead development in the area would be dictated by the Hillside District Plan and CSP plan. HLB will consult with other agencies to determine if 2-144A&B are appropriate for trailhead development.</p>
46	Pg. 20: 2-144A Thru D	Nancy Pease	<p>Please add the following wording: <i>Parcel 2-144 A and 2-144 B may be reviewed for trailhead development to meet the growing need for orderly trail access in the Potter Valley and Golden View area.</i></p> <p>Parcels 2-244A and 2-144B merit evaluation as for trailhead development in the next few years. HLB Parcels 2-144 A and B are the only public land near an improved collector road in Potter Valley (Potter Valley Road). This may therefore be a cost efficient location for a trailhead. In addition, a trailhead would greatly increase the value of HLB parcels 2-144 C and 2-146 for residential sale.</p>	<p>See above comment response.</p>
47	Pg. 20: 2-146	Rabbit Creek Community Council	<p>RCCC currently has no comment on potential rezoning to R-10. RCCC would like to be notified directly if proposed re-zoning moves forward.</p>	<p>Thank you for your comment. If this item progresses, a notice will be provided by the Planning Department to RCCC through the public process to rezone the parcel.</p>
48	Pg. 20: 2-147	Rabbit Creek Community Council	<p>RCCC opposes sale of this parcel, which would violate the adopted PVLUA (reasons listed in full text comment). RCCC advocates adding to the Work Plan: <i>“Negotiate transfer of Parcel 2-147 to Chugach State Park in accordance with the Potter Valley Land Use Analysis.”</i> The PVLUA implementation action is: <i>“For Parcel 2-147, designate open space/parkland and...negotiate with ADNR for transfer to Chugach State Park”</i> and then rezoning the parcel as Watershed (PVLUA page 59). This proposed transfer to Chugach State Park is supported by the current Chugach State Park (CSP) Superintendent and the CSP Citizens Advisory Board.</p>	<p>Thank you for your comments on this disposal.</p> <p>Proposed edit: Remove language regarding HLB Parcel 2-147 on page 19.</p> <p>Proposed text change on Pg. 21: ..."such as HLB Parcels 2-139, 2-147, 2-152, and 2-158..."</p>
49	Pg. 20: 2-147	Marc June	<p>This parcel is not suitable for development. My request is that the parcel be designated for inclusion within Chugach State Park.</p>	<p>Thank you for your comments on this disposal. See above comment for suggested edit to the text.</p>

50	Pg. 20: 2-147	Ben Corwin, Park Superintendent for CSP	After careful review, we do not support the proposed disposal of this parcel at this time. We believe this parcel, with its proximity to the park, could be more appropriately preserved as an addition to Chugach State Park rather than being sold for private development. The parcel offers significant potential for expanding access to Chugach State Park, particularly given its location near existing trailheads and access points. The addition of this land could enhance connectivity between key areas of the park, provide more opportunities for public recreation, and support ongoing efforts to protect the park's natural resources. We believe goals could be better achieved by incorporating the parcel into the state park system, where future development could be managed to ensure compatibility with the park's conservation and recreational objectives. This would also help mitigate environmental concerns, including the challenging slope and avalanche zones, by ensuring that any development aligns with the park's land management policies. In conclusion, we recommend that this parcel be considered for inclusion in Chugach State Park rather than being sold for private development. This approach would offer long-term benefits in terms of public access, conservation, and park management.	Thank you for your comments on this disposal. See above comment for suggested edit to the text.
51	Pg. 20: 2-147	Chugach State Park Advisory Board	We oppose the disposal of this parcel to a private entity. We support the transfer of this parcel to CSP as recommended in the PVLUA.	Thank you for your comments on this disposal. See above comment for suggested edit to the text.
52	Pg. 20: 2-147	Judy Caminer	The best use of this rugged property is to transfer it to the to Chugach State Park. The terrain is not suitable for the amenities the applicant describes and there is no legal access to it at this point. I do not want to see it "locked up" and unavailable to the CSP. The land should remain in public hands rather than going to a developer.	Thank you for your comments on this disposal. See above comment for suggested edit to the text.
53	Pg. 20: 2-147	Nancy Pease	HLB should oppose sale of Parcel 2-147 in the 2025 Work Program. I request that HLB add to the Work Plan: " <i>Negotiate transfer of Parcel 2-147 to Chugach State Park in accordance with the Potter Valley Land Use Analysis.</i> "	Thank you for your comments on this disposal. See above comment for suggested edit to the text.
54	Pg. 21: 2-152 2-158	Chugach State Park Advisory Board	We recommend a planning and feasibility study for development of a parking lot and trailhead on parcel 2-158. This could dramatically expand access to the McHugh area, which is currently underserved with only five legal parking spaces at the top of Honey Bear Lane. This would be an excellent fit for a Chugach State Park Access	Thank you for your comment, we will take this recommendation under consideration.

			Service Area (CASA) bond and could be paired with road improvements to Kings Way Drive, Black Bear Drive, Snow Bear Drive, and Honey Bear Lane.	
55	Pg. 21: 2-152 2-158	Rabbit Creek Community Council	<p>Demand continues to grow for a better trailhead to access the Bear Valley trail to McHugh Peak. The current Honey Bear trailhead in Bear Valley accommodates only five cars and the trail from that access point is badly eroded and excessively steep.</p> <p>The draft Work Plan calls for MOA Project Management and Engineering to design access improvements. There is strong public interest in potential future uses. Therefore, add the following language: "Coordinate with MOA Parks, CSP, and the public to determine recreation access potential to several nearby parklands, and to produce a context sensitive design for access improvements."</p>	Thank you for your comment. The suggested text will be added.
56	Pg. 21: 2-152 2-158	Judy Caminer	2-152 and 158 could provide needed parking and additional access, I would also support discussions with State Parks for all these parcels to go into the park. Anchorage needs more access and parking.	Acknowledged
57	Pg. 21: 4-032, 4-033A Thru 4-033F 4-034	Turnagain Community Council	TCC has a long history of advocating for transfer of these parcels to the Municipal Parks Department to ensure permanent protection of the Tony Knowles Coastal Trail and associated Natural Open Space Buffer within these parcels. TCC requests that transfer of these specific parcels to the Parks Department (after the FAA lease expires) for the purpose of parkland dedication, be included in the 2026-2030 HLB Management Plan, to ensure long-term protection of this important natural open space and section of the Coastal Trail.	HLB recognizes TCC's interest in the area and the importance of the Coastal Trail and the open space along it. One of HLB's objectives is to ensure that open space preservation is considered during any land disposal or development. At this time, HLB recommends that these properties stay in the HLB inventory due to existing leases/permits/easements in the area. These particular parcels have land uses related to the airport that make them more practical for HLB to manage. There are no current plans for any development on HLB land in this area, and the only potential disposal is leasing the building on 4-033B (Clithero Center).
58	Pg. 21: 4-032, 4-033A Thru 4-033F 4-034	Rabbit Creek Community Council	Add language to the draft Work Plan to ensure broader community-wide outreach when and if new access and trail buffers are contemplated. The Tony Knowles Coastal Trail is a citywide asset. Municipal trail user studies confirm that approximately 80 percent of residents have used the Coastal Trail. Additional language (in italics) "...Public access to the Tony Knowles Coastal Trail through HLB land may be considered if/when development of the parcel(s) are proposed. Additionally, HLB will <i>reach out to all</i>	HLB welcomes input from all community councils. For items like this, notices would be sent to the Federation of Community Councils for distribution. If this item makes progress and is moved to the annual work program in a future plan, we will make sure to include inclusive language to engage with all interested community councils.

			<i>Community Councils and will specifically work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties and Community Councils to determine appropriate boundaries for a trail and natural space buffer..."</i>	
59	Pg. 22 & 16: 6-075	Girdwood Board of Supervisors	Request Action: Add to 2025 Work Plan: Completion of transfer of this parcel to Girdwood Parks and Recreation (Winner Creek Trail Extension)	The entry for 6-075 will be moved to the Annual Work Plan with the following updated language: "HLBAC recommended this parcel be withdrawn from HLB inventory, transferred to Real Estate general inventory, with management authority assigned to Girdwood Parks and Recreation (Res. 2024-05). This transaction will be completed this year."
60	Pg. 22: 6-039	Girdwood Board of Supervisors	Request Action: Add into the 2026-2030 management plan: withdrawal from HLB and transfer to GVSA for future community housing development.	HLB will continue to work with the GBOS and GVSA to realize housing development in Girdwood. At this time, the Legal Department has provided guidance that GVSA does not have authority to hold management authority to MOA-land. Proposed additional language: "HLB will coordinate with GBOS, LUC, and GVSA on the proposed subdivision."
61	Pg. 22: 6-053, 6-054, 6-055, 6-056	Girdwood Board of Supervisors	Girdwood Board of Supervisors notes that ADOT&PF proposal for highway interchange has not been accepted by the community and is currently unfunded. Girdwood Board of Supervisors suggests that HLB and DOTPF consider land exchange for DOT land in the Eastern and North Eastern part of the airport parcel but unusable for aviation adjacent to Moose Meadow.	Text will be changed to: "ADOT&PF has expressed interest in potentially acquiring these parcels. HLB may consider a disposal or exchange." HLB will notify GBOS if this item progresses.
62	Pg. 22: 6-053, 6-054, 6-055, 6-056	Amanda Tuttle	Disposal and development requirements for these parcels initiates environmental reviews due to multi-jurisdictional governance of these parcels including USDOT, USEPA, AKDOT, AKDNR, ADEC, ACORP, Alaska Railroad, and the Municipality of Anchorage in compliance ADL201175. Additionally, these parcels are also not identifiable on your Region 6 map and the lack of transparency for the lands that for potential disposal within this work plan does not meet public notification intent or compliance. AMC 25.40.030	HLB Staff conducts agency reviews that incorporates additional outside agencies when appropriate. We agree that some of those agencies have an interest in providing comment on a potential transfer and they will be included in an agency review if this item progresses. Static mapping is difficult to capture adequately, please use the online interactive mapping to find more granular information, which can be found at the QR code on page 24, or a link may be found from our website www.muni.org/hlb

63	Pg. 23: 1-111	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports HLB's efforts to assist with creating additional cemetery land outside of Anchorage Bowl.	Thank you for your comment.
64	Pg. 23: 6-018	Girdwood Board of Supervisors	Girdwood Board of Supervisors supports HLB's efforts to assist the creation of a cemetery in Girdwood.	Thank you for your comment.
65	Pg. 24: 6-251, 6-295, 6-296	Girdwood Board of Supervisors	HLB refer to the Girdwood Comprehensive Plan and potential future Watershed Management Plan.	HLB will continue to update the work plan to reflect completed and approved/adopted planning documents. Proposed change to text: remove reference to the Girdwood Area Plan and include reference to the Girdwood Comprehensive Plan.
66	Pg. 24: 6-251, 6-295, 6-296	Amanda Tuttle	Environmental reviews completed 29 years ago are insufficient for natural resource management and development standards. All disposals must be compliant with AMC Drainage Design Guidelines and a site-specific study must be completed. HLB and DOT utility easement contracts should be listed in Appendix D.	Other than the previously approved Bikewood project, HLB is not proposing a disposal of 6-251, 6-295, or 6-296 in the five-year planning horizon. A site-specific land use study is only required when comprehensive planning is insufficient to determine whether the disposal of a parcel is consistent with the plan. AMC Drainage Design Guidelines are guidelines for developments not disposals. Easements are recorded documents and are not typically accompanied by a contract. All contracts on HLB land are listed in Appendix D, including any that accompany recorded easements. There are dozens of easements on HLB land that are not tracked separately as contracts.
67	Pg. 24	Girdwood Board of Supervisors	Regarding Wetland Banking: Girdwood Board of Supervisors supports this however requests addition of HLB/MOA Watershed complete Watershed Management Plan.	Acknowledged.
68	Pg. 25	Girdwood Board of Supervisors	Regarding Girdwood Trails Plan: Request Action: Word change: Proposals <u>may</u> require the support of HLBAC and the Assembly.	The establishment of trail easements on HLB parcels require HLBAC and Assembly approval.
69	Pg. 25	Girdwood Board of Supervisors	Regarding Potential Plans, Studies, Surveys: Girdwood Board of Supervisors anticipates making a formal request for development of a Watershed Management Plan for Girdwood Valley in early 2025. Further substantial development of HLB land in Girdwood should await recommendations from that Watershed Management Plan.	Acknowledged.
70	Pg. 25	Girdwood Board of Supervisors	Regarding Potential Plans, Studies, Surveys: Girdwood Board of Supervisors anticipates the need for HLB assistance with implementation of objectives within the Girdwood Comprehensive Plan.	Acknowledged.

Appendices				
Reference		Commenter	Comment	Response
71	Pg. 26	Amanda Tuttle	Each Regions Maps are insufficient in clearly depicting each parcel being discussed within the plan. The public has the right to be informed on which parcels are being managed by HLB within the Valley. The perimeters of those parcels should be clearly depicted within each map including boundary lines and parcel number identification. Reference points on the maps must all be depicted show common reference points including highways, streets, and waterways.	Thank you for this feedback. It is very difficult to convey details for every parcel through static mapping. We have found over the years, that putting staff time into having static quick reference maps in the document and high quality interactive digital maps is more helpful for the public. Please use the online interactive mapping to find more granular information, which can be found at the QR code on page 24, or a link may be found from our website www.muni.org/hlb . If there is a particular area, or parcel, you are wanting a more fine-detailed map of, HLB Staff would be happy to assist directly. Also, a wealth of geographic information can be found at www.muni.org/mapit , which is maintained by the MOA's Geographic Information and Data Center.
72	Pg. 47	Amanda Tuttle	Appendix D: HLB and DOT utility easement contracts should be listed in Appendix D. Contracts for the public easements with USFS, US and AK DOT, AKDNR, and the Alaska Railroad should be listed in Appendix D. ADL201175	Easements are recorded documents and are not typically accompanied by a contract. All contracts on HLB land are listed in Appendix D, including any that accompany recorded easements. There are dozens of easements on HLB land that we do not track separately as contracts. We recommend viewing our online maps with the easements layer visible to learn more about easements on HLB land.
Other General Comments				
Reference		Commenter	Comment	Response
73		Girdwood Board of Supervisors	Girdwood Board of Supervisors notes the vacant seat on the HLBAC and requests that a Girdwood resident is considered for appointment to that seat.	Commissioners are appointed by the Mayor and confirmed by the Assembly. To apply for a seat on the HLBAC please visit https://onboard.muni.org/board/2877 .
74		Rabbit Creek Community Council	In disposing of land to private parties, HLB should reserve trail rights-of-way (ROW) rather than trail easements, per 21.08.040.D which reads, "For pedestrian access, a right-of-way dedication is the preferred method of providing access..." In our Council's recent experience, easements on private land have raised concerns of liability and maintenance. HLB should reserve non-motorized ROWs rather than just easements, especially for the Iditarod Trail, riparian trails, and main connecting trails.	Right-of-way can only be created during a platting action. When HLB parcels are replatted, ROW and trail easements are dedicated in accordance AMC 21.08.040.

75		Amanda Tuttle	The executive director shall have professional experience in land and resource management. AMC 25.40.040, (AO No. 95-198(S-3), § 2, 12-5-95)	The HLB Director was recommended by the HLBAC and confirmed by the Anchorage Assembly to have the necessary skills and training to perform the duties of the position (HLBAC Res. 2023-03; AM 571-2023).
76		Amanda Tuttle	HLB is the responsible for natural resource management, public easements, and public infrastructure. HLB is the responsible party for the day to day management and maintenance of these public resources and must be discussed in depth within HLB's Work Management Plan. If HLB believes they are not the responsible party then the agreements with the state and federal agencies dictating who is the responsible party must be listed in Appendix D for public records.	There are public easements and public infrastructure on many HLB parcels. HLB is typically not the entity providing the day-to-day management and maintenance of those improvements. It is difficult to address this concern without a specific example. Please feel free to contact staff directly with concerns.
77		Amanda Tuttle	The Work Management Plan does not discuss how concerns raised from the public are managed or rectified. The plan does not clarify what corrective actions are taken by HLB when non compliant with municipal code, Alaska statues, and federal code of regulations.	HLB staff are available to meet with community members to discuss concerns, please contact HLB staff directly to set up a meeting. If your concerns are not alleviated, you may contact the Municipal Ombudsman with your concern. When it comes State or Federal codes the process for resolving violations would be with those entities.
78		Amanda Tuttle	HLBs lack of communication, transparency, and unwillingness to address public concerns on the agenda, is circumventing. There are natural resource management hazards the residents of Old Girdwood is being subjected to, and HLB has yet to put any of these items on the agenda for the public to be informed and to be able to discuss corrective actions. All active disposals must be a standing agenda items in each monthly meeting open for the public to comment.	HLB staff are available to meet with community members to discuss day-to-day aspects of HLB, please contact HLB staff directly to set up a meeting. HLBAC is an advisory commission to the Anchorage Assembly and advises specifically on land disposals, land exchanges, leases, easement, site-specific land use studies, and the HLB Work Plan.
79		Amanda Tuttle	Heritage Land Bank must complete a site specific study for each land disposal. Completing one site specific land use study in 47 years for the Girdwood Valley does not meet compliancy intent or requirements. The failure to recognize 62 square miles of temperate rainforest is a mismanagement of the watershed that HLB is responsible for managing and funding. Natural Resource management, goals, and funding must be discussed in depth within the HLB's Work Management Plan. ADL 01175	HLB completes an agency review for all disposals, which includes the various entities that would provide input on policies, regulations, and codes pertaining to environmental considerations. Per AMC 25.40.025.C. a site-specific land use study is required "if the information in the comprehensive plan and implementing measures is insufficient to determine whether the disposal of a parcel or parcels is consistent with the plan or measures..."
80		Turnagain Community Council	Regarding Municipal Entitlement (as mentioned on pages 6, 8, 16, 21, etc.) We support the conveyance of State of Alaska-	Acknowledged. This is an on-going issue and we will file these recommendations for a later date.

			<p>owned lands included in the 1986 Municipal Entitlement Act to the Municipality. Once acquired, TCC specifically advocates for the transfer to the Municipality Parks and Recreation the following parcels in TCC/West Anchorage, due to the important value they have as public parks/natural open spaces/recreational areas:</p> <ul style="list-style-type: none"> ▪ Parcels #21 & #68 — where Point Woronzof Overlook and sections of the Tony Knowles Coastal Trail are located ▪ Parcel #77 — Little Campbell Lake Park ▪ Parcel #78 — land adjacent to Kincaid Park ▪ Parcel #113 — Delong Lake Park ▪ A portion of Parcel #71— northern section of Connors Bog Park ▪ In addition, TCC supports transfer of the Kloep Snow Disposal Site, also located within Parcel #71 	
HLB Staff Comments on the HLBAC Public-Hearing Draft				
Reference		Commenter	Comment	Response
81	Pg. 6	HLB Staff	Add text to Chapter 1 under Accomplishments to reflect the completion of the transfer of HLB Parcels to support the creation of Potter Marsh Watershed Park.	Add as a bullet point under Accomplishments: "Transfer of 100-acres to support the creation of Potter Marsh Watershed Park and in-kind match for the USDA Community Forest Grant"
82	Pg. 11: 2-127 - 2-136	HLB Staff	Add text to Chapter 2 under Projects to reflect the completion of the transfer of HLB Parcels to support the creation of Potter Marsh Watershed Park.	Update text to reflect progress in the transaction: The withdrawal from HLB Inventory and transfer of these 10 parcels (approximately 100 acres) to the Parks and Recreation Department (P&R) was recommended by HLBAC in February 2024 and approved by the Assembly in May 2024 (HLBAC 2024-03; AO 2024-48). The conservation value of these parcels was used for in-kind grant matches for grants acquired by HLB and local non-profit partner Great Land Trust (GLT). This grant funding was used in December to acquire the neighboring 200-acres , with management authority to P&R to create the 300-acre Potter Marsh Watershed Park (AO 2024-49; Record No. 2024-036525-0). The park is 3under a conservation easement held by GLT (AO 2024-47; Record No. 2024-036534-0).
83	Pg. 15: 3-078A thru 3-078D	HLB Staff	The sale of 3-078A-D closed in January, so the text needs to be edited to reflect that progress.	Edit text to read: The disposal of these lots, which included an ADEC contaminated site, was approved by HLBAC and the Assembly (HLBAC Res 2021-01; AO 2022-05). This transaction

				closed in January 2025, recorded as document number 2025-000661-0.
84	Pg. 16: 6-011B Ptn	HLB Staff	The Girdwood Comprehensive Plan is schedule to be before the Anchorage Assembly on 2/25/2025. Based on the outcome of that process HLB proposes the following modification to the Work Plan to align with the newly adopted GCP.	<p>If a portion of 6-011B is classified as Mixed Use modify text to read: Disposal of approximately 72 acres, (27 of which is for mixed-use development, the remainder for recreation and access) to facilitate the development of Glacier Creek Village through a purchase and development agreement with Alyeska Holdings, LP, and Seth Andersen for the development of a mixed-use project consistent with the Request for Proposals (RFP) completed in 2021. A disposal recommendation will be brought to the HLBAC consistent with the Girdwood Comprehensive Plan (2025), the Girdwood Trails Plan (2024), and any other applicable plans.</p> <p>If a portion of 6-011B is classified as Open Space modify text to read: Disposal of approximately 72 acres, (27 of which is for mixed-use development, the remainder for recreation and access) to facilitate the development of Glacier Creek Village through a purchase and development agreement with Alyeska Holdings, LP, and Seth Andersen for the development of a mixed-use project consistent with the Request for Proposals (RFP) completed in 2021. HLB Staff will work with Alyeska Holdings, LP, and Seth Andersen to determine next steps.</p> <p>(See comment 96 for update)</p>
85	Pg. 17: 4-033B	HLB Staff	There is renewed interest in possibly leasing the building on this parcel.	Edit text to read: "The Clitheroe Center became vacant in April 2024. Staff is working with other departments to determine Municipal need, state of the structure, and propose next steps. HLB may pursue leasing the building to a non-profit to provide community benefits similar to previous uses."
86	Pg. 17: 6-251 6-296	HLB Staff	Add text to the Annual Work Program to include Phase 1 and 2 of the Bikewood project in Girdwood	<p>Add the following text:</p> <p>HLB Parcels 6-251 and 6-296 - HLBAC and the Assembly approved granting a 20-year public use easement to the Girdwood Mountain Bike Alliance (Bikewood) for the development of a first phase of trails. It is anticipated that</p>

				<p>this easement will be recorded in the coming year. HLBAC unanimously approved Resolution 2024-06 to the Girdwood Mountain Bike Alliance (Bikewood) for a 20-year public use easement for the development of a second phase of trails. The HLBAC recommended several conditions that are still being resolved prior to this action going to the Anchorage Assembly.</p>
87	Pg. 19	HLB Staff	<p>The Girdwood Comprehensive Plan is schedule to be before the Anchorage Assembly on 2/25/2025. Based on the outcome of that process HLB proposes the following modification to the Work Plan to align with the newly adopted GCP.</p>	<p>If the Girdwood Comprehensive Plan is passed modify text to read:</p> <p>The GCP was passed by the Anchorage Assembly on February 25, 2025 (AO 2024-114) and will be used to guide management of HLB land in Girdwood for the planning horizon.</p>
Comments Received In-Person at the HLBAC Public Hearing on February 27, 2024				
Reference	Commenter	Comment	Response	
88	6-011B Deb Essex	<p>Ms. Essex provided an overview and history relating 6-011B on the various adopted plans and stated that none of those plans included residential development in that area. She asked what prompted HLB to put the RFP out for development in this area. This development is directly next to the Girdwood airport and feels that there is impact to the airport and the FAA should have been consulted on potential impacts. Between Holtan Hills, the Pomeroy development, and the airport hotel there will be congestion that will impact the airport.</p>	<p>This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.</p>	
89	Brian Burnett	<p>Mr. Burnett spoke on the S-version of the Assembly Ordinance for the Girdwood Comprehensive Plan and spoke in support of amendments 1A and B and not amendment 2 and 3. Mr. Burnett discussed the vegetative buffer amendment in the GCP. Spoke on the conflict between the trails that are approved by the HLBAC and the conflict with the residential development. He supports attainable long-term housing for people in Girdwood. Mr. Burnett stated that 6-011B is the second most expensive HLB property to develop and Alyeska is not designing a development that will be attainable housing. He stated that the developer has no intention of building trails.</p>	<p>This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.</p>	
90	1-008 Cordell Hendrickson	<p>1-008 borders land that Mr. Hendrickson owns property next to HLB 1-008. He wishes to complete a survey and potentially purchase a portion of 1-008. The HLB property is irregularly</p>	<p>This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.</p>	

			shaped, and he would like to purchase a portion for the development of a driveway. Mr. Hendrickson submitted an application to staff.	
91	6-011C	Jennifer Wingard, GBOS	Ms. Wingard spoke on the Girdwood Industrial Park, regarding Tract A and appreciated the collaboration with HLB staff and HLBAC on this topic. She spoke on comment 84 of the draft work plan and stated that the proposed change dismisses all the community work that has occurred. She stated that the proposed project is opposed by the entire community and is not consistent with any adopted community plans.	This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.
92		Brendan Raymond-Yakoubian	Mr. Raymond-Yakoubian reiterated his previously submitted comments. Work towards getting easements for trails near Virgin Creek is a highly valued community trail and provides many functions wildlife, natural areas, and draw to Girdwood and is congruent with existing plans. Secondly, strong support of land management objectives on page 7 regarding conservation. One potential application of that would be the pursuit of conservation around Virgin Creek, preserving old growth forest. Thanked HLB staff.	This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.
93		Julie Raymond-Yakoubian	Ms. Raymond-Yakoubian referred to comments submitted and wanted to reiterate trail easement around the vicinity of Virgin Creek. Noted that she has a permit from HLB for this area and visits this area daily. Protecting these trails is really important. Support management objection regarding conservation on page 7 for Virgin Creek and other areas of the Girdwood Valley.	This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.
94		Karen Button, President of Friends of Fish Creek	Ms. Button provided information on the goals of daylighting Fish Creek that are included in several plans for the area. They are working on a study to be completed in late summer. Working towards these goals with MOA Departments and the Anchorage Assembly encouraging the MOA to prioritize this project. They are working with the Brownfields Grant. Her request is to add the purchase of Fish Creek adjacent lands to the HLB Work Plan. Specifically, the Dryer property near Captain Cook Estates and 1700 Tudor Road. These two families are willing to sell the properties.	This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.
95		Amanda Tuttle	Ms. Tuttle provided public testimony regarding the staff responses to her previously submitted comments. She stated that she found the responses wrong and insulting. She stated that HLB is in non-compliant with ADLs and MOA codes, and that HLB will be held accountable.	This comment was heard at the Public Hearing. No follow-up questions were asked, and no action was taken.

Amendments made by HLBAC on February 27, 2025			
Reference	Commenter	Comment	Response
96	HLBAC	HLBAC discussed comment 84 and how to amend the text to reflect the Girdwood Comprehensive Plan not yet being adopted by the Assembly. Commissioner Oswald motioned that the staff suggested amendment in comment 84 be stricken and for the original text to be left as is. Tim Charnon Seconded this motion.	Commissioners voted on the amendment, and it passed unanimously. The text on page 15 regarding the residential development on a “ <i>Portion of HLB Parcel 6-011B</i> ”, will be left as written in the draft plan.
97	HLBAC	HLBAC discussed the comments received regarding a potential watershed management plan for the Girdwood Valley. Commissioner Charnon motioned, and Commissioner Chmielowski seconded, to add the following text to the Five-Year Management Plan: “HLB recognizes the need for a watershed plan and would participate as a stakeholder on any future planning effort.”	There was no objection to the amendment, and it passed unanimously. The suggested text was added to page 23, under <i>Potential Plans, Studies & Surveys: 2026 – 2030</i> .
Amendments made by the Assembly on May 20, 2025			
Reference	Commenter	Comment	Response
98	Assembly	Assembly Member Scott Myers submitted an amendment to add a site-specific land use study for HLB Parcels 1-007A, 1-008, 1-090, 1-091, and 1-092.	The Assembly passed this amendment unanimously. Added text can be found on page 18
99	Assembly	Assembly Member Zac Johnson submitted an amendment regarding HLB parcel 6-011B. The original two entries in the Annual Work Program were stricken. In the Annual Work Program text was added to commit to recording trail easements in the area and then subsequently replatting the area. In the Five-Year Management Plan text was added clarifying that any disposal for mixed use development for Glacier Creek Village would not happen until after the trail easements are recorded and the replat is complete.	The Assembly passed this amendment unanimously. Added text can be found on pages 15 and 21

Appendix F

MUNICIPALITY OF ANCHORAGE HERITAGE LAND BANK ADVISORY COMMISSION

HLBAC Resolution 2025-02

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF THE 2025 HLB ANNUAL WORK PROGRAM AND 2026-2030 FIVE-YEAR MANAGEMENT PLAN.

WHEREAS, pursuant to AMC § 25.40.010, the Heritage Land Bank (HLB), a division of the Municipality of Anchorage's Real Estate Department, was established to manage uncommitted municipal land and the HLB Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan; and

WHEREAS, pursuant to AMC § 25.40.020, the HLB Advisory Commission (HLBAC) shall recommend and submit for assembly action a comprehensive land and fund management program to accomplish the purpose and mission of the HLB, and that such a program shall contain at a minimum such documents as the Five-Year Management Plan and an Annual Work Program; and

WHEREAS, pursuant to AMC § 25.40.020A, the Five-Year Management Plan shall identify those land acquisition, inventory, management, transfer and disposal objectives anticipated during this time frame; and

WHEREAS, pursuant to AMC § 25.40.020B, the Annual Work Program shall conform to the current or proposed Five-Year Management Plan, and which includes detailed descriptions of the proposed land acquisitions, inventory, management, transfer and disposal activities of the HLB for the coming year; and

WHEREAS, pursuant to AMC § 25.40.020B, a public notice, as set forth in this chapter, of not less than forty-five (45) days, is required prior to a hearing by the HLBAC on the Annual Work Program; and

WHEREAS, on December 9, 2024, the Public Review Draft of the 2025 HLB Annual Work Program and 2026-2030 Five-Year Management Plan (Work Plan) was posted on the HLB website, the MOA Public Notice website, and an e-mail was sent to Assembly members, all community councils, municipal department heads, and public and private organizations that have subscribed to the HLBAC mailing list; and

WHEREAS, on December 9, 2024, the notice for the February 27, 2025, HLBAC public hearing on the Work Plan was posted on the HLB website, the MOA Public Notice website, and an e-mail was sent to Assembly members, all community councils, municipal department heads, and public and private organizations that have subscribed to the HLBAC mailing list; and

WHEREAS, on February 27, 2025, the HLBAC held a public hearing on the Work Plan; and

WHEREAS, the Draft 2025 HLB Annual Work Program and 2026-2030 Five-Year Management Plan document complies with the provisions as set forth in AMC § 25.40.020A-C; now, therefore,

BE IT RESOLVED, THE HLBAC APPROVES THE DRAFT 2025 HLB ANNUAL WORK PROGRAM AND 2026-2030 FIVE-YEAR MANAGEMENT PLAN WITH ANY AND ALL ADOPTED AMENDMENTS.

THEREFORE, BE IT FURTHER RESOLVED, THE HLBAC RECOMMENDS THE WORK PLAN FOR CONSIDERATION OF APPROVAL AND ADOPTION BY THE ASSEMBLY.

PASSED and APPROVED on this, the 27th day of February 2025.

Approved:

Attest:



L. Dean Marshall, MPA, Chair
Heritage Land Bank Advisory Commission



Tiffany Briggs, Director
Real Estate Department

ANCHORAGE, ALASKA
AR No. 2025 – 103, As Amended

1 **A RESOLUTION APPROVING THE HERITAGE LAND BANK 2025 ANNUAL**
2 **WORK PROGRAM AND 2026-2030 FIVE-YEAR MANAGEMENT PLAN.**

3
4 **WHEREAS**, pursuant to AMC 25.40.010, it is the mission of the Heritage Land Bank
5 (HLB) to manage uncommitted municipal land and the HLB Fund in a manner
6 designed to benefit the present and future citizens of Anchorage, promote orderly
7 development, and achieve the goals of the Comprehensive Plan; and,

8
9 **WHEREAS**, pursuant to AMC 25.40.020B, the HLB Advisory Commission (HLBAC),
10 following public notice and hearing, shall recommend and submit for Assembly
11 approval an Annual Work Program, and a Five-Year HLB Management Plan (Work
12 Plan) not less than once every five years, that identifies proposed land acquisition,
13 management, transfer, inventory and disposal objectives; and,

14
15 **WHEREAS**, HLBAC held a public hearing on February 27, 2025, and approved
16 HLBAC Resolution 2025-02 recommending Assembly approval of the Work Plan;
17 now, therefore,

18
19 **THE ANCHORAGE ASSEMBLY HEREBY RESOLVES:**

20
21 **Section 1:** The HLB 2025 Annual Work Program and 2026-2030 Five-Year
22 Management Plan is hereby approved.

23
24 **Section 2:** This Resolution shall take effect immediately upon approval by the
25 Assembly.

26
27 PASSED AND APPROVED this 20th day of May, 2025.

28
29
30
31 *Christopher Constant*

32 _____
Chair

33 ATTEST:

34
35
36 *Jasmine Acres*

37 _____
38 Municipal Clerk

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 310 - 2025

Meeting Date: April 8, 2025

1 **FROM: MAYOR**

2
3 **SUBJECT: A RESOLUTION APPROVING THE HERITAGE LAND BANK 2025**
4 **ANNUAL WORK PROGRAM AND 2026-2030 FIVE-YEAR**
5 **MANAGEMENT PLAN.**
6

7 The administration forwards for your consideration a Resolution approving the
8 proposed Heritage Land Bank (HLB) 2025 Annual Work Program and 2026-2030
9 Five-Year Management Plan (Work Plan). Pursuant to AMC 25.40.020B, the HLB
10 shall submit and the HLB Advisory Commission (HLBAC) shall recommend for
11 Assembly approval an Annual Work Program and a Five-Year Management Plan
12 not less than once every five (5) years. This Work Plan serves as a set of guidelines
13 and proposed activities to accomplish the purpose and mission of HLB. The Work
14 Plan is subordinate to and must comply with all Assembly-approved regional and
15 comprehensive plans.
16

17 The Work Plan includes details regarding HLB proposed land acquisitions,
18 inventory, management, transfers, and disposal activities, including revenues and
19 expenditures of the HLB Fund. The attached draft Work Plan has all the
20 amendments recommended by HLBAC incorporated into it. For ease of reference,
21 all page numbers referenced within the plan (including from public comments in
22 Appendix E) have been updated to maintain accuracy.
23

24 AMC 25.40.020B also requires public notice of not less than forty-five (45) days
25 prior to a public hearing by the HLBAC on the Work Plan. On December 9, 2024,
26 the draft Work Plan was publicly noticed online and made available for download
27 and sent to all relevant municipal agencies, the Federation of Community Councils,
28 all Community Councils, and the Assembly for review and comment. On February
29 27, 2025, HLBAC conducted a public hearing and approved HLBAC Resolution
30 2025-02, recommending Assembly approval of the Work Plan. The HLB requests
31 your favorable consideration.
32

33 Prepared By: Heritage Land Bank, Real Estate Department
34 Approved: Tiffany Briggs, Real Estate Director
35 Concur: Lance Wilber, PDPW Executive Director
36 Concur: Eva Gardner, Municipal Attorney
37 Concur: William D. Falsey, Chief Administrative Officer
38 Concur: Rebecca A. Windt Pearson, Municipal Manager
39 Respectfully submitted: Suzanne LaFrance, Mayor
40

41 Attachment:
42 HLB 2025 Annual Work Program and 2026-2030 Five-Year Management Plan

Comprehensive Plan(s) Guide

Comprehensive, Neighborhood, and Area Planning

What is it and how can HLBAC use them?

The purpose of the Comprehensive Plan as defined by our local land use code, Anchorage Municipal Code Title 21 (AMC 21.01.080A.), is to “...set forth the goals, objectives, strategies, and policies governing land use development of the municipality.” These directives instruct and influence all aspects of land use to include transportation, housing, economic development, and natural resources. Neighborhood and area plans are area-specific elements of the Comprehensive Plan that serve as a more focused framework tailored to the needs of our many diverse neighborhoods that have unique opportunities and challenges. Both comprehensive and neighborhood plans are developed through extensive public participation, so they can best reflect the community’s collective vision for the future and land use needs.

How does the comprehensive plan affect or influence HLBAC? Per Title 25 (AMC 25.40.101), “it is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan.”

Listed below are the adopted community, district, neighborhood, and plans, as well as a listing of each community council included within the boundaries of each plan. These plans should be reviewed and consulted prior to making recommendations on land management decisions affecting parcels within the respective plan boundaries.

ADOPTED COMPREHENSIVE PLANS

[Anchorage 2020](#) and [Anchorage 2040 Land Use Plan](#) (Supplement to Anchorage 2020)

- All Community Councils within the Anchorage Bowl

[Turnagain Arm Comprehensive Plan](#)

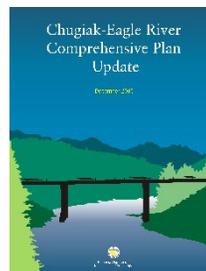
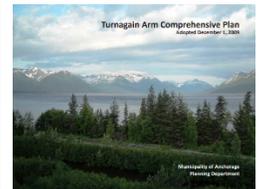
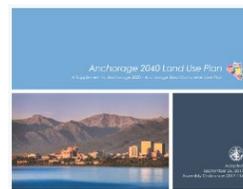
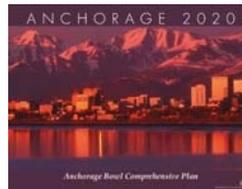
- Portage Valley Community Council
- Turnagain Arm Community Council

[Girdwood Comprehensive Plan](#)

- Girdwood Board of Supervisors

[Chugiak-Eagle River Comprehensive Plan](#)

- Birchwood Community Council
- Chugiak Community Council
- Eagle River Community Council
- Eagle River Valley Community Council
- Eklutna Valley Community Council
- South Fork Community Council



ADOPTED NEIGHBORHOOD & DISTRICT PLANS

Note that not every Community Council has an adopted district or neighborhood plan

[East Anchorage District Plan](#)

- Northeast Community Council
- Russian Jack Park Community Council
- Scenic Foothills Community Council
- University Area Community Council (portion of)
- Basher Community Council

[Fairview Neighborhood Plan](#)

- Fairview Community Council

[Government Hill Neighborhood Plan](#)

- Government Hill Community Council

[Hillside District Plan](#)

- Bear Valley Community Council
- Glen Alps Community Council
- Hillside Community Council
- Huffman/O'Malley Community Council
- Rabbit Creek Community Council

[Mountain View Targeted Neighborhood Plan](#)

- Mountain View Community Council

[Our Downtown](#)

- Downtown Community Council

[Spenard Corridor Plan](#)

- Spenard Community Council

[UMED District Plan](#)

- University Area Community Council

[West Anchorage District Plan](#)

- Bayshore/Klatt Community Council
- Midtown Community Council (portion of)
- North Star Community Council (portion of)
- Sand Lake Community Council
- Spenard Community Council
- Taku/Campbell Community Council
- Turnagain Community Council

Note: The Midtown District Plan and South Addition Neighborhood Plan in various stages of development but are not yet adopted by the Assembly as of this writing.

HLB LAND USE PLANS

Heritage Land Bank also conducts our own land use studies which help to better inform land management decisions. Some of these studies have been adopted as elements of the comprehensive plan, but not all. Regardless, they should be consulted prior to any corresponding land management decision affecting their respective areas.

[Chugiak-Eagle River Site Specific Land Use Plan](#)

[Former Alaska Native Service Hospital](#)

[Potter Valley Land Use Analysis](#)

[Girdwood South Townsite Master Plan](#)

[Crow Creek Neighborhood Land Use Plan](#)

In addition to community, district, neighborhood, and area plans, the Municipality also has several functional and technical plans which provide further specificity on how particular resources and assets should be developed, conserved, or preserved. Examples of these plans include, but are not limited to the Official Streets and Highways Plan, Areawide Trails Plan, Park's Plan, Anchorage Wetlands Management Plan, and Historic Preservation Plan for Anchorage's Original Four Neighborhoods. All plans are available on either the [Planning Department](#) or [HLB](#) webpages.

Parliamentary Procedures Guide

Chart of Common Motions

Common Motions <i>What do I say...</i>	Interrupt	Second	Debatable	Amendable	Vote	Reconsider
1. MAIN MOTIONS						
Approve – introduce business for approval. <i>“I move to approve...”</i>	No	Yes	Yes	Yes	Majority	Yes
Accept – introduce an Assembly Information Memorandum (AIM) for acceptance. <i>“I move to accept...”</i>	No	Yes	Yes	Yes	Majority	Yes
Introduce – introduce business for public hearing at a future meeting. <i>“I move to introduce...”</i>	No	Yes	Yes	Yes	Needs a third, but no vote	Yes
Other – propose to take some action. <i>“I move to/that...”</i>	No	Yes	Yes	Yes	Majority	Yes
2. SUBSIDIARY MOTIONS						
Amendment – change a main motion. <i>“I move to amend...by...”</i>	No	Yes	Yes	Yes	Majority	Yes
Call the Question – stop debate and vote immediately on the motion. <i>“I call the question.”</i>	No	Yes	No	No	Super Majority	Yes
Limit/Extend Limits of Debate – shorten/extend time allowed for discussion. <i>“I move to limit/extend the debate to/by...”</i>		Yes	Yes	No	Super Majority	
Postpone to a Certain Time – take the motion up at another meeting. <i>“I move to postpone...to...”</i>	No	Yes	Yes	Yes	Majority	Yes
Postpone Indefinitely – kill a motion without voting against it. <i>“I move to postpone...indefinitely.”</i>	No	Yes	Yes	No	Majority	
Refer to Committee – send a proposal to another group to review, discuss, and make recommendations. <i>“I move to refer...to...”</i>	No	Yes	Yes	Yes	Majority	Yes
3. PRIVILEGED MOTIONS						
Adjourn – end the meeting. <i>“I move to adjourn.”</i>	No	Yes	No	No	Majority	No
Call for Orders of the Day – request to take up an item scheduled for a particular time. <i>“I move to change the order of the day to...”</i>	Yes	No	No	No	At the Request of One Member	

Chart of Common Motions – cont'd

Common Motions <i>What do I say...</i>	Interrupt	Second	Debatable	Amendable	Vote	Reconsider
Raise a Question of Privilege – bring up a matter pertaining to the rights of the body or an individual member. <i>“I request a point of personal privilege.”</i>	Yes	No	No	No	Chair Decides	No
Recess – take a short break. <i>“I move to recess for...”</i>	No	Yes	No	Yes	Majority	No
4. INCIDENTAL MOTIONS						
Avoid Considering an Improper Matter – object to considering an improper motion. <i>“I object to consideration of this matter.”</i>	Yes	No	No	No	Super-Majority	Yes
Point of Order – claim that a mistake has been made. <i>“Point of order.”</i>	Yes	No	No	No	Chair Rules	No
Request for Information – need information relevant to debate. <i>“Point of information...”</i>	Yes	No	No	No	Chair Responds	No
Temporarily Suspend the Rules – do something that is contrary to the rules of order. <i>“I move to temporarily suspend the rules to...”</i>	No	Yes	No	No	Super-Majority	No
Vote on a Ruling of the Chair – appeal a ruling of the Chair with the group being the final authority. <i>“I call for a vote on the ruling of the Chair.”</i>	Yes	Yes	Yes	Yes	Majority	Yes
5. BRING-BACK MOTIONS						
Amend Something Previously Adopted – change something already adopted. <i>“I move to amend previously adopted...”</i>	No	Yes	Yes	Yes	Majority with Notice or Super-Majority with No Notice	
Reconsider – take up something again. <i>“I move to reconsider the vote on...”</i>	Yes	Yes	Yes	No	Majority	No
Rescind – cancel something already adopted. <i>“I move to rescind...”</i>	No	Yes	Yes	Yes	Majority with Notice or Super-Majority with No Notice	
Take From Table – resume consideration of a motion tabled. <i>“I move to take from the table...”</i>	No	Yes	No	No	Majority	No

Nancy Sylvester, MA, PRP, CPP-T

*Team/Leadership Specialist, Professor Emeritus of Speech, Rock Valley College
Professional Registered & Certified Professional Parliamentarian*

EFFECTIVE & EFFICIENT MEETINGS PARLIAMENTARY PROCEDURE

**Municipality of Anchorage
Planning Department**

- **Hierarchy of Governing Documents**
- **Quorum**
- **Agenda**
- **Processing a Motion**
- **Precedence of Motions**
- **Meaning of Votes**
- **Procedure in Small Boards**
- **Script of a Motion**
- **Meeting Minutes**
- **Deliberative Assembly**
- **Basic Characteristics of a Motion**

HIERARCHY OF GOVERNING DOCUMENTS

- Federal Laws – Internal Revenue Code, etc.

- Alaska State Statutes – E.g. Title 29 Municipal Government, Alaska Open Meetings Act — Available online and through the Secretary of State’s office

- Articles of Incorporation — A legal instrument that sets forth the name and object of the organization and whatever other information is needed for incorporating the organization under the laws of the particular state

- Bylaws — A document that contains the basic rules of the organization relating principally to itself as an organization
 - Each organization is different
 - Each organization’s bylaws are different
 - A board only has the authority that is given to it in the bylaws
 - No other entity (e.g. Executive Committee) has authority except what is given to it in the bylaws

- Standing Rules or Policies and Procedures — Rules adopted by the board that relate to the administration of the organization

- Parliamentary Authority — Indication of which authority the organization will refer to when there is an issue not covered by any of the above rules. *Robert’s Rules of Order Newly Revised*, 12th Edition, is the parliamentary authority for approximately 95% of the organizations in the U.S.

QUORUM

The number of voting members who must be present for business to be transacted legally.

AGENDA

The following is the agenda for organizations that are governed by *Robert's Rules of Order Newly Revised*:

- I. Approval of minutes – *Are there any corrections to the minutes as printed and distributed to the trustees?* [pause] *Hearing none, the minutes are approved as printed and distributed.*
- II. Reports of:
 - A. Officers
 - B. Boards
 - C. Standing Committees
 - D. Special Committees (select, ad hoc, task force, etc.)
- III. Special Orders (orders from the governing documents)
- IV. Unfinished Business (**not** old business)
- V. New Business [Only that which has been properly noticed]

**Consent Agenda: Routine, noncontroversial matters. Considered in gross, without debate or amendment.

PROCESSING A MOTION

1. ***A Member Makes a Motion***
 - a. The member words the motion properly: I move that (followed by specific statement of proposed action).
 - b. The member who made the motion has the first right to speak on the motion
 - c. Member who made the motion cannot speak against the motion, but may vote against it*
 - d. The presiding officer has the right to request that the motion be in writing unless the rules indicate otherwise. NCR (No Carbon Required) paper on hand at each meeting will aid in this process)
2. ***Another Member Seconds the Motion***
 - a. Motion that comes from a committee does not need a second
 - b. In seconding a motion, a person may only be agreeing that the issue should be discussed and decided upon
 - c. If there is no second, the presiding officer tells the assembly that the motion dies for lack of a second
3. ***The Chair States the Motion, Therefore Formally Placing It Before the Assembly***
 - a. Do not overlook this step. It is crucial because:
 - i. At the completion of this step, ownership of the motion is transferred from the individual who made the motion to the members present
 - ii. After this step, the motion belongs to the body, not an individual
 - b. Proper restatement of the motion by the presiding officer:
 - i. Helps make sure everyone has heard the motion, exactly as it was proposed, and
 - ii. Helps keep everyone on target as to the exact wording of the motion to be debated
 - c. If the presiding officer is unclear about the exact wording, there are two places the presiding officer can go to for assistance:
 - i. Use the NCR copy of the motion paper provided by the maker of the motion
 - ii. Ask the secretary to read the motion

4. *The Members Debate the Motion*

- a. During this time the motion is
 - i. considered pending and
 - ii. can have secondary motions applied to it
- b. Assignment of the floor: While a motion is open to debate, the first person to rise and address the chair shall be assigned the floor by the chair. Cases where the floor should be assigned to a person who may not have been the first to rise and address the chair are:
 - i. If the member who made the motion has not yet spoken on the question,
 - ii. When the person seeking the floor has not already spoken on the same motion on the same day; and
 - iii. In cases where the chair knows the opinions of the persons seeking the floor, then the assignment should alternate between those favoring and those opposing the question
- c. During debate, there are some motions that are improperly used. If that occurs, assist the maker of the motion to help make it a proper motion.
 - i. "I move to table this motion until . . ."
 - (1) Cannot table until a specific time. The intent is probably the motion to Postpone Definitely.
 - (2) Differences between Postpone Definitely and Table:
 - (a) Table is not debatable, Postpone Definitely is debatable.
 - (b) Table must be brought back by a motion to Take from the Table. Postpone Definitely **automatically** comes up when the time of postponement arrives.
 - (3) If the member uses this terminology, simply treat the motion as a motion to Postpone Definitely.
 - (a) Member: "I move to table this motion until next weeks meeting"
 - (b) Another Member: "Second"
 - (c) Presiding Officer: "It has been moved and seconded that we postpone this motion until next weeks meeting. Is there any discussion.
 - ii. "I move to table this motion so that we can kill this issue."
 - (1) Presiding Officer should rule this motion out of order and then suggest that the proper motion is to Postpone Indefinitely.
 - (2) Differences between Table and Postpone Indefinitely:
 - (a) Table is not debatable. Postpone Indefinitely is debatable.
 - (b) The motion to Postpone Indefinitely prevents the issue from coming up again at this meeting. The motion to Table does not.
 - iii. "I call the question" or "Question"
 - (1) These are two versions of the same motion. The intent of this motion is to close debate on this motion and move immediately to the vote.
 - (2) If the motion is to "Call the Question on this and all pending questions" then the effect is to close debate and require movement to the vote on the pending motion and all other pending motions. (E.g. On the amendment and on the main motion.)
 - (3) The member may not simply yell out this motion. Like all other motions, the maker must wait to be recognized.
 - (4) This motion must go through all of the steps of a motion with the following uniqueness:
 - (a) It is not debatable
 - (b) Because it takes rights away from the members, it requires a two-thirds vote.

- d. Debate must be limited to the specific motion that is pending.
 - i. The specific aspects covered in the motion are open to debate, not the whole subject area.
 - ii. If the members begin wandering away from the subject area, a nice way to bring them back on task is: “Is there any further discussion on [specifically state the subject]?”
- 5. ***The Chair Puts the Question to a Vote***
 - a. This should include restatement of the motion to be voted on. This restatement serves as a reminder of what the membership is voting on
 - b. Even in obvious votes, the presiding officer should call for votes for and votes against the motion. The only exception here is with courtesy resolutions (e.g. the resolutions at the end of the convention that thank everyone who worked on the convention.)
 - e. If the presiding officer requests that those voting in favor of the motion indicate with an affirmative response, the presiding officer should not call for negative votes with a call for “same sign.” E.g. “All those in favor say ‘aye’, those opposed, same sign.”
 - f. The presiding officer should be very comfortable with being able to determine the results of the vote. If in doubt, it is the duty of the chair to verify the vote beyond reasonable doubt, and to the satisfaction of the members
- 6. ***The Chair Announces the Results of the Vote***

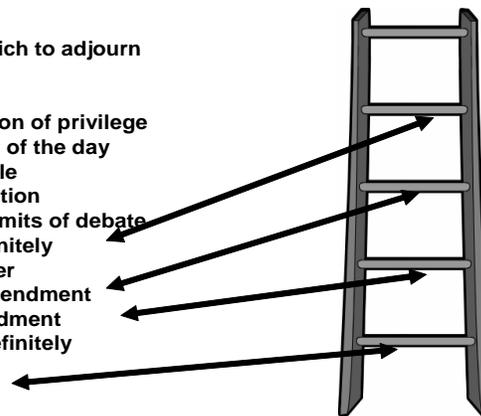
The content of a complete announcement of the results of the vote includes:

 - a. Announcement of which side has the necessary votes, and is thus the prevailing side. In a counted vote, the presiding officer should first give the count before announcing the prevailing side
 - b. Declaration as to whether the motion is adopted or lost
 - c. A statement indicating the effect of the vote
 - d. Where applicable, announcement of the next item of business

PRECEDENCE OF MOTIONS

PRECEDENCE OF MOTION

- 1. Fix time to which to adjourn
- 2. Adjourn
- 3. Recess
- 4. Raise a question of privilege
- 5. Call for orders of the day
- 6. Lay on the table
- 7. Previous question
- 8. Limit/extend limits of debate
- 9. Postpone definitely
- 10. Commit or refer
- 11. Secondary amendment
- 12. Primary amendment
- 13. Postpone indefinitely
- 14. Main motion



When any one of the motions above is pending [the time between when the Chair states the motion (Step 3) and when the Chair puts the motion to a vote (Step 5)], any motion above it on this list is in order. Any motion below it on the list is out of order.

MEANING OF VOTES

Majority – More than half of the votes cast

Two Thirds – Two times the number of yes votes as no votes

Plurality – A method of voting in which the candidate or proposition receiving the largest number of votes is elected or selected.

Abstain – To refrain from voting

VOTING EXAMPLE		
1,000 members in the organization 100 members present 90 members vote		
Vote	Majority	Two Thirds
Of the members present	51	67
Of the entire membership	501	667
Of the members present and voting	46	60

****Presiding officer votes:** In all other methods of voting other than a ballot vote, the chair only votes when his or her vote affects the results. Numerical examples would help here.

VOTE REQUIRED	YES VOTES	NO VOTES	PRESIDING OFFICER VOTE	
			YES	NO
Majority	3	3	Yes – affects results	No - fail without vote
Majority	3	2	No – pass without vote	Yes – affects results
Two Thirds	3	2	Yes – affects results	No - fail without vote
Two Thirds	4	2	No - pass without vote	Yes – affects results

PROCEDURE IN SMALL BOARDS – no more than about 12 members present (*Robert’s Rules of Order Newly Revised*, 12th Edition, pages 464-465). The rules governing such meetings are different from the rules that apply to other assemblies, in the following respects:

- Motions do not need to be seconded.

- The presiding officer, if a member, does not have to leave the chair when making a motion or when participating in debate, and can vote on all questions.

- Informal discussion of a subject is permitted while no motion is pending.

- It's not necessary to rise in order to make a motion or when seeking recognition by the chair, raising the hand is adequate

- The presiding officer may stay seated while putting a motion to a vote.

- There is no limit on the number of times a person may speak, except Appeals follow the regular rules.

- “When a proposal is perfectly clear to all present, a vote can be taken without a motion's having been introduced. Unless agreed to by unanimous consent, however, all proposed actions must be approved by vote under the same rules as in larger meetings, except that a vote can be taken initially by a show of hands, which is often a better method in small meetings”.

SCRIPT OF A MOTION

MEMBER: I move that . . .

CHAIR: Is there a second to the motion? [This statement is eliminated if a member calls out "second" or if the motion is made on behalf of a committee.]

MEMBER: I second the motion

CHAIR: It is moved and seconded that... Is there any discussion? [Since the maker of the motion has first right to speak on the motion, the chair should call on the maker of the motion first.]

MEMBERS: Discussion occurs [It is during this time that a motion is considered pending and secondary motions may be applied to it.]

CHAIR: Is there any further discussion? Are you ready for the question? [Pause] The question is on the adoption of the motion to [clearly restate the motion]

VOICE VOTE:

All those in favor, say aye. [Pause for response]

All those opposed, say no. [Pause for response]

Are there any abstentions? [Pause for response]

[If the chair is in doubt of the results of a voice vote, then the chair should state "The chair is in doubt, therefore a rising (or counted) vote will be taken." Then proceed with a rising or counted vote.]

RISING VOTE:

Those in favor of the motion, please stand. [Pause] Please be seated.

Those opposed to the motion, please stand. [Pause] Please be seated

SHOW OF HANDS VOTE:

All those in favor of the motion, please raise your right hand. [Pause]

Please lower your hand. Thank you. Those opposed to the motion, please raise your right hand. [Pause] Please lower your hand. Thank you

BALLOT VOTE:

Please mark your ballots clearly, fold them one time, and hand them directly to a teller

ROLL CALL VOTE:

The secretary will now call the roll

CHAIR: *ANNOUNCEMENT OF VOTING RESULTS:*

UNCOUNTED VOICE, RISING OR SHOW OF HANDS VOTE:

The affirmative has it, the motion is adopted, we will [state the effect of the vote] and the next business in order is . . .

OR

The negative has it, the motion is defeated and [state the effect of the motion]

COUNTED MAJORITY VOTE:

There are _____ votes in the affirmative and _____ votes in the negative. There is a majority in the affirmative and the motion is adopted. We will [state the effect of the vote] and the next business in order is . . .

OR

There are _____ votes in the affirmative and _____ votes in the negative. There is less than a majority in the affirmative and the motion is defeated [state the effect of the vote] and the next business in order is . . .

COUNTED TWO-THIRDS VOTE:

There are _____ votes in the affirmative and _____ votes in the negative. There is a two-thirds vote in the affirmative and the motion is adopted. We will (Give the effect of the vote) and the next business in order is . . .

OR

There are _____ votes in the affirmative and _____ votes in the negative. There is less than a two-thirds vote in the affirmative and the motion is defeated (state the effect of the vote)

CHAIR: The next business in order is . . .

MEETING MINUTES

Minutes are the official record of an organization. It is crucial that they are accurate since they are the legal record of the proceedings and actions of the organization.

CONTENT

First paragraph: Kind of meeting (regular, special, etc.); the name of the organization; the date and time of the meeting; place of the meeting, if it isn't always the same; that the regular chair and secretary were present or, in their absence, the names of the persons who substituted for them; and record of the action taken on the minutes of the previous meeting. Any corrections approved by the members are made in the text of the minutes and then noted that the minutes were approved as corrected, without including the specific corrections in the minutes of the current meeting. While *Robert's* does not require inclusion of the approximate number of members present and the establishment of a quorum, many organizations choose to include that information in the minutes.

The body should include, with each motion being a separate paragraph:

- The exact wording of motions right before the vote, whether it passed or failed, and the way they were disposed of, along with the name of the maker.
- If the vote was counted, the count should be recorded. Tellers' reports, if there are any, are included. In roll call votes the record of each person's vote is included.
- Notices of motions given at one meeting to be voted on at the next meeting – previous notice is sometimes required (e.g. amendments of the bylaws).
- Points of order and appeals.
- Secondary motions that were made but not yet voted on, in cases where it is necessary to record them for completeness or clarity, e.g. a main motion, a primary amendment, a secondary amendment and the motion to postpone to the next meeting were all made and are pending. If the motion to postpone passes, the minutes of the meeting should include the wording of the main motion, the primary amendment, and the secondary amendment so that at the next meeting everyone is aware of exactly what motions will come before the assembly during Unfinished Business.
- The complete substance of oral committee reports that are given in small assemblies.
- The fact that the assembly went into committee of the whole, a parliamentary tool used more by legislative bodies than by nonprofit groups,

but not the proceedings. The report of the committee of the whole is included.

- Proceedings under Informal Consideration are recorded.
- The Assembly may order that a report of great importance be entered in the minutes.
- Name and subject of the guest speaker may be entered, but the minutes should not include a summary of the speaker's remarks.

Last paragraph: hour of adjournment

NOT INCLUDED

- The opinion or interpretation of the secretary
- Judgmental phrases e.g. "heated debate" or "valuable comment"
- Discussion: Minutes are a record of what was *done* at the meeting, not what was *said* at the meeting
- Motions that were withdrawn
- Name of seconder is unnecessary

DISTRIBUTION OF MINUTES

I recommend sending the minutes out in advance of the next meeting. Actually, it is best to send them out as soon as possible after the meeting, while members still remember what occurred and when. The problem with sending them out before they are approved is that there are eventually two sets of minutes of the same meeting distributed – the draft version and the adopted version. This potential problem is averted by simply labeling the draft minutes which are distributed before next meeting as draft minutes and the approved minutes as approved, giving date of approval. The heading draft or approved should go at the top of the first page of the minutes in the title and in the footer on each page of the minutes.

ATTACHMENTS

The official copy of the minutes should have attached to it the original signed copy of:

- Committee Reports
- Officers Reports
- Written Motions
- Tellers Reports
- Correspondence

APPROVAL

If the minutes have been distributed to the members before the next meeting then the approval process can be very short. A formal motion to approve the minutes is not necessary. But, such a motion is not out of order. The presiding officer simply

asks “Are there any corrections to the minutes as printed?” If there are none, or after all corrections have been made, the presiding officer may say “There being no corrections [or “no further corrections”] to the minutes, the minutes stand approved as printed (or as corrected).”

This method allows the membership to approve the minutes without a formal vote. This is so because the only proper way to object to the approval of the secretary’s draft of the minutes is to offer a correction to it.

A member who was not in attendance at the meeting for which minutes are being approved is not prevented from participating in their correction or approval. If the next regular meeting will not be held within a quarterly time interval or there will be a change in the membership (such as a change in a number of the members of the board due to elections), a minutes approval committee should be used. In that case, the minutes approval committee reviews the minutes, corrects them, if necessary, and approves them on behalf of the membership. Some organizations have their board of directors serve as the minutes approval committee for the membership meetings.

SIGNATURE

After the minutes have been corrected and approved by the membership, they should be signed by the secretary and can be signed by the president. The word “approved” and the date of the approval should also be included. Using the term “Respectfully Submitted” is considered outdated and shouldn’t be used.

MINUTES BOOK

The official copy of the minutes should be entered in the Minutes Book and kept by the secretary. These are the property of the organization, not the secretary. If the organization has a headquarters office, the official copy of the minutes should be kept there.

COPIES

If the members receive a copy of the minutes it is not necessary for them to receive all the attachments. When they do not receive the attachments, the minutes should include a brief summary of the attachments.

DELIBERATIVE ASSEMBLY

BASIC

You assemble to debate, and **then** make a decision. *Robert's* stresses the importance of not coming to a meeting with your mind made up. When you come to a meeting with your mind made up, you are going against the basic principle of a Deliberative Assembly

EXECUTIVE SESSION – CONFIDENTIALITY

Robert's, page 96, states: “The general rule is that anything that occurs in executive session may not be divulged to nonmembers (except any entitled to attend).” In some situations, the action taken can be divulged, following proper procedure. *Robert's* goes into detail on how to punish a member under disciplinary procedure for violation of the secrecy of executive session.

CONFLICT OF INTEREST

Robert's, page 385-386 states: “No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members of the organization.” A member is duty-bound to reveal any conflict of interest, no matter how small or insignificant it may seem to them.

OPEN MEETINGS ACT

Bottom line: Board members may not talk/discuss amongst themselves board issues outside of a board meeting. This includes discussion via e-mail

Purpose:

- As a governmental body, representing the citizens of your community, you must not violate their rights.
- Those citizens have the right to observe the deliberations that your governmental body go through in making decisions.
- They may be affected by those decisions and therefore have the right to understand how the governmental body reached those decisions.

* Page 3 – Processing a Motion (1.c.)

Reference Anchorage Municipal Code of Regulations (AMCR) Title 21.

The Assembly and the Planning Department's Boards/Commissions follow AMCR 21.05.040E.2. that reads, “After the motion has been seconded, the maker of the motion shall state whether he/she supports the motion and shall articulate for the record the factual evidence constituting a preponderance of the evidence in support of a conclusion...”

**Page 6 – Presiding officer votes

Anchorage Municipal Code of Regulations (AMCR) allows the chair to be a voting member with full right to have his/her vote recorded in all deliberations.

BASIC CHARACTERISTICS OF MOTIONS ©
From: *The Complete Idiot's Guide to Robert's Rules*
The Guerrilla's Guide to Robert's Rules
Nancy Sylvester, MA, PRP, CPP-T www.nancysylvester.com

MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
1. <i>Fix the Time to Which to Adjourn</i>	Sets the time for a continued meeting	No	Yes	No ¹	Yes	Majority
2. <i>Adjourn</i>	Closes the meeting	No	Yes	No	No	Majority
3. <i>Recess</i>	Establishes a brief break	No	Yes	No ²	Yes	Majority
4. <i>Raise a Question of Privilege</i>	Asks an urgent question regarding rights	Yes	No	No	No	Ruled by chair
5. <i>Call for Orders of the Day</i>	Requires that the meeting follow the agenda	Yes	No	No	No	One member
6. <i>Lay on the Table</i>	Puts the motion aside for later consideration	No	Yes	No	No	Majority
7. <i>Previous Question</i>	Ends debate and moves directly to the vote	No	Yes	No	No	Two-thirds
8. <i>Limit or Extend Limits of Debate</i>	Changes the debate limits	No	Yes	No	Yes	Two-thirds
9. <i>Postpone to a Certain Time</i>	Puts off the motion to a specific time	No	Yes	Yes	Yes	Majority ³
10. <i>Commit or Refer</i>	Refers the motion to a committee	No	Yes	Yes	Yes	Majority
11. <i>Amend an amendment (Secondary Amendment)</i>	Proposes a change to an amendment	No	Yes	Yes ⁴	No	Majority
12. <i>Amend a motion or resolution (Primary Amendment)</i>	Proposes a change to a main motion	No	Yes	Yes ⁴	Yes	Majority
13. <i>Postpone Indefinitely</i>	Kills the motion	No	Yes	Yes	No	Majority
14. MAIN MOTION	Brings business before the assembly	No	Yes	Yes	Yes	Majority

1 Is debatable if the motion is made while no question is pending

2 Unless no question is pending

3 Majority, unless it makes the question a special order

4 If the motion it is being applied to is debatable

Note: Motions above are in the Order of Precedence of Motions.

Based on Robert's Rules of Order Newly Revised, 12th Edition

BASIC CHARACTERISTICS OF MOTIONS ©
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MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
<i>Point of Order</i>	Requests that the rules be followed	Yes	No	No	No	Ruled by chair
<i>Appeal from the Decision of the Chair</i>	Challenges a ruling of the chair	Yes	Yes	Depends ⁴	No	Majority ⁵
<i>Suspend the Rules</i>	Allows the group to violate the rules (not bylaws)	No	Yes	No	No	Two-thirds
<i>Objection to Consideration</i>	Keeps the motion from being considered	Yes ⁶	No	No	No	Two-thirds ⁷
<i>Division of the Question</i>	Separates consideration of the motion	No	Yes	No	Yes	Majority
<i>Division of the Assembly</i>	Requires a standing vote	Yes	No	No	No	One member
<i>Parliamentary Inquiry or Request for Information</i>	Allows a member to ask a question about the business at hand	Yes	No	No	No	Responded to by chair
<i>Withdraw a Motion (after stated by the chair)</i>	Removes a motion from consideration	Yes	Depends ⁸	No	No	Majority
<i>Take from the Table</i>	Resumes consideration of a motion that was laid on the table	No	Yes	No	No	Majority
<i>Reconsider</i>	Considers a motion again	Yes ⁹	Yes	Depends ¹⁰	No	Majority
<i>Rescind or Amend Something Previously Adopted</i>	Repeals a previously adopted motion or amends it after it has been adopted	No	Yes	Yes	Yes	Depends ¹¹

4 If the motion it is being applied to is debatable

5 Majority in negative required to reverse chair's decision

6 Yes, until debate has begun or a subsidiary motion other than Lay on the Table has been stated by the chair

7 Two- thirds against consideration sustains objection

8 Yes, if motion is made by the person requesting permission; no, if made by another member

9 When another member has been assigned the floor, but not after he or she has begun to speak

10 Only if the motion to be reconsidered is debatable

11 Requires a) a majority with notice, b) two- thirds, OR c) majority of entire membership

Applicable Anchorage Municipal Code(s)

Title 1 – Code of Ethics

Title 2 - Boards & Commissions

Title 25 – Public Lands, Heritage Land Bank

Chapter 1.15 CODE OF ETHICS¹

¹Editor's note(s)—AO No. 2017-42, § 1, effective March 21, 2017, repealed Ch. 1.15, in its entirety, and enacted provisions designated as a new Ch. 1.15 to read as herein set out. Prior to inclusion of said ordinance, Ch. 1.15 pertained to similar subject matter. History of former AMC Ch. 1.15 is as set out below and listed here: GAAB 4.15.020—4.15.130; CAC 2.80.040; AO No. 77-362; AO No. 77-378; AO No. 79-203; AO No. 85-56; AO No. 85-179(S); AO No. 85-181; AO No. 86-1(S); AO No. 86-204; AO No. 87-17(S); AO No. 90-118(S-3); AO No. 91-80(S-2); AO No. 91-173(S); AO No. 92-167(S); AO No. 93-8(S); AO No. 93-167, § 2, 4-13-94; AO No. 94-132(S); AO No. 2000-23, § 1, 1-25-00; AO No. 2001-128, § 1, 7-24-01; AO No. 2003-6, §§ 1, 2, 1-28-03. The user is also directed to the Code Comparative Table.

Charter reference(s)—Conflict of interest, § 17.03.

Cross reference(s)—Removal from office of assembly members for violation of conflict of interest chapter, § 1.15.050; legislative branch, tit. 2; assembly voting procedure, § 2.30.070; administration, tit. 3; personnel review board, § 3.30.015; employee relations board, § 3.70.050; boards and commissions, tit. 4; conflict of interest of boards and commissions, § 4.05.110; equal rights commission, ch. 5.10; chief fiscal officer, ch. 6.50; controller, ch. 6.60; treasurer, ch. 6.70; assessor, § 12.05.045; purchasing officer, § 7.10.030; transactions with municipal officials and employees, ch. 7.30; administrative enforcement, tit. 14; schools, tit. 29.

State law reference(s)—Conflict of interest ordinance requirements, AS 29.20.010.

1.15.005 Title of chapter.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.010 Purpose and intent.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.015 Scope.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.020 Prohibited conduct.

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2007-74(S), § 1, 6-12-07; AO No. 2010-44(S-1), § 1, 7-27-10; AO No. 2014-13, § 1, 1-1-15)

1.15.025 Additional provisions for municipal employees.

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2007-93(S), § 1, 7-17-07; AO No. 2007-110, § 1, 8-28-07; AO No. 2014-1, § 1, 1-28-14)

1.15.030 Additional provisions for members of the public appointed to a public body.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.035 Additional provisions for elected officials.

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2008-78(S), § 1, 8-12-08)

1.15.040 Forms available from municipal clerk; filing; distribution; publication.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.050 Board of ethics; establishment, membership, removal and administrative support.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.060 Duties and powers of the board of ethics.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.070 Notification of potential violation and investigations.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.080 Advisory opinions.

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2015-21, § 1, 3-3-15)

1.15.090 Ethics education program.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.100 Sanctions, referrals and corrective action.

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2007-50, § 1, 4-10-07)

1.15.110 Definitions.

(AO No. 2006-140(S-1), § 1, 1-1-07)

1.15.010 Title.

This chapter may be cited and referred to as the Code of Ethics.

(AO No. 2017-42, § 1, 3-21-17)

1.15.020 Purpose.

- A. *Public trust.* Holding public office or employment is a public trust. The proper functioning of democratic government requires ethical behavior by public officials and employees. Ethical behavior involves the commitment to take individual responsibility in creating a government that earns the trust and respect of its citizens. All who serve the municipality have a solemn responsibility to avoid improper conduct.
- B. *Intent.* The assembly intends this Code to be interpreted to promote fair, honest, and impartial dealings with members of the public, to ensure proper use of municipal resources, and to avoid or manage conflicts of interest and potential conflicts of interest.
- C. *Appearance of impropriety.* Where provisions of this chapter differ from the common law principle that an appearance of impropriety alone is sufficient to establish a conflict of interest or an ethical violation, the provisions of this chapter supersede the common law.
- D. *No private cause of action.* Nothing in this chapter shall be interpreted to create a private cause of action against an official, executive, or employee of the municipality or the municipality, authority, or school district.

(AO No. 2017-42, § 1, 3-21-17)

1.15.030 Scope.

This Code applies to:

- A. *Employees.* All employees of the municipality of anchorage, including employees of a corporate authority owned by the municipality and employees of the anchorage school district;
- B. *Board members.* Members of the public appointed to serve on a municipal authority, board, or commission and board members of limited road service areas (LSRA) whether elected or appointed;
- C. *Elected officials.* Assembly members, mayor, school board members, and board members of general service areas; and
- D. *Public servants.* All persons within the scope of this Code, including employees, board members, and elected officials.

(AO No. 2017-42, § 1, 3-21-17)

1.15.040 Use of municipal resources.

- A. Municipal resources include, but are not limited to funds, facilities, tools, equipment, vehicles, property, consumable resources, and employees and employee time. Municipal resources shall be used for municipal public purposes, which shall be defined to include:
 - 1. The performance of municipal duties, including educational and outreach programs;

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2. Occasional and limited use of municipal resources for community service or charitable fundraising purposes if duly authorized by the chair of the assembly, the mayor, or the mayor's designee;
 3. Use of municipal resources as further addressed in the mayoral directives (policies and procedures), as well as an annual umbrella charitable fundraising program designated by the mayor for participation by public servants.
- B. De minimus personal use of municipal resources is permitted and is defined as use that is infrequent or occasional and that results in little or no actual cost to the municipality. No personal use, however, may be for political activities, lobbying, or outside business interests.
 - C. Except to the extent the general public has the same access to or as otherwise authorized, a municipal employee shall not use facilities, equipment, data, or supplies of the municipality to support an employee's personal endeavors, including contemporaneous service or employment.

(AO No. 2017-42, § 1, 3-21-17)

1.15.050 Gifts.

- A. *Definition:* A "gift" is an item of value, including but not limited to money, cash equivalents, services, discounts, meals, and entertainment. Gifts that are not connected with the recipient's status as a public servant are outside the scope of this chapter.
- B. *General rule:* To avoid undue influence or the appearance of undue influence, a public servant may not accept a gift from an individual or an entity with interests that may be substantially affected by the performance of the person's official municipal duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the person's judgment in exercising official municipal duties.
- C. *Examples:* Unless other factors of influence are present or inconsistent with the general rule, a public servant may accept the following gifts:
 1. An item given for a special occasion by municipal coworkers.
 2. A perishable item given for consumption or display, by member(s) of the public or a classroom expressing general appreciation or holiday cheer, shared with an office, work group, or classroom.
 3. A discount, prize, or award available to public sector employees generally, or to a large business category of public employees.
 4. A monetary award or commemorative item presented in recognition of meritorious, civic, or voluntary service presented by a recognized civic, philanthropic, or non-profit charitable organization.
 5. An item, homemade or handmade, crafted by the giver.
 6. An occasional gift or meal worth \$50.00 or less.
 7. Tickets, including entry and meal, to events held by a non-profit organization.
 8. Tickets, including entry and meal, to civic events hosted by government agencies, civic organizations, or community service clubs consistent with the mission of the public servant's work group.
 9. Items such as employee travel discounts, vendor-provided accommodations, training, and payment of employee registration fees that are approved by the appropriate supervisor for legitimate governmental purposes.
- D. *Supplemental rules for Anchorage School District (ASD) employees:* In addition to the items set forth in subsection C., ASD employees may accept the following items:

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1. Supplies, equipment, monetary and in-kind gifts made through the PTA, parent forum, booster club, other similar community groups, or the principal.
 2. Contributions from ASD business partners.
 3. Tickets for events or trips for which an ASD employee serves as a mentor or chaperone.
 4. Discounts for educational supplies.
- E. *Supplemental rules for elected officials:*
1. A campaign contribution to an elected official or candidate for municipal office which is reported by a public servant in accordance with state law is not considered a gift.
 2. An elected official may receive sponsor provided registration fees, travel expenses, accommodations, and meals for an event related to official government business, education, or information gathering. If the value of these received items exceeds \$500.00 in total, an elected official must file a disclosure to the municipal clerk in the form prescribed by the board of ethics and posted on the municipal website at least three days prior to the event.
- F. *Reservation for exceptions:* The board or a municipal ethics officer may review and approve a gift which is consistent with the public policy concerns underlying limitations on gifts to public servants (influence, appearance of influence, conflict of interest, public trust). Gifts may be redirected for disposition to a charitable organization or return to the donor.
- G. *Traveling while campaigning or fundraising:* If a current municipal employee or elected official is a candidate for elected municipal, state, or federal office, any engagement in campaigning or fundraising for elected office while on paid travel status for the municipality shall be disclosed by trip report. The travel expense payable under municipal travel regulations, including airfare, shall be adjusted and the candidate shall be responsible for the greater of:
1. The pro rata share of travel expense attributable to the time spent campaigning or fundraising for elected public office; or
 2. The adjustment made for personal travel by a non-candidate while on authorized municipal travel, if any.

(AO No. 2017-42, § 1, 3-21-17)

1.15.060 Conflicts of interest.

- A. *Interest.* An "interest" is a commitment, obligation, duty, goal, or expected benefit.
- B. *Private interest.* A private interest is an interest affecting, belonging, or accruing to an individual or private entity as distinct from the public at large. Public servants are understood to possess their own interests as well as those of their immediate family, their household, and organizations in which the public servant has an ownership interest or, even if no compensation or profit accrues to them, serves as a director, officer, or employee. Private interests may include:
1. *Financial interest:* The receipt or expectation of the receipt of a pecuniary benefit.
 2. *Personal interest:* The receipt or expectation of the receipt of a benefit, including but not limited to a special privilege, contractual relationship, or promotion of a business or political interest.
- C. *Official action.* For purposes of this code, official action means participation in a process, including deliberation, in which a decision or recommendation is reached. Official action does not include:

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1. Clerical or ministerial action on a matter: For purposes of this chapter, clerical or ministerial describes an act or duty that conforms to an instruction of prescribed procedure with limited or no use of judgment by the person performing the act or duty.
 2. Action on a matter that does not substantially evaluate or impact the merits of the recommendation or decision.
- D. *Conflict of interest.* A conflict of interest is a conflict between the private interest of a public servant and the official responsibilities of the public servant in the context of an official action.
1. *Permissible conflict of interest:* A public servant may participate in an official action in which the public servant has a minor or inconsequential private interest. The assembly recognizes that in a representative democracy, public servants are drawn from society and, therefore, cannot and should not be without personal and financial interests in the decisions and policies of government. Standards of ethical conduct need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts of interest that are substantial and material.
 2. *Prohibited conflict of interest:* A public servant shall not participate in an official action in which the public servant has a substantial private interest. The determination of whether a private interest is substantial is determined based on the balancing of two factors:
 - a. *Size:* The significance of the private interest in financial amount or personal importance.
 - b. *Connection:* The link between the official action and the private interest.
 3. *Evaluation of the conflict:* Interests that are large in size and direct in connection are substantial interests (prohibited conflicts of interest). Interests that are insignificant in size and remote/indirect in connection are not substantial interests (permissible conflicts of interest). The more significant the size of the interest, the less direct the connection needs to be to make the interest substantial.
- E. *Duty and procedure for disclosure.* When a public servant has a potential conflict of interest, the public servant has a duty to disclose the interest for appropriate evaluation.
1. *Employees:* Employees shall disclose potential conflicts of interest to their department director or designee, or if the employee is a director or a higher-level position, to the ethics board. The employee's disclosure shall contain the same information as specified for board members and elected officials in paragraph E.2.a. below. The department director or designee shall determine if the conflict is permissible or prohibited. Either the employee or director may request an advisory opinion from the board of ethics and the final determination resides with the board of ethics.
 2. *Board and commission members and elected officials:* Members and officials shall disclose potential conflicts of interest to the body:
 - a. Prior to comment, deliberation, public hearing, or decision on any matter coming before the board, commission, or body (collectively referred to as "body"), the member or official shall disclose in a public meeting the nature of the interest in sufficient detail to permit the other members of the body to determine if the private interest is substantial. The disclosure of the interest to the body shall include the following information:
 - i. A detailed description of the interest.
 - ii. Whether the interest is financial or personal. If the interest is financial, the disclosure shall include the size of the interest.
 - iii. Who holds the interest? The description shall allow the body to determine if the interest applies to the person making the disclosure, an immediate family member, household member, an organization, or if the interest is possessed by the public or a large class of persons.

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- iv. When did the interest arise? The description shall allow the body to determine whether the interest was in the past, is ongoing, or might arise in the future.
 - v. How does the matter coming before the body impact the interest, including:
 - (A) Whether the interest is a substantial part of the matter under consideration,
 - (B) Whether the impact on the interest directly varies with the outcome of the official action,
 - (C) Whether the impact on the interest is immediate or conjectural and dependent on factors beyond the official action.
 - b. After disclosing the interest to the body, the disclosing person shall either (i) affirm to the body that they do not believe their interest prevents them from placing the public interest on the official action before the body above their private interest; or (ii) inform the body of their belief that they should be excused from participation in the official action. The disclosing person's belief that they should or should not be excused is a factor the body should consider but is not determinative and the decision rests with the body.
 - c. The member of the body making the disclosure shall not participate in the deliberations except to answer questions from the body on the interest, nor vote on whether the private interest is substantial.
 - d. If the presiding officer exercises parliamentary authority by making an initial ruling on a disclosure of a private interest, the decision of the presiding officer may be appealed to the body for a majority vote. If the conflict is with only a part of the action, the body may divide the question to avoid a conflict on a part of the official action but allow participation on the whole.
 - e. Following disclosure and a ruling by the chair or body, the jurisdiction of the board of ethics is limited to the sufficiency of the disclosure.
 - f. Under circumstances not directly addressed under this section, the body is authorized to use its best efforts to apply a conflict analysis consistent with these rules.
3. *Mayor:*
- a. When the mayor participates as a member of the assembly, the rules and conflict analysis set forth in this section shall apply.
 - b. In all other matters, an interest held by the mayor shall be disclosed to the board of ethics prior to official action for determination and instruction on management of the interest.
4. *Rule of necessity:* The board or body may apply the rule of necessity when the body is legally required to act and it lacks enough members to take valid official action solely due to members being disqualified by a shared or substantially similar conflict of interest
5. *Finality of ruling:* Participation in an official action in accordance with the terms of this chapter shall be considered ethical action in fulfillment of the duties of the public servant. A public servant may not be sanctioned for acting in compliance with the final determination of the appropriate decision maker.
6. *Certification of election:* Notwithstanding paragraph E.2.c., an assembly member's candidacy in a municipal election does not preclude the assembly member's participation in certification of the municipal election or other matters relating to conducting a regular or special election, except for a recall election involving that member.

(AO No. 2017-42, § 1, 3-21-17; AO No. 2023-37, § 1, 4-11-23)

1.15.070 Elected officials—Consultation, representation, and appearance on behalf of private interests on a matter of municipal government.

- A. *Dual representation*: Dual representation by an elected official can cause a conflict of interest between the discharge of official duties and the representation of the other interest.
1. *Paid representative or consultant*: An elected official shall not serve as a paid consultant on a private interest or as a paid representative of any person or entity before a municipal department, administrative agency, utility, or elected or appointed public body of the municipality.
 2. *Private interest*: By reason of their position, elected officials may appear to have the ability to exercise undue influence. An elected official shall not:
 - a. Appear on behalf of any private interest before the school board or the assembly;
 - b. Appear on behalf of any person or entity in an adjudicatory matter before an appointed public body of the municipality;
 - c. Exceptions to a. and b.:
 - i. The elected official, or a member of the elected official's household, is a party or has an ownership interest or a private interest in an adjudicatory matter before the public body; or
 - ii. The elected official is appearing at the specific request of the elected or appointed public body. An elected body shall not request the appearance of a member of the elected body under this subsection unless the elected official's participation in the matter pending before the elected body has been properly excused under the procedures of the elected body.
- B. *Constituent services*: Nothing in this section is intended to prevent an elected official from making verbal or written inquiries on behalf of constituents or the general public or from requesting explanations or additional information, provided that the elected official is not charging a fee for this service.
- C. *Legislative roles*. In addition to appearing when requested or by invitation, an elected official may appear before a municipal body, including boards and commissions, on legislation which is consistent with the mission of the municipal body as follows:
1. *Legislative roles*. The elected official's appearance is based on:
 - a. Sponsorship of legislation the municipal body reviews;
 - b. Communication of efforts and information from an assembly committee of which the elected official is a member; or
 - c. Collaborative efforts with respect to proposed or pending legislation.
 2. *Procedure*. The elected official shall follow the procedural rules of the municipal body, including placement on the agenda, dissemination of presentation materials, and time limits for the presentation.
 3. *Undue influence*. The elected official's presentation and materials shall not state or imply that unfavorable treatment of the legislation may result in actions or votes adverse or detrimental to the municipal body or its individual members.
 4. Appearances for political or partisan activity shall be governed by AMC 1.12.110, Political Activity.

(AO No. 2017-42, § 1, 3-21-17; AO No. 2024-32, § 1, 5-7-24)

1.15.080 Charitable non-profit board member service.

Elected officials and members of their immediate family may serve without compensation as voting or non-voting members of a charitable nonprofit organization receiving funding from the municipal or school district budget.

- A. The elected official shall disclose the board member service before participating in official action by the municipality on the budget or other matter involving the board or commission of a public body or charitable nonprofit organization.
- B. If the elected body finds a substantial conflict in requiring a member to participate in action before the elected body, the elected body may in its sole discretion excuse participation or divide the question to avoid a conflict on the whole.
- C. The mayor's disclosure shall be to the board of ethics.

(AO No. 2017-42, § 1, 3-21-17)

1.15.090 Contemporaneous employment or service.

- A. *Employee:* A municipal employee shall not render services to, or accept employment with, persons or organizations other than the municipality, if the contemporaneous service or employment is incompatible or in conflict with the proper discharge of the employee's municipal duties. Election of a municipal employee to state legislature shall not be considered per se incompatible or in conflict with the discharge of the employee's duties. In such cases the municipality shall provide the employee the opportunity to take leave without pay pursuant to section 3.30.1511 to attend the legislative session.
- B. *Elected officials:*
 - 1. Except where authorized by ordinance, an elected official shall not hold other municipal employment or elected state or national office.
 - a. An elected official who holds an elected position in the state or federal government shall immediately resign from their municipal office. In the event such person fails to resign, their municipal office shall become vacant by operation of law at the time they are sworn into a state or national office.
 - 2. An elected official of the municipality other than the mayor may serve as a non-elected employee of the state or as an employee of the Anchorage School District. However, an employee of the Anchorage School District may not serve as a member of the Anchorage School Board.
 - 3. The mayor holds a full time position of employment with municipal authority presumed incompatible and in conflict with serving as an employee to another person or entity.
 - a. If due to specific circumstances or unfairness, the mayor seeks relief from this presumption, the mayor shall present the circumstances and proposal for management of the potential conflict of interest to the board of ethics for an advisory opinion.
 - b. Absent factors that clearly present a potential for adversely affecting the mayor's availability, productivity, or independence of judgment in performing municipal duties, a financial interest or corporate office, held by the mayor in a business or economic enterprise managed by others is not other employment under this chapter and the presumption does not apply.
 - c. The mayor's request and the board's advisory opinion to the mayor are public records.

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- C. *Independent contractor*: An independent contractor engaged through competitive bidding does not hold municipal employment for purposes of this section.

(AO No. 2017-42, § 1, 3-21-17; AO No. 2025-20, § 2, 2-11-25; AO No. 2025-67, § 1, 6-10-25)

1.15.100 Interest in municipal contract or business with municipality.

- A. *Disclosure upon employment, appointment, or election*: Within 30 days of commencement of service, a public servant shall submit a written disclosure of whether or not the public servant or member of the public servant's immediate family or household has an economic interest in a municipal contract or in an entity engaging in business with the municipality. The disclosure shall be made to the municipal clerk in the form prescribed by the board of ethics.
- B. *Acquisition of interest in municipal contracts and business by public servant, immediate family, or household*:
1. *Notice*: Prior to the application, bid, or response for the grant, contract, lease, or other municipal business, including but not limited to bids on foreclosed properties, a public servant shall:
 - a. Submit a notice of intent to respond to public solicitation in the form prescribed by the board of ethics to the municipal clerk for review by the board or municipal ethics officer;
 - b. File the notice with the municipal clerk for electronic publication no less than seven days in advance of the deadline for submitting a response to the solicitation; and
 - c. Provide a copy of the notice to the municipal purchasing officer with the public servant's response.
 2. *Criteria*: A public servant, or member of the public servant's immediate family or household, may not acquire, receive, apply for, be a party to, or have a personal or financial interest in a municipal grant, contract, or lease, unless:
 - a. The public servant does not take official action that could directly affect the request for services, nor the award, execution, or administration of the grant, contract, or lease.
 - b. If this requirement is not met, the public servant may request additional review by the board of ethics.

(AO No. 2017-42, § 1, 3-21-17)

1.15.110 Political activity.

- A. *Definitions*: For purposes of this chapter, the following terms are defined:
1. *Political activity*. An act for the purpose of influencing the outcome of an election. Election includes ballot, bond, or candidate elections.
 2. *Partisan activity*. An act for the purpose of supporting a party, cause, or action.
 3. *Advocacy*. An act in support of a political or partisan position.
 4. *Education*. Presenting information from a position of neutrality.
- B. *Compliance with APOC*: Compliance with the Alaska Public Offices Commission (APOC) requirements under state statute is outside of the scope of this chapter. Elected officials have an independent duty to comply with APOC.

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- C. *Use of municipal resources for political or partisan activity prohibited:* A public servant shall not use or authorize the use of municipal resources for political or partisan activity with the following exceptions and subject to independent APOC requirements:
1. The mayor, school superintendent, member of the assembly, and member of the school board, or their executive designee, may:
 - a. Appear before the assembly, the school board, appointed bodies of the municipality, community councils, civic organizations, and media representatives in support or in opposition to any ballot measure coming before the voters in a municipal election; and
 - b. Incur associated but limited expenses, such as employee time, use of municipal vehicle, and clerical costs.
 2. Elected officials may voice their opinions as part of their usual and customary duties with similar limited use of municipal resources.
- D. *Limitations on political and partisan activity:*
1. Elected officials and board members may use their titles when engaging in political or partisan activity, but shall not state or imply that they are acting on behalf of the assembly or the municipality.
 2. Employees may use their titles when engaging in political or partisan activity when authorized to do so by their responsible official or if they state that they are not speaking on behalf of their work group or the municipality.
 3. Employees may not appear in their uniforms or substantially similar dress when engaging in political or partisan activity.
- E. *Political activity in the workplace:* Employees and board members shall not engage in political activity while at the workplace or in the performance of work duties, including wearing campaign buttons. An exception to this is bumper stickers on personal vehicles in municipal parking facilities, except to the extent that such activity is prohibited by the municipal election code addressing political persuasion near polling locations.
- F. *Partisan activity in the workplace:* Employees and board members shall not engage in partisan activity addressing municipal matters while at the workplace or in the performance of work duties. Fundraising in the workplace shall be addressed by the assembly and administration through policy.
- G. *Candidates:* No public servant shall expend municipal resources for the support, opposition, or endorsement of candidates for any elected government entity.
- H. *Education:* Nothing in this chapter prohibits the use of municipal resources for the purpose of education regarding municipal matters subject to assembly and administration policies.

(AO No. 2017-42, § 1, 3-21-17)

1.15.120 Confidentiality and use of nonpublic information.

No public servant shall use, disclose, or release confidential or nonpublic information gained through the person's municipal position unless authorized by law or order of the court.

(AO No. 2017-42, § 1, 3-21-17)

1.15.130 Restrictions on employment after leaving service.

- A. *General one-year rule:* An employee who leaves municipal service may not, for one year after leaving municipal service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by the employee, if the municipal employee participated personally and substantially in the matter through the exercise of official action. In this subsection, "matter" includes a case, proceeding, application, contract, or determination but does not include consideration of ordinances, resolutions, charter amendments, draft legislative measures, or the adoption of administrative regulations if consideration by the employee was only in the context of general application.
- B. *Waiver:* The assembly or school board may waive application of this restriction upon determination that a proposed action by a former employee is not adverse to the public interest. The waiver shall be by formal action and a copy shall be provided to the board of ethics.
- C. *Municipality option to contract:* The restriction on employment after leaving municipal service does not prohibit the municipality from contracting with a former employee to provide service on a matter on behalf of the municipality.
- D. *Charter prohibition:* An assembly or school board member may not, for one year after leaving service, hold a compensated municipal office which was created, or the salary or benefits of which specially increased, during the elected official's last year in office by the body of which the elected official was a member.

(AO No. 2017-42, § 1, 3-21-17)

Charter reference(s)—Prohibitions, § 17.04(b).

1.15.140 Board of ethics.

- A. *Members:* The board of ethics shall consist of five members appointed by the mayor and subject to confirmation by the assembly. One member shall be a member of the Alaska Bar Association.
- B. *Additional qualifications:* In addition to qualifications set forth in section 4.05.035, board members may not:
 - 1. Hold elected or other appointed public office with any municipal, state, or federal governmental unit; or
 - 2. Hold political party office; or
 - 3. Publicly endorse, contribute to, or engage in any political or campaign activity on behalf of any candidate for elected municipal office or on behalf of a current public servant for any elected office; or
 - 4. Hold current employment with the municipality, the anchorage school district, or an enterprise or authority owned by the municipality.
- C. *Training:* Members of the board of ethics shall complete training provided through the board's legal counsel and assembly counsel.
- D. *Removal:* A member of the board of ethics may be jointly removed by the mayor and the assembly for good cause. A member of the board may not be removed during any lawful investigation or public hearing where the mayor, any member of the mayor's appointed staff, the assembly, or any member or employee of the assembly is the subject of the investigation or public hearing.
- E. *Support:* Support services from the office of the municipal clerk shall include staffing, preparation of minutes, agenda, and reports, maintenance of website, maintenance of files, and maintenance of other forms and informational materials.

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- F. *Legal counsel:* The municipal attorney's office shall be counsel to the board of ethics. In addition, the administrative hearing officer, when available, may serve as attorney for the board. The municipal attorney shall retain or appoint substitute legal counsel if the municipal attorney's office and the administrative hearing officer have a conflict that is not waived by the board.
 - G. *Ethics education program:* The board shall develop an ethics education program, including a guide to the code of ethics.

(AO No. 2017-42, § 1, 3-21-17)

1.15.150 Advisory opinions.

- A. Current, former, or potential public servant may request an advisory opinion regarding the applicability and interpretation of this chapter related to actions, rights, or conflict personal to the inquirer.
- B. The municipal clerk, the municipal ombudsman, and the municipal attorney may request an advisory opinion from the board of ethics regarding the applicability and interpretation of this chapter.
- C. In any later proceeding involving the inquirer, the inquirer is entitled to rely on the advice of the board, and may not be sanctioned for acting in compliance with the board's advice so long as the facts remain substantially unchanged from those represented to the board in the inquiry.
- D. A request for advice is confidential unless confidentiality is waived by the person requesting an advisory opinion.
- E. The board may exercise discretion in responding to a request for an advisory opinion based on considerations listed in subsection 1.15.160A. The board shall provide the requestor with a concise written statement if the board declines to issue an advisory opinion.
- F. To promote preventive instruction and advice, the board shall publish on the municipal website through the municipal clerk, advisory opinions in a generic form to allow maximum clarity on context, issue, analysis, and decision. The board shall make sufficient deletions to prevent disclosure of the persons who have requested anonymity.

(AO No. 2017-42, § 1, 3-21-17)

1.15.160 Ethics complaint for potential violation.

- A. Any adult resident of the municipality may file a complaint alleging that a public servant's conduct violates the code of ethics.
 - 1. The complainant shall identify the section of the code of ethics alleged to have been violated and substantiate the complaint by providing a written explanation of the reason for believing that a violation has occurred with any documentary and testimonial evidence supporting the allegation. If the complainant fails to provide the information specified, the board may exercise its discretion to decline to accept the complaint.
 - a. The fact that a complaint has been filed and the content of the complaint are confidential. Material breach of confidentiality by the complainant is a violation of this code.
 - b. If the board finds that confidentiality has been breached, the board may dismiss the complaint.
 - 2. The board may decline or cease its review of a complaint when it reasonably believes that:
 - a. There is presently available an adequate remedy for the grievance stated in the complaint;

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- b. The complaint relates to a matter that is outside the jurisdiction of the board or would be better handled in another forum;
 - c. The complaint relates to an act of which the complainant has had knowledge for an unreasonable length of time;
 - d. The complaint is trivial or based on fanciful allegations;
 - e. The resources of the board are insufficient for adequate review;
 - f. The complainant lacks sufficient supporting information; or
 - g. The allegations, if true, fail to constitute a violation of the code of ethics.
- B. If the board accepts the complaint for further review, the board shall provide the respondent with the opportunity to appear and provide information. The board will make findings and issue a report.
 - C. Based on its findings, the board may make recommendations for corrective action.
 - D. If a complaint is received or is pending during a campaign period, the board shall suspend its review unless requested by the respondent or requested by a board member. The campaign period is defined as 45 days before a municipal election or the day on which an individual files as a candidate, whichever is later.
 - E. Until the board completes a report for distribution as a public record, the board's review of a potential violation is confidential unless confidentiality is waived by the respondent. The board shall protect the confidentiality of complainants or witnesses coming before the board except insofar as may be necessary to enable the board to carry out its duties.

(AO No. 2017-42, § 1, 3-21-17)

1.15.170 Annual report.

The board of ethics shall prepare and present an annual report to the assembly rules committee for review and submission to the assembly.

(AO No. 2017-42, § 1, 3-21-17)

1.15.180 Definitions.

The following words, terms, and phrases, and their verb forms and tenses, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. *Appear on behalf of* means accompany, represent, testify, or accompany those representing or testifying before the public body.
- B. *Appointed public body of the municipality* means any municipal commission, board, committee, authority, or public corporation created by ordinance with members of the public appointed subject to confirmation by the assembly or the school board, whether sitting in public session or executive session including advisory, appellate, management, quasi-judicial, and regulatory municipal entities.
- C. *Board* means the board of ethics.
- D. *Campaign period* means the period beginning 45 days before an election in which the candidate appears on the ballot in a municipal election or the day on which the individual files as a candidate for municipal office, whichever is later, and ending at the close of election day, or on the day that the candidate withdraws from the election, if earlier.

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- E. *Confidential information* means information which by law or municipal code is not subject to public disclosure.
 - F. *Contract* means a business contract, purchase order, lease, grant, loan, or similar instrument of municipal government.
 - G. *Economic interest* means a benefit, financial interest, special privilege, or contractual relationship.
 - H. *Financial interest* includes the receipt of a pecuniary benefit and the expectation of receiving a pecuniary benefit.
 - 1. A financial interest of a person includes a financial interest of any member of the person's household.
 - 2. A person has a financial interest in an organization if the person:
 - a. Has an ownership interest in the organization; or
 - b. Is a director, officer, or employee of the organization.
 - I. *Immediate family* means:
 - 1. The spouse, child (including a stepchild and an adoptive child), parent, sibling, grandparent, aunt, or uncle of the person;
 - 2. A parent or sibling of the person's spouse; and
 - 3. Any member of the person's household.
 - J. *Municipal government* means government of the municipality of anchorage.
 - K. *Municipality* means the Municipality of Anchorage, its legislative and administrative components, including enterprise activities and authorities, the anchorage school district, and the school board.
 - L. *Organization* means any corporation, partnership, firm or association, whether organized for profit or not-for-profit.
 - M. *Paid consultant* means a person who makes verbal or written inquiries on behalf of another person or entity, advises another person or entity, reports the status of matters to another person or entity, or otherwise confers with another person or entity, for a fee.
 - N. *Personal advantage of another* means the use of supervisory or other work place status to leverage personal privileges outside the scope of another person's official duties and responsibilities to the municipality.
 - O. *Private interest* means an interest affecting, belonging, or accruing to an individual or private entity as distinct from the public interest at large.

(AO No. 2017-42, § 1, 3-21-17)

Chapter 4.05 APPOINTMENTS, MEETINGS AND PROCEDURES¹

4.05.010 Applicability of chapter.

- A. *Generally.* Unless otherwise provided, a board, commission or public authority board of directors is governed by each of the provisions set forth in this chapter.

(CAC 2.64.010; AO No. 84-10(S); AO No. 91-173(S); AO No. 2015-23(S), § 19, 3-24-15)

4.05.020 Powers and duties.

- A. The assembly by ordinance may provide for advisory, regulatory, appellate or quasi-judicial boards or commissions. The ordinance shall prescribe the duties and qualifications of members.
- B. The assembly by ordinance may create or designate itself to be a board of review, adjustment, or equalization. The ordinance shall prescribe the rules of procedure, including quorum and voting requirements.

Charter reference(s)—Appointment of boards and commissions, § 5.07(a), (d).

4.05.030 Appointments.

The members of boards and commissions shall be appointed as provided in the Charter. Reappointments to a board or commission must be accompanied by a record of meeting attendance during the previous term of appointment.

(AO No. 92-83)

Charter reference(s)—Appointment of boards and commissions, § 5.07(a).

4.05.035 Qualifications of members.

In addition to any other qualifications required by this Code, a board or commission member shall:

- A. If legally eligible, be a qualified voter of the municipality;
- B. Maintain domicile in the municipality while in office;
- C. If serving on an adjudicatory or regulatory board, be at least 18 years of age; and

¹Charter reference(s)—Requirements for boards and commissions, § 5.07; commission on salaries and emoluments, § 5.08; equal rights commission, § 17.02.

Cross reference(s)—Anchorage parking authority, ch. 9.60; transportation commission, § 11.10.020; board of equalization, § 12.05.050; on-site wastewater system technical review board, § 4.40.150; planning and zoning commission, § 21.10.015; platting board, § 21.10.020; zoning board of examiners and appeals, § 21.10.025; urban design commission, § 21.10.028; board of adjustment, § 21.10.030.

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- D. If under 18 years of age and serving on an advisory board or commission, meet the state requirements relating to employment of minors during the member's service on the board or commission.

(AO No. 78-126; AO No. 78-147(AM 1); AO No. 83-44; AO No. 89-53; AO No. 89-122(S-1))

Cross reference(s)—Arts advisory commission, § 4.60.150.

4.05.040 Terms.

Except as otherwise specified in this Code, the regular term of each member of a board or commission is three years commencing on October 15 of the year in which appointed and ending three years thereafter on October 14, provided however, to avoid a vacancy until new appointments can be made and confirmed, an appointed member's term is extended until a new appointment is confirmed or a maximum of 120 days which ever occurs first. The terms of initial or subsequent appointments to a board or commission shall be staggered so that, as nearly as possible, a pro rata number of its members shall be appointed each year of the established regular term of office.

(CAC 2.64.040—2.64.050; AO No. 95-113, § 1, 5-2-95; AO No. 2001-105, § 1, 6-19-01; AO No. 2004-84, § 1, 5-18-04)

Cross reference(s)—Arts advisory commission, § 4.60.150.

4.05.050 Compensation of members.

- A. Except as otherwise provided in the Code, no member of a municipal board or commission shall receive compensation for attendance at regular or special meetings.

(CAC 2.64.070; GAAB 5.05.050; AO No. 79-80(AM); AO No. 81-177(S); AO No. 84-10(S); AO No. 84-83; AO No. 87-21; AO No. 89-51(S-3); AO No. 89-122(S-1); AO No. 91-142(S-1); AO No. 91-173(S); AO No. 2003-101, § 1, 7-15-03; AO No. 2010-1, § 1, 2-2-10)

4.05.060 Attendance requirements; vacancies.

- A. The office of a member of a board or commission member shall become vacant if the member:

1. Ceases to meet the qualifications prescribed for the office;
2. Resigns;
3. Dies;
4. Is judicially determined to be incompetent;
5. Is convicted of a felony;
6. Is removed from office for breach of the public trust; or
7. During any 12-month period while in office:
 - a. Is absent from three regular meetings without excuse;
 - b. Is absent from:
 - i. Six regular meetings; or
 - ii. Eight regular meetings for members of the planning and zoning commission, urban design commission, platting board, or zoning board of examiners and appeals; or

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- c. Fails to attend a two-thirds majority of the regular meetings.
- B. A member intending to be absent from a regular meeting shall request of the chairman to be excused prior to the meeting proposed to be missed.
- C. A board or commission chair or the chair's designated staff shall keep attendance records of all meetings, and immediately report the failure of any official to meet the attendance requirements of this section to the mayor or his designee. The mayor or his designee shall notify the official of his delinquency and remove the official from office within 15 days of receiving notification of the official's noncompliance.
- D. The assembly shall be promptly notified of the removal of any official under this section. Vacancies created pursuant to the provisions of this section shall be filled by appointment to the unexpired term of the member whose office becomes vacant.
- E. Members of boards and commissions having duly appointed alternates shall not be subject to removal for failing to meet the attendance requirements of this section.
- F. *Physical and remote attendance.*
1. *Meetings.* Board and commission meetings may be held in person, or virtually, or remotely. An in-person meeting is held in a public setting with a physical location and may also provide for remote attendance. A virtual meeting is one held with no physical location and all persons participate by remote attendance.
 2. *Attendance.* Remote attendance by telephone, virtually, or through any remote means. Physical attendance is defined as a member being physically present at the location where the meeting is noticed as being held in a public setting.
 3. *Means of remote participation.* Remote participation under this section shall include any means through which a member may participate remotely, to include being able to engage in discussion, and being audible to all persons participating in the meeting. The member participating remotely must have the ability to obtain the meeting agenda and other pertinent documents to be discussed and/or acted upon.
 4. *Public in-person participation.* If one or more members of a board or commission participates in-person in a public setting, then the public must also be granted reasonable in-person access to the meeting.
 5. *In-person meeting.* The chair of a board or commission or a majority of the members may schedule an in-person meeting.
 6. *Public notice.* The public notice of the meeting must indicate whether the meeting is to be held in person, or virtually, or remotely. If held in person, the notice shall indicate if remote attendance is available. The public must have an opportunity to participate by similar or alternative means as the board or commission members.
 7. *Emergency.* When the assembly, mayor, governor or federal government has declared an emergency, all boards and commissions may provide for remote attendance by members, and provide for remote access by the public to the extent reasonable under the circumstances of the emergency.
 8. *Petitioner rights.* When no emergency has been declared, a petitioner or applicant appearing in front of a board or commission acting in an adjudicatory capacity shall be allowed at their request an in-person meeting with a quorum of the members present in person.

(CAC 2.64.060; AO No. 89-122(S-1); AO No. 90-70; AO No. 92-95; AO No. 93-215, § 1, 1-4-94; AO No. 95-113, §§ 1, 2, 5-2-95; AO No. 2007-63(S), § 1, 5-1-07; AO No. 2013-55, § 1, 4-23-13; AO No. 2017-148, § 1, 11-21-17; AO No. 2018-31, § 1, 4-24-18; AO No. 2020-42, § 1, 4-14-20; AO No. 2021-85, § 1, 10-28-21; AO No. 2023-105, § 1, 11-7-23)

4.05.065 Removal.

- A. A member of a board or commission may be removed from service for breach of the public trust following the procedures set forth in this section:
1. For purposes of this section, actions constituting a breach of the public trust may include factors that materially and adversely affect the performance of the board or commission member or adversely affect the reputation or performance of the board or commission or the municipality.
 2. A request for review by the Ethics Board shall be initiated by the mayor or by an assembly member.
 3. The Ethics Board shall review the matter, providing the respondent with the opportunity to appear and provide information. The board will make findings and either dismiss the review or make a recommendation to the mayor and assembly for removal. Confidentiality provided by subsection 1.15.160E. applies to the board's review and report.
 4. After reviewing the board's recommendation, the mayor may remove the member from office with the consent of a majority of the assembly.

(AO No. 2018-31, § 2, 4-24-18)

4.05.070 Officers.

A board or commission shall annually elect a chairman and a vice-chairman. The vice-chairman shall act in the absence of the chairman or in the inability of the chairman to act.

(CAC 2.64.040)

4.05.080 Quorum.

A majority of the authorized seats of a board or commission, whether vacant or filled, shall be a quorum for the transaction of business. In the absence of a quorum for the transaction of business, any number less than a quorum may recess a meeting to a later time or date.

(CAC 2.64.080; AO No. 78-69; AO No. 2023-57(S), § 1, 5-9-23)

4.05.090 Meetings.

A board or commission shall hold regular monthly meetings at such time and place as may from time to time be designated by the board or commission, but meetings need not be held if no business is pending. Boards and commissions shall advise the public of their meeting schedules, or publicly advertise their meetings where necessitated by statutory requirements. The chair of a board or commission, or the municipal employee who is designated as an ex officio member of the board or commission pursuant to section 4.05.140, or a majority of the board or commission, may call a special meeting of the board or commission. Meetings of all boards and commissions shall be open to the public, except for an executive session or when meeting solely to make a decision on a procedural motion brought by a party in an adjudicatory proceeding, from which the public may be excluded.

Notice of meetings of boards and commissions shall be as established in section 1.25.015.

(CAC 2.64.090; AO No. 89-122(S-1); AO No. 94-132(S), § 6, 8-25-94; AO No. 2022-70, § 9, 7-26-22)

State law reference(s)—Open meetings, AS 29.20.020; open meeting act, AS 44.62.310.

4.05.100 Executive session.

A board or commission may at any time go into an executive session from which the general public may be excluded by a vote of a majority of the members taken at a public meeting, at which session only those subjects shall be considered as are mentioned in the motion for the executive session. No matter shall be voted upon during an executive session.

The following subjects may be discussed in an executive session:

- A. Matters, the immediate knowledge of which would adversely affect the finances of the government unit.
- B. Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.
- C. Matters which by law, Municipal Charter or ordinance are required to be confidential.

(CAC 2.64.100)

State law reference(s)—Similar provisions, AS 44.60.310.

4.05.110 Conflict of interest.

No member of a board or commission may vote on any question in violation of chapter 1.15. No member shall represent any person before the board or commission of which he is a member.

(CAC 2.64.110; AO No. 85-56)

Charter reference(s)—Conflict of interest, § 17.03; employment restrictions, § 17.04.

Cross reference(s)—Code of ethics, ch. 1.15.

4.05.120 Procedural rules and order of business.

A board or commission shall establish its own procedural rules and order of business, except as otherwise provided by law. An appeal or quasijudicial board or commission shall establish reasonable rules and regulations governing proceedings before the board or commission. In all matters of procedure not covered by rules adopted by the board or commission, Robert's Rules of Order, as revised, shall be applicable and shall govern.

(CAC 2.64.120)

4.05.130 Reports, minutes and public hearing records.

A board or commission shall keep minutes of the board or commission proceedings, and such minutes shall record the vote of each member physically present upon every question formally presented to the board or commissions for its consideration. The minutes shall be maintained in the custody of the municipal agency which supplies staff support to the board or commission and shall be a public record, open to inspection by any person.

(CAC 2.64.140; AO No. 83-44; AO No. 89-51(S-3); AO No. 89-122(S-1); AO No. 91-142(S-1))

Cross reference(s)—Access to public records, ch. 3.90.

4.05.140 Ex officio members and staff.

The municipal manager may appoint an employee of the municipality who shall be an ex officio member of a board or commission for the purpose of acting as secretary to the board or commission or to furnish the board or commission with technical advice and information if not so provided in the specific provisions pertaining to the board or commission. An ex officio member is not entitled to vote on any question to be determined by the board or commission nor is an ex officio member a member for the purpose of establishing a quorum of any board or commission. An ex officio member is not entitled to any compensation for his ex officio duties or services on any board or commission. Unless otherwise provided in the section establishing the board or commission, the municipal manager shall provide or designate any required staff for the board or commission.

(CAC 2.64.150; AO No. 99-153, § 1, 12-14-99)

4.05.150 Termination.

- A. All boards and commissions established under this title, except for those mandated by the Charter or state law, or where specifically set forth in the board or commission enabling ordinance, shall terminate by operation of law every three years from the date set forth therein unless affirmatively continued by the assembly by ordinance.
- B. All new boards and commissions shall sunset within three years of creation and shall be subject to the provisions of this section.
- C. Prior to continuation or reestablishment of any board or commission, the assembly shall hold a public hearing.

(AO No. 80-119; AO No. 80-120; AO No. 81-4; AR No. 81-16; AO No. 82-30; AO No. 83-203; AO No. 83-204; AO No. 83-205; AO No. 83-206; AO No. 83-207; AO No. 83-208; AO No. 84-10(S); AO No. 85-109; AO No. 86-98; AO No. 86-213; AO No. 86-189(S); AO No. 86-212; AO No. 86-214; AO No. 87-26; AO No. 87-95; AO No. 88-159; AO No. 88-182; AO No. 89-11; AO No. 89-12; AO No. 89-55; AO No. 89-84; AO No. 89-87; AO No. 89-149; AO No. 89-150; AO No. 89-151; AO No. 89-152; AO No. 92-29(S); AO No. 92-30(S); AO No. 92-34; AO No. 92-46; AO No. 92-48; AO No. 92-64; AO No. 92-65; AO No. 92-101; AO No. 92-102; AO No. 93-3; AO No. 93-64(S); AO No. 93-214, § 1, 1-4-94; AO No. 94-156, 8-23-94; AO No. 94-159, 9-6-94; AO No. 95-90, 4-11-95; AO No. 95-91, 4-11-95; AO No. 95-95, 4-26-95; AO No. 95-96, 7-25-95; AO No. 95-97, 8-22-95; AO No. 95-98, 9-12-95; AO No. 95-99, 9-12-95; AO No. 95-153, 7-25-95; AO No. 99-153, § 1, 12-14-99; AO No. 2000-34, § 1, 3-21-00; AO No. 2000-35, § 1, 4-18-00; AO No. 2000-36, § 1, 4-18-00; AO No. 2001-148, § 1, 8-28-01; AO No. 2001-149, § 1, 8-28-01; AO No. 2001-154, § 1, 9-25-01; AO No. 2001-155, § 1, 9-25-01; AO No. 2001-156, § 1, 9-25-01; AO No. 2002-38, § 1, 4-9-02; AO No. 2002-39, § 1, 4-9-02; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-64(S-1), § 1, 6-28-11)

4.05.155 Assembly notification.

- A. All boards and commissions established under this title, and members thereof, shall be listed and named in an informational memoranda submitted to the assembly annually by the mayor at the first meeting during the month of October.
 - 1. To the extent the information is voluntarily provided by appointed members, the informational memoranda shall include a summary of the composition, the aggregate, of all boards and commissions by gender, ethnic diversity, and disability.

(AO No. 2004-120, § 1, 9-21-04; AO No. 2008-44, § 1, 6-10-08)

4.60.200 Heritage Land Bank Advisory Commission.

There is established a Heritage Land Bank Advisory Commission, to perform those functions assigned to it by chapter 25.40.

- A. The Heritage Land Bank Advisory Commission shall be composed of seven voting public members appointed by the mayor and confirmed by the assembly. When appointing members to the Heritage Land Bank advisory commission, the mayor shall consider public members selected from a diversity of geographic residence, occupations, and civic involvement in the Anchorage community. At least one member shall reside in the Girdwood area and at least one member shall reside in the Eagle River-Chugiak area. No more than three members shall have professional interests in acquisition, financing or development of private real property within the municipality. Those persons appointed and confirmed shall serve a term of three years. No person may serve more than two consecutive three-year terms on the commission.
- B. The Heritage Land Bank Advisory Commission shall directly involve in its functions the Anchorage School District, Parks and Recreation Commission, Planning and Zoning Commission, other affected municipal agencies, community councils and the public. The commission may initiate actions with other boards and commissions when deemed necessary to perform its functions.
- C. The members of the Heritage Land Bank Advisory Commission specified in this section shall be filled by appointment upon expiration of the terms of office of those persons presently serving on the commission.
- D. This commission shall terminate on October 14, 2027, unless affirmatively continued by the assembly in accordance with section 4.05.150.

(AO No. 83-86; AO No. 86-108(S); AO No. 87-98(S); AO No. 95-198(S-3), § 1, 12-5-95; AO No. 98-76, § 1, 7-14-98; AO No. 2004-96, § 1, 6-8-04; AO No. 2011-64, § 5, 6-28-11; AO No. 2012-60(S), § 8, 10-9-12; AO No. 2015-61, § 9, 10-13-15; Ord. No. 2018-47, § 8, 10-9-18; AO No. 2021-60(S), § 8, 10-12-21; AO No. 2024-65, § 9, 10-8-24)

Cross reference(s)—Heritage Land Bank, ch. 25.40.

Chapter 25.40 HERITAGE LAND BANK¹

25.40.010 Heritage Land Bank established—Purpose and mission.

There is established a Heritage Land Bank. It is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan. The Heritage Land Bank shall acquire, inventory, manage, withdraw, transfer and dispose of municipal land which has not been dedicated or transferred to a specific municipal agency for one or more municipal uses. Acquisition, inventory, management, retention, withdrawal, transfer and disposal of Heritage Land Bank land shall be governed solely by this chapter and the regulations and policies adopted pursuant thereto.

- A. The acquisition responsibility of the Heritage Land Bank is to apply for and acquire, in the name of the municipality, all lands to be transferred to the municipality from the state as part of the municipality's land entitlement under the Municipal Entitlement Act, AS 29.65.010—29.65.130, as well as other land acquired by the municipality by purchase, donation, exchange or other means which is to be managed by the Land Bank on behalf of the municipality pursuant to section 25.40.015.A. Land acquired under this section shall be added to the Heritage Land Bank inventory.
- B. The inventory responsibility of the Heritage Land Bank is to identify all land and interests in land to be managed and/or retained by the Heritage Land Bank for future municipal use or disposal. The inventory shall identify each parcel of Land Bank land, including all related information which may be useful for proper land management. The Heritage Land Bank will perfect the municipality's title to all land in the Heritage Land Bank inventory and maintain complete and accurate public records regarding the location, size and classification of all such parcels of land, including their planning and zoning status and the identification of valid existing rights. The inventory shall be updated by the Heritage Land Bank at least once every three years.
- C. Where land is retained, it shall be managed in a manner which will protect and enhance its economic and other municipal values, consistent with section 21.05.020. The Heritage Land Bank shall seek to ensure that the economic and other public values of this land are not diminished as a result of ongoing land management activities. It shall be the responsibility of the Heritage Land Bank to work with the school district, public works department, community planning and development department, department of cultural and recreational services, and other municipal agencies to contribute to the long range analysis of the need of the municipality to retain various properties in the Heritage Land Bank for future municipal needs. The Heritage Land Bank may enter into cooperative land management agreements with other public agencies to achieve municipal purposes and to enhance the management of Heritage Land Bank land. Such agreements shall be consistent with section 25.40.020. The decision to enter into such an agreement shall be made after public notice and hearing as specified

¹Editor's note(s)—AO No. 95-198(S-3), § 2, effective December 5, 1995, repealed chapter 25.40 in its entirety and reenacted to read as herein set out. Formerly, such chapter pertained to similar provisions and derived from AO No. 79-170; AO No. 83-86; AO No. 86-108(S); AO No. 87-98(S); AO No. 94-99, §§ 1, 2, 6-7-94.

Cross reference(s)—Public meetings, ch. 1.25; boards and commissions, tit. 4; Heritage Land Bank advisory commission, § 4.60.200.

in this chapter. The recommendations of the Heritage Land Bank advisory commission shall be supported by the record that it is in the municipality's best interests.

- D. Consistent with section 25.40.015.B., the Heritage Land Bank may, at the direction of the mayor and assembly, withdraw and transfer to municipal agencies or to the school district, land from the Heritage Land Bank inventory needed for the location of public facilities or purposes, including schools and designated or dedicated parks or open space lands. The Heritage Land Bank shall condition such withdrawals and transfers upon a reverter clause which specifies that the land will be returned to the Heritage Land Bank inventory if it is not managed by the affected municipal agency for its intended purpose.
- E. The disposal responsibility of the Heritage Land Bank is, at the direction of the mayor and assembly, to convey from municipal ownership Heritage Land Bank land or interests in land which is not needed for specific public facilities or purposes. Each disposal shall be in the municipal interest, and based at or above appraised fair market value or for other equivalent municipal values or objectives, under the procedures specified in section 25.40.025.
- F. The Heritage Land Bank is the municipal agency designated the exclusive grantee of conservation easements and recipient of funds generated by compensatory mitigation agreements with the U.S. Army Corps of Engineers.

(AO No. 95-198(S-3), § 2, 12-5-95; AO No. 2009-68, § 1, 6-16-09)

25.40.015 Heritage Lands—Designation for and withdrawal from, the Heritage Land Bank for public purposes.

- A. In addition to the municipal land which is by this chapter designated for the Heritage Land Bank, the mayor, with assembly approval, may designate additional municipal land or interest in land for placement in the Heritage Land Bank. Such land or interests in land designated for the Heritage Land Bank shall be consistent with the Heritage Land Bank's purpose and mission specified in section 25.40.010, and will generally be:
 - 1. Land to be reserved for a specific future municipal use, or needed for future municipal uses.
 - 2. Land determined to be excess to specific municipal needs but which is unsuitable for municipal development or for disposal, including wetlands and lands subject to geophysical and terrain limitations, such as seismic or avalanche hazards or other severe development constraints. Such land shall be retained by the Heritage Land Bank pending its future designation as parks, open space, or other appropriate classification.
 - 3. Land determined to be excess to those present or future municipal needs and which may have present or future market value for industrial, commercial, residential, recreational, institutional, park, open space, or other municipal use.
- B. The mayor, with assembly approval, may withdraw land from the Heritage Land Bank inventory for any lawful municipal purpose, consistent with the comprehensive plan and implementing measures or applicable site specific land use studies. Such a withdrawal shall become effective only after at least 30 days' prior written notice to the Heritage Land Bank advisory commission, to the affected community council and to the public as specified in section 25.40.030, and after at least one public hearing regarding the proposed withdrawal. If land is withdrawn from the Heritage Land Bank inventory for use and management by a public agency which is not supported by municipal taxes, compensation shall be paid to the Heritage Land Bank for at least the current appraised fair market value of the land, unless otherwise provided in this chapter.
- C. The mayor shall periodically review the current land holdings of all municipal agencies, including the school district, to determine whether any land is excess to present or future needs and uses. After completion of

such review, the mayor, upon written findings and with assembly approval, shall transfer qualifying land to the Heritage Land Bank inventory.

D. *School lands.*

1. Acquisition. Until formally designated as school land, and compensation is paid according to this section, all land acquired by the municipality for a potential school site shall be held in inventory and managed by the Heritage Land Bank.
2. Lands held for potential school sites may be managed and used by the Heritage Land Bank for any purpose not inconsistent with their ultimate use as a school site.
3. Land identification.
 - a. Following a determination of need by the Anchorage school district, and approval by the Anchorage School Board, the school district shall make a request in writing to the Heritage Land Bank to identify municipal lands available for use as potential school sites.
 - b. If no land available in inventory meets the need of the school district, the municipality may utilize any method set out in Chapter 25.20 to identify and acquire property for potential school sites.
 - c. Such acquisitions shall be available for consideration as potential school sites, subject to Section 21.15.015.
 - d. Upon assembly designation of a school site, and compensation as described in this section, management authority shall be delegated to the school district.
4. Compensation. At the time of delegation of management authority, Heritage Land Bank shall provide the mayor and school district an accounting showing all costs and fees associated with the land acquisition, including whether the costs were paid by the school district or by the municipality.
 - a. Notwithstanding the disposal provisions in Section 25.40.025, the school district shall pay the Heritage Land Bank for all land acquisition costs incurred by the municipality, except the assembly may, in its discretion, waive some or all of the acquisition costs.
 - b. Compensation may occur by cash payment, exchange, credit, or any combination thereof, as mutually agreed between Heritage Land Bank and the school district, and approved by the assembly.
5. Lands determined by the school district and approved by the school board to be excess to school needs shall be returned to the Heritage Land Bank inventory, upon assembly approval and compensation to the school district pursuant to this section.

(AO No. 95-198(S-3), § 2, 12-5-95; AO No. 2007-124(S), § 3, 9-25-07)

25.40.020 Management of Heritage Land Bank lands.

The Heritage Land Bank advisory commission shall recommend, and submit for assembly action, a comprehensive land and fund management program, including written policies and procedures, to accomplish the purpose and mission of the Heritage Land Bank specified in section 25.40.010. Such a program shall contain, at a minimum, the following elements:

- A. *Five-year management plan.* The advisory commission, following public notice and hearing as specified in this chapter, shall recommend, and submit for assembly approval, a five-year Heritage Land Bank management plan. The plan shall identify those land acquisition, inventory, management, transfer, and disposal objectives anticipated during this time frame. The plan shall also contain the five-year revenue

and expenditure projections of the Heritage Land Bank Fund. The plan shall be maintained and updated when necessary, but at least once every five years.

- B. *Annual work program.* The advisory commission, following public notice and hearing as specified in this chapter, shall recommend, and submit annually for assembly approval, a work program which conforms to the current or proposed five-year management plan and which includes detailed descriptions of the proposed land acquisition, inventory, management, transfer and disposal activities of the Heritage Land Bank for the coming year, including revenue and expenditure projections of the Heritage Land Bank Fund, and proposed budget for the Heritage Land Bank. A public notice, as set forth in this chapter, of not less than 45 days, is required prior to a hearing by the Heritage Land Bank advisory commission on the annual work program. All new proposed land sale activities not currently in the program will require an assembly approved amendment. The annual work program shall include a review of Heritage Land Bank activities during the prior year, including but not limited to:
1. A financial audit, if available, of all Heritage Land Bank accounts, including income, expenditures and investments;
 2. A summary of each transaction involving Heritage Land Bank land or the Heritage Land Bank fund; and
 3. An inventory of all Heritage Land Bank fund expenditures.
- C. *Policies and procedures.* The Heritage Land Bank advisory commission shall develop, adopt and maintain comprehensive policies and procedures to govern the management of Heritage Land Bank land and fund. These policies and procedures shall be submitted for assembly action, following public notice and hearing as specified in this chapter.

(AO No. 95-198(S-3), § 2, 12-5-95)

25.40.025 Heritage Land Bank disposals.

- A. The Heritage Land Bank advisory commission shall hold a public hearing, with public notice as specified in this chapter, prior to making a recommendation to the mayor and assembly regarding the disposal of Heritage Land Bank land or an interest in land. Land disposals under this chapter include land sales, land exchanges, leases, and easements.
- B. After the public hearing, the advisory commission shall submit a written finding and recommendation to the mayor and assembly, stating whether or not a proposed land disposal is in the best interest of the municipality, and consistent with the Heritage Land Bank's purpose and mission. The written finding shall identify the proposed land disposal, including details regarding its method, timing, and terms, its projected effects on the neighborhood and on public facilities, and other relevant information. All proposed land disposals shall also specify those terms and conditions necessary to ensure that the Heritage Land Bank receives the maximum overall benefit for the disposal of its land, including equivalent non-monetary public benefits, consistent with the municipality's best interests.
- C. The Heritage Land Bank shall determine which land or interests in land should be disposed of; consistent with section 25.40.020 and the comprehensive plan and implementing measures. If the information in the comprehensive plan and implementing measures is insufficient to determine whether the disposal of a parcel or parcels is consistent with the plan or measures, the Heritage Land Bank shall complete a site specific land use study for the use of the land which has been adopted through the public process specified in this chapter. Each site specific land use study shall address; a) the need for community facilities such as roads, parks, trails, schools, satellite municipal offices, etc; b) identify historical and natural landmarks, natural hazards, and environmentally sensitive lands; c) public utility needs; d) potential residential, commercial and industrial uses; e) land use compatibility with adjacent areas; and f) consistency with land uses identified in the Comprehensive Plan and zoning for the area.

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- D. Except as otherwise provided in this section, all proposed Heritage Land Bank land sales shall occur by an open competitive bid process for at least the appraised fair market value of the land, as determined by a State of Alaska certified real estate appraiser designated by, and given appropriate written instructions from, the Heritage Land Bank. An application to purchase Heritage Land Bank land shall grant the applicant no right of preference or priority. Should the open competitive bid process fail to result in the sale of the Heritage Land Bank parcel, the Heritage Land Bank may continue attempts to sell the parcel by choosing one of the following methods:
1. The Heritage Land Bank may enter into direct negotiations with interested parties who seek to acquire municipal land in HLB inventory.
 2. The Heritage Land Bank may invite sealed bids for municipal land in HLB inventory, specifying the time and place for receiving bids and the minimum acceptable bid.
 3. The Heritage Land Bank may offer municipal land in HLB inventory for sale at public auction, specifying a minimum acceptable bid, or specifying that if no higher price is offered, the land may be sold pursuant to a preexisting contract for sale for the minimum bid amount.
 4. The Heritage Land Bank may invite proposals to purchase municipal land in HLB inventory for a fixed price. The invitation shall specify the basis upon which proposals shall be evaluated, which may include but need not be limited to the quality of proposed development of the land and its benefit to the community, the qualifications and organization of the proposers, the value of the proposed improvements to the land and the rents or resale prices to be charged by the proposer.
- E. The Heritage Land Bank may exchange Heritage Land Bank land for other land on at least an equal value basis, as determined by a fair market value appraisal.
- F. The Heritage Land Bank may lease Heritage Land Bank land.
1. The leases shall be awarded by open competitive bid process in one of the following ways:
 - a. for at least appraised fair market rental rates, as determined by a certified real estate appraiser designated by, and given appropriate written instructions from, the Heritage Land Bank;
 - b. percentage of receipts; or
 - c. user fee equivalent.
 2. Where leases are based on appraised fair market rental rates under subsection F.1.a above, the lease rates shall be adjusted at intervals of no more than five years to reflect current market conditions. An application to lease shall grant the applicant no right of preference or priority. Heritage Land Bank land may be leased non-competitively to a non-profit agency for less than its appraised fair market value if the municipal benefits which are projected to accrue are found by the mayor and the assembly to be in the best interest of the municipality.
- G. "Appraised fair market value," for purposes of this chapter with respect to land sales or exchanges but not leases, means the most probable price in cash, terms equivalent to cash, or in other precisely revealed terms, for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress. If the appraised fair market value would be increased by a rezoning of a parcel of land prior to its disposal, the Heritage Land Bank may seek a rezoning under applicable municipal procedures, taking into account the compatibility with the surrounding neighborhood.
- H. In order to assist development that will provide public benefits and notwithstanding any other provision of this section, Heritage Land Bank land may be disposed of by lease, sale or other disposition, for the purpose of facilitating a specific project. The project shall provide public benefits. In addition to and consistent with the applicable requirements of titles 21, 23 and 24 of this Code, the disposition shall include additional

requirements and conditions to insure the proper development and completion of the project in the public interest. Disposals pursuant to this subsection shall be through requests for proposals or through invitations to bid. The disposition of property pursuant to this subsection may be for less than fair market value or less than fair market rental rate. However, the Heritage Land Bank shall, for informational purposes only:

1. provide a descriptive summary of the public benefits expected from the project; and
 2. obtain an appraisal of the value of the property, determined by a certified real estate appraiser, if it were disposed of without the development requirements imposed pursuant to this subsection. Assembly approval of a disposition under this subsection shall include a finding that the disposition provides public benefits.
 3. A summary listing and description of estimated economic and non-economic benefits and costs associated with the project. This summary should be succinct, concise, and quantified where appropriate, and should not exceed two pages in length.
- I. The competitive bid process shall not apply to disposals of easements on municipal land in HLB inventory. The Heritage Land Bank shall dispose of these easements pursuant to the methods described in subsections D.1—D.4 for at least the appraised fair market value of the easement, as determined by a State of Alaska certified real estate appraiser designated by, and given appropriate written instructions from, the Heritage Land Bank.

(AO No. 95-198(S-3), § 2, 12-5-95; AO No. 2002-135(S), § 1, 10-29-02; AO No. 2014-69, § 1, 5-20-14)

25.40.030 Public notice procedures.

- A. All public notices required by this chapter for actions proposed to be taken regarding Heritage Land Bank land or fund shall be given in substantial compliance with this section.
- B. All Heritage Land Bank activities requiring notice to the public shall be preceded by notice by publication calculated to achieve the greatest reasonable notice.
- C. A proposed action shall be noticed by a sign conspicuously placed upon the land proposed for action. The sign shall generally identify the proposed action and include the information specified in section 25.40.030(F), the sign shall be easily visible to the public and be placed upon the land no less than 14 days prior to a public hearing by the Heritage Land Bank Advisory Commission on the proposed action.
- D. In addition to notice by publication and signage, notice by mail shall be given to:
 1. The community council for the area where the land is located, including the Girdwood Board of Supervisors, as well as any other community council which requests notice of Heritage Land Bank activities; these community councils shall be given an opportunity to provide public input prior to the Heritage Land Bank advisory commission taking action.
 2. All persons listed in the records of the municipal assessor as owners of land abutting the parcel proposed for Heritage Land Bank action and all owners of:
 - a. The parcels of property within 500 feet of the outer boundary of the parcel proposed for action; or
 - b. The 50 parcels nearest the outer boundary of the parcel proposed for action;whichever is the greater number of parcels, at the addresses of record according to the municipal assessor's files; and
 3. All persons requesting general notice of proposed Heritage Land Bank actions, from a standing list of names and addresses which the Heritage Land Bank shall maintain.

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- E. All public notices of proposed Heritage Land Bank Advisory Commission actions, including public hearings regarding proposed actions, shall precede a hearing before the advisory commission on the proposed action by at least 14 days.
 - F. All required public notices concerning proposed Heritage Land Bank advisory commission public hearings and actions shall describe the proposed action, and shall give the location of the land proposed for action, including the legal description and reference to nearby streets or other landmarks, a map of the area, and a statement of the date, time, and location for any public hearing or other public response to the proposal.

(AO No. 95-198(S-3), § 2, 12-15-95; AO No. 2002-136, § 1, 10-15-02; AO No. 2009-134, § 1, 1-12-10)

25.40.035 Heritage Land Bank fund.

- A. There is hereby established a Heritage Land Bank operating fund and a Heritage Land Bank capital fund. All income obtained by activities of the Heritage Land Bank, including but not limited to revenue received by the municipality from the disposal of Heritage Land Bank land, or for the use of that land, and all interest earned on funds in Heritage Land Bank accounts, shall be deposited in the Heritage Land Bank operating fund, to be applied solely to the Heritage Land Bank purposes stated in this chapter. Funds from other sources may also be deposited in the Heritage Land Bank operating fund, but shall be separately accounted for. All monies held by the municipality in connection with any activity of the Heritage Land Bank shall be held in its capacity as a public fiduciary, and shall be accounted for in accordance with subsection B.
- B. All funds held by the municipality in connection with all activities of the Heritage Land Bank, including but not limited to revenue received by the municipality through the sale, lease, other disposal or use of land or interest in land that has been placed in the Heritage Land bank, the value of any receivables, and all interest earned on funds in the account shall be accounted for separate of all other municipal funds. The accounting for land bank funds shall be sufficiently detailed to provide an annual financial audit to the assembly, pursuant to the annual reporting requirements of this chapter.
- C. A portion of the Heritage Land Bank operating fund accounts may be appropriated annually for management of the Heritage Land Bank and the land in the Heritage Land Bank inventory, to fulfill the purpose and mission of the Heritage Land Bank as stated in this chapter.
- D. In addition to the use of the fund for the Heritage Land Bank operating budget as provided in section 25.40.035.C., revenue in the Heritage Land Bank operating fund may be appropriated by the mayor and assembly to the Heritage Land Bank capital fund only for the acquisition of land for municipal use, and for improvements to Heritage Land Bank land. The Heritage Land Bank Advisory Commission shall receive at least 30 days prior notice of any proposed assembly action regarding any proposed appropriations from the fund.
- E. Heritage Land Bank fund revenue not appropriated pursuant to subsections C. and D., above, shall be prudently invested, consistent with the municipal interest and the fiduciary nature of the fund. Interest earned from such investments shall be reinvested in the fund or appropriated pursuant to this chapter.
- F. "Improvements to Heritage Land Bank land," for purposes of this chapter, means a valuable addition to Land Bank property or an amelioration in its condition, intended to enhance its value or utility or adapt it for new or further purposes, including expenditures to extend the useful life of the property asset, to improve its performance, or for off-site mitigation necessary to improve Land Bank land.

(AO No. 95-198(S-3), § 2, 12-5-95)

Editor's note(s)—As stated in § 3 of AO No. 96-198(S-3), subsection 25.40.035.C. is effective on January 1, 1996.

25.40.040 Heritage Land Bank executive director.

An executive director of the Heritage Land Bank shall be appointed by the mayor and confirmed by the assembly, acting upon the recommendation of suitable candidates made by the Heritage Land Bank advisory commission. The executive director shall have professional experience in land and resource management, and shall be responsible for the day-to-day management of the Heritage Land Bank, the Heritage Land Bank fund, and any staff assigned to those duties. The executive director is authorized to hire and retain necessary staff; subject to approval of the mayor, and shall serve as the executive secretary and technical advisor to the Heritage Land Bank advisory commission.

(AO No. 95-198(S-3), § 2, 12-5-95)

Cross reference(s)—Principal executive personnel, boards and commissions, § 1.35.010.

25.40.045 Transition provisions.

- A. The provisions of this chapter shall, upon adoption, apply to all future actions of the Heritage Land Bank and the advisory commission, except in any instance in which, in the written opinion of the municipal attorney, private contract or property rights have already vested as the intended result of a decision or action taken prior to the effective date of this chapter with regard to a particular parcel of land in the Heritage Land Bank inventory.
- B. Notwithstanding any other provision of this chapter to the contrary:
 - 1. The supplemental appropriation of 50 percent of the 1995 net revenues of the Heritage Land Bank made to the Areawide Capital Projects Fund in 1996 after the close of the 1995 fiscal year, accounted for as a 1995 appropriation, shall continue to be effective for the fiscal year 1996 as approved and shall not be otherwise affected contrary to its purpose by this chapter; and
 - 2. The 1996 municipal budgets approved and adopted prior to the end of 1995, their implementation and appropriations made in furtherance thereof shall not be modified, amended or prohibited by this chapter.

(AO No. 95-198(S-3), § 2, 12-5-95)