

Resolution Respecting RurAL CAP and Partners

Fairview Community Council Resolution 2011-03, committee substitute

WHEREAS RurAL CAP applied for and was granted a conditional use permit for the “Karluk Manor” project from the Municipality of Anchorage Planning & Zoning Commission (2010-077); and

WHEREAS RurAL CAP requested a resolution of support for the Karluk Manor project from the Municipality of Anchorage Housing and Neighborhood Development (HAND) Commission on June 3, 2011; and

WHEREAS the HAND Commission is the sole municipal entity charged with recommending allocation of Housing and Urban Development (HUD) funding to specific projects; and

WHEREAS RurAL CAP’s request for support of the HAND Commission failed to pass the HAND Commission on June 3, 2010 (HAND Resolution 2010-03) 3 votes for and 5 against; and

WHEREAS Resolution 2010-03 failed to pass,

WHEREAS Resolution 2010-03 was delivered to and incorporated by the Planning and Zoning Commission as a recommendation from the HAND Commission without public comment in a way that the public had no idea it was in the packet, and

WHEREAS Melinda Freemon, RurAL CAP’s Anchorage Projects Director served on the HAND Commission, and

WHEREAS the record reflects, and Freemon agrees that she failed to file a disclosure with the Municipality as required by Municipal Code before the vote to reconsider the resolution; and

WHEREAS Freemon voted on the reconsideration of HAND Resolution 2010-3, a matter important to her employer and her employers’ partners at the July meeting; and

WHEREAS under the rules adopted by the HAND Commission, the “appearance” of a conflict is enough to require disclosure; and

WHEREAS the HAND Commission acted out of order to reconsider a resolution of support for the Karluk Manor project,

WHEREAS the staff person for the HAND Commission, after being advised by the Municipal legal department that such an action would be out of order, instructed commissioners that they make their own rules, and

WHEREAS the HAND Commission was out of order when they voted to support the Karluk Manor project; and

WHEREAS the Municipal legal department nullified the resolution because it was out of order; and

WHEREAS several members of the Fairview Community Council Executive Board attended and witnessed the July 15, 2010 Emergency HAND Commission meeting, and

WHEREAS Fairview Community Council Executive Board members attest that the published record falsely reflects the order of business; and

WHEREAS witnesses to the July 15, 2010 meeting of the HAND Commission will testify under oath the record is falsified; and

WHEREAS the staff of the HAND Commission failed to audio record all motions of the Commission as required by their own rules; and

WHEREAS the unapproved HAND Commission Resolution 2010-03 was delivered in a way that appears to prevent the public from the knowledge that document existed and was in the packets delivered to the Planning and Zoning Commission; and

WHEREAS a communication from the municipal attorney was laid on the table on July 19, 2010 for Planning and Zoning Commissioners instructing them to only consider the recommendation from the HAND commission in June 2010 which failed; and

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WHEREAS the resolution in support of Karluk Manor failed to pass in June 2010, and

WHEREAS the Planning & Zoning Commission approved the conditional use application; and

WHEREAS RurAL CAP had committed funds to a purchase agreement with the owner of the Red Roof Inn that expired on July 1, 2010, and

WHEREAS RurAL CAP receives local, state and federal HUD funding;

THEREFORE, BE IT RESOLVED that Fairview Community Council has no confidence in the manner of operation of the HAND Commission; and

BE IT FURTHER RESOLVED that the Fairview Community Council brings to the attention of the Anchorage Assembly and the State Legislature the manner in which this process has occurred.

Approved by the General Membership this 13th day of October, 2011.

Michael Howard, President

S J. Klein, Secretary

Date Signed

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