

From: [Capt. Brett W](#)
To: [Tyler, Margaret S.](#)
Cc: [Ron Tenny](#)
Subject: FOR HHHAC: Amendments to Holtan Hills conditions
Date: Wednesday, October 19, 2022 1:59:17 PM

[EXTERNAL EMAIL]

Margaret, Can you please forward my comments to the HHHAC for their meeting today.
Thank you!

Members of the HHHAC,

Since Commissioner Ron Tenny is traveling, in his absence, I wanted to make sure that accurate information is provided to the HHHAC as you make your final recommendations. I believe that it is important for those involved to have some detail about the recent actions by HLBAC.

Here are some excerpts from my statements about the two amendments that were passed by the HLBAC as conditions to the proposed Holtan Hills land disposal.

1. A condition, requiring all developers to submit the Girdwood Board of Supervisors (GBOS) review in addition to Municipal staff review when seeking official action by authoritative bodies under title 21. When referring to AMC 21.02.020, Table of Decision and Rules Authority for land action, where a review by Municipal Staff is required, so will a review by GBOS.

This action would be via administration policy letter, as outlined under AMC 21.02.020 D. Even though not referenced in this chapter, ... municipal administration may request that other boards, commissions, government agencies, and non-governmental agencies review some applications, including, but not limited to, rezonings, site plans, design reviews, and subdivisions. Title 21 matters referred to other agencies will follow the procedures established in Chapter 21.03, Review and Approval Procedures.

Comments:

Simply put, this amendment asks for the administration to issue a policy letter that calls for review from the Girdwood Board of Supervisors (a publicly elected board) through the Land Use Committee process for those actions a petitioner may take under Title 21, as outlined above. Preferably, this would apply equally to all property developers within the GBOS area and not just Holtan Hills, however that decision would have to come from the Administration. That review, just as it's done for a liquor license, would then be in front of the decision making bodies under the procedures established in AMC 21.03.

2. Moratorium on the use of any property in Holtan Hills for short term rentals (STR), less than 30 days in duration, with a sunset provision eliminating this restriction when local ordinance is adopted to regulate the STR supply.

Comments:

This restriction will begin to address the imbalance of STR units and lack of long-term rental units in the Girdwood valley. This attempts to make available a greater supply of more affordable rental housing. This will be a bylaw of, and enforced by, the developer's proposed HOA.

These amendments were deemed legal and proper by muni legal staff in the last HLBAC work session.

Of the specific items sought by the HHHAC, four are not possible due to potential legality issues. Of the remaining items, #2 , #5 and #8 have been addressed through these amendments; transparency and limit use as short term rentals. This process is not complete and other amendments may be suggested as the HLBAC meets again.

Thank you to the volunteer members of the HHHAC for your work and advocacy for Girdwood residents.

Regards,
Brett Wilbanks
HLBAC Vice-Chair

From: [Sam Daniel](#)
To: [Kramer Emma](#)
Cc: [Tyler, Margaret S.](#)
Subject: Holtan hills meeting this afternoon
Date: Wednesday, October 19, 2022 7:01:20 AM

[EXTERNAL EMAIL]

Hi Emma,

Hope your trip is going well. I will still be riding at 4 AST in order to get to my next stopping spot and will likely not be at the meeting. Will you be able to attend? I spoke to Erin for a bit to get her up to speed.

Unless something new that I am unaware of has occurred I believe committee should recommend to GBOS not supporting the Holtan Hills project. Our letter of request and its lack of traction in reaching any compromise would be the basis for the recommendation.

I will try to make arrangements to attend if you are unable to.

Thanks for your hard work on this.

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MUNICIPALITY OF ANCHORAGE

Mayor Dave Bronson

◆
CHIEF OF STAFF

MEMORANDUM

TO: HOLTAN HILLS HOUSING SUBCOMMITTEE

FROM: ADAM TROMBLEY, CHIEF OF STAFF

SUBJECT: AUTHORITY OF GIRDWOOD BOARD OF SUPERVISORS AND HLB

DATE: OCTOBER 11, 2022

At the September 29th meeting with representatives of the Holtan Hills Housing Subcommittee, I made the commitment to ask MOA Legal for an opinion; can a Girdwood entity receive money from the HLB Fund and land from the designated Holtan Hills housing development. During that same meeting, I asked the question, "What type of entity would the money and land be given too?". The representatives did not have an answer for whom the money and land would be distributed.

MOA Legal does not provide opinions based on generalities. They provide opinions based on what is factually known. For example, they cannot provide an opinion if a fictional entity can receive land and money from HLB. Their opinion was based on what is known. They researched whether the Girdwood Board of Supervisor is capable of receiving land and money from HLB.

The answer from MOA Legal is no. Girdwood Board of Supervisors' function is to provide a taxing mechanism to fund the delivery of special government services to an area where the residents need and can afford the tax. They also act in an advisory capacity, advising the Assembly and Administration regarding the delivery of services to the service area as well as the annual budget for the service area. Girdwood Board of Supervisors does not have the authority to act as a housing authority. Nor do they have the capability to accept HLB funds or land.

It should be noted that the HLB Fund is not tax supported. Proceeds and expenditures must be executed in a manner that promotes the long-term viability of the HLB Fund.

TO: Holtan Hills Housing Advisory Committee
FROM: Christina Hendrickson
DATE: October 13, 2022
RE: Holtan Hills Nondisclosure Agreement

Some may have noticed the tire tracks across my face resulting from your last meeting. Being the scapegoat has never been an achievement I sought, but now that I attained the platform (podium?), I will take a few moments to provide context and explanation.

In July 2022, I became the Municipality of Anchorage's Real Estate Director and was later unanimously approved by the Assembly. This Executive position oversees two divisions: Real Estate and the Heritage Land Bank (HLB). The latter has codified procedures, its own advisory commission, and a lot of backlog.

Under the previous Director's tenure, Robin Ward, a committee that included Girdwood residents awarded the Holtan Hills Request for Proposal to a group that included CY Investments, Seth Andersen, and Pomeroy Lodging. When I met with all three entities, they had not yet formed their own legal entity to pursue the award.

As a Director, I was authorized to enter into a Non-Disclosure Agreement with this to-be-formed entity. The Department of Law agreed with my pragmatic rationale:

- These three parties had not yet formed a legal entity with which to enter into contract(s);
- There was no formal project description and more data was being gathered to refine their proposal's concept;
- The majority of the HLB Advisory Commissioners were about to rotate off, requiring the Division and Department to onboard and brief new Commissioners about their role specific to land disposal solely (i.e., not financials, etc.) and give them time to come up to speed on all HLB transactions;
- The Planning Department was heavily engaged in determining what permitting path was required for the concept presented and the ever-evolving project description; and,
- The number of agency-level participants involved were not experienced in land transaction negotiations, nor had they yet earned my trust to be discrete.

It is best practice to present the project description provided in application this entity filed with the Planning Department. Again, their proposal was conceptual. The NDA expired in December 2021, which was the agreed upon date by which the aforementioned rationale would have been answered. For example, to further refine what could be done among the parcels, I immediately contracted a known and reputable vendor to conduct wetland surveys for both Holtan Hills and South Townsite. The data provided in October 2022 defined the awardees' pro forma and layout.

Having listened to Girdwood's input to the Girdwood Board of Supervisors and the Imagine Girdwood contractor, as Director, I put into action the following objectives:

1. Address U.S. Forest Service's need to build housing by selling them their leased parcel, enabling federal funds to be allocated for expanding their housing footprint for the Glacier Ranger District.
2. Utilize the proceeds from that sale to extend utilities to the Girdwood Industrial Park (GIP).
3. Develop a public-private-partnership with a vendor to place the excavated overburden from Holtan Hills into the GIP's Phases II and III, thereby expanding the small business footprint and diversifying Girdwood's economy.
4. Develop Holtan Hills.

5. Utilize the proceeds from the sale of Holtan Hills to develop South Townsite, including expanding Karolius to Ruane, thereby linking future housing to the improved GIP space and creating an alternate route for emergency vehicles.

I was unable to execute this roadmap for housing and sustainable economic infrastructure in our community. On September 15th, 2021, I filed a [Whistleblower Complaint with the Assembly](#). Despite requesting protection under the codified [Whistleblower's Protection](#), on September 17th, 2021, I was fired from my position. I am suing the Administration, and my court date is April 2023. To date, I have amassed over \$40,000 in legal debt and remain unemployed.

I stopped participating in Girdwood meetings because it would have been unethical for me to engage in activities I previously led or oversaw. Think of it as a non-compete but with a hefty legal price tagged affixed. When CY Investments began engaging Girdwood mere weeks after my dismissal, I viewed this as premature. What has resulted is what I predicted: presented with an unrefined and incomplete project description left the community uncertain; and without a Real Estate Director, without staff with development experience (as of April 2022), and with no public participation from the Planning Department, at some point, scapegoats are identified.

Yes, I entered into a limited and short-duration NDA to give parties time to catch up: those conducting financial analysis, new commissioners learning the processes, and Planning Department employees establishing a roadmap for the development's next steps. In the 3rd and 4th quarters of 2021, there was no position nor description to be transparent about. The entities' inability for form a partnership; their lack of staff to complete their due diligence; and the staff turnover in the Planning Department further hampered a more polished message to the Girdwood community.

I refute the claim that the NDA was the sole reason for the lack of transparency.

As always, I welcome your questions, comments and concerns: christina.cope@gmail.com.