

# **Rabbit Creek Community Council Meeting Minutes for Thursday, August 13, 2020**

## **DS DRAFT**

Location: Internet Zoom Meeting

Board Roll Call - Present: Ann Rappoport (Co-Chair), Ky Holland (Co-Chair), David Sterling (Secretary), Keith Guyer (Co-Treasurer), Judy Michael, Dianne Holmes, Mike Kenny, Paul Gionet, Bert Lewis

Absent: Jess Grunblatt, Joel Cladouhos

Board Member Co-Chair – Ann Rappoport - Opened the meeting at 7:02 pm. 9 board members and over 20 members. Ann had each person introduce themselves attending via Internet Zoom. Initially declared an Informational Meeting until after voting for the Electronic Means Meeting Policy change, then declared a General Meeting. Advised of recording the meeting.

- **Agenda – Motion Ky Holland & 2<sup>nd</sup> Keith Guyer** – August Agenda Approved as written.
- **July Minutes – Motion to Approve Dianne Holmes & 2<sup>nd</sup> Judy Michael** – To approve as written.
  - Vote by Paddles: Motion passes.
- Attendance - Total with ±28 RCCC members and guests in attendance on internet via Zoom. Declared a General Meeting.

### **Announcements & Legislative Reports:**

- **Assembly Members for RCCC Area -**
  - **Suzanne LaFrance** – Contact info: Cell Phone: (907) 351-7199, Voicemail: (907) 343-4122, E-mail: [LaFranceS@muni.org](mailto:LaFranceS@muni.org) – Not present tonight.
  - **John Weddleton** – e-mail: [WeddletonJ@muni.org](mailto:WeddletonJ@muni.org) – (907)-770-6875 – On line tonight.
  - **State Representatives – Jenifer Johnston** - Not present tonight.
  - **Senator Cathy Giesel** – Re-election underway. Hoping the Cares Act Funds are distributed soon to small business grants that came from federal government so those are now being distributed, slowly. Also hoping MOA Cares Act Funds will be distributed. Child care funding is another huge concern. Understands that MOA agreed to let some of their funding go towards Child Care Services. Today, the Governor approved accepting \$300 per week unemployment insurance. To be added onto what the state already normally provides. Hoping virus ramps down soon. That's about it. Described how the Governor is in control of disbursing Cares Act money. If legislature were to get involved it would slow the process. Cathy agrees with the current procedures. Questions Nancy Pease: Concern about if legislature does not go back into session some buckets of money could be lost. 1) Governor has not requested \$3 million in Federal Cares Act Funds for State Elections. 2) Capital Budget \$71 million in Federal Funds, with State match of \$34 million plus \$31 million in General Funds for total of \$151 million, to leverage those funds. Deadline of September 30<sup>th</sup>. Cathy response: 1) Cannot answer this question, but will check on situation and advise. State plans to continue absentee ballots and not implement vote by mail. 2) Correct on deadline, but there is wiggle room on date, but that's the goal. Natasha Von Imhoff has been working on budget, which is ready to put on the table for sending over to the House. Natasha Von Imhoff had proposed a \$12 million Capital Budget, reason being State does not have more money than that. Focused on leveraging as much as possible. Most money is for DOT on a 90% Federal match to 10% State match formula. Also Fish & Game matching funds for building trails and cabins that they do not want to miss. Concern about calling legislature back into session. Needs 2/3 of House and Senate legislatures folks to agree to reconvene, so 40 of the 60 legislature. Cathy pledges to try and reconvene. Some legislator are concerned about Covid issues. Question Nancy Pease: Unclear in absentee ballot if an undeclared voter can request a Republican ballot, is that allowed and how are you getting that message out? Cathy advises it is 110% allowed.
- **Candidates for Offices -**
  - **Roger Holland** – Running for Senate District N as Republican. Moved to AK in 2009 and to District 28 in 2012. Voted for Cathy twice. Concerned about after 2016 the direction the Senate is going. Senate has 13 Republicans and 7 Democrats, but the Majority and Minority leaders are Democrat. Most conservative Senators are constantly punished for decisions they make, which has its roots in the binding caucus, which is a concern to Roger. Quit a State DOT job to run. Conservative Republican.
  - **Carl Johnson** - Democratic Candidate for State Senate for this district. Been doing things virtually. Concern about budget. Lots of prohibitions about small businesses being able to work with Cares Act funding. Has videos and information on his website, [carlforalaska.com](http://carlforalaska.com).
- **Election Announcement** - Judy Michael as Chair for Precinct 28140, voting will continue to be at Goldenview Middle School in a different location inside the school, at the 2<sup>nd</sup> floor upper area of the gym. Will be wayfinding signs guiding folks. Voting Open: 7 am thru 8 pm.
- **Adoption of Policy on Meeting Attendance** – Judy Michael performed study. Draft Policy shared on the screen and on website. Point being this is not a change in the bylaws, it's a Policy. A way to address that we are now having Zoom meeting and making sure it is approved by the members. Following procedures adopted by numerous government entities. A Policy can be easily changed by members. Changing Bylaws requires going before the MOA Assembly. Procedures will still be the same, with a different twist.
  - **Motion Ky Holland & 2<sup>nd</sup> Bert Lewis** – For acceptance of the Policy Document as written. Modified that the Policy would become effective at this meeting if voting accepts the Policy.
    - Ky Holland - Policy does not change the bylaws. Provides clarification of what it means to be **present**, with an expectation of being present that one can hear people at a meeting. Works for Board Meetings and General Meetings or whatever style meeting is suggested. Someone can be present electronically for voting purposes. Can change the Policy at any point in the future if we find it is not working well. Concern about people not attending in person. There is verbiage that accommodates and point is people attend in person. Item under 6B describing attendance. Frank Pugh advised this concept was introduced a couple years ago, in favor. Judy Michael advises Policy is not meant to be abused.

- Vote performed by “Thumbs Up” on personal screen. Voting Results: Yes=12; No=0; Abstain=1. Motion passes. This August Meeting is a General Meeting.
- **ASD School Board Member** – Not present tonight
- **ANC Fire Department Station 10** – Not present tonight.
- **Treasurers Report** – Savings at \$316.33 + Checking at \$1,313.37 = \$1,629.37.

## **New Business**

- **S4 River Hills Estates Subdivision** - Craig Bennett – S4 Group describing Subdivision off Snowflake. 20 Acres. Zoned R6 on North Side and R9 on South Side of Little Rabbit Creek. Proposing 6 lots on North side of Little Rabbit Creek off a short little cul-de-sac. Existing 50' easement each side of creek. Tie-in a street at intersection of Snowflake Drive & Mesa Place. Tract A South of Little Rabbit Creek is zoned R9, to be left undeveloped with no plans at this time. HDP shows trail along Little Rabbit Creek, MOA to advise what they will require for that trail. Probably an easement. Code requires a trail from a cul-de-sac to roads around the parcel. In this case there are no other roads in the area. To get a trail from cul-de-sac down to the creek may ask for variance due to steepness of the area. Working with MOA and should have an answer soon. 156<sup>th</sup> Ave on south side, an existing private driveway. In the future, if that Tract A is developed they will have to go thru platting at that time.
  - Dianne Holmes – The too steep statement for trail is not true. Provided a picture with an example of the RC Greenbelt access on a steep section. Rabbit Creek Greenbelt has numerous existing trails in steep locations for access. Chris Zumdell, PE Teacher at Bear valley Elementary School wrote, Bear Valley School students have used the 156<sup>th</sup> Street easement for the past 25 years as a safe trail for access to Golden View. Bear Valley also uses the area trails for the students to snowshoe. 5<sup>th</sup> and 6<sup>th</sup> Grade students performed maintenance so that students have trails to explore and learn about their neighborhood. Shared a steep access stairway.
  - Concern about existing driveways connection to the new road. 20' wide strip paved road with ditches on both sides and they will reconnect two existing driveways that take access off the undeveloped right of way. Will re-formalize the connections and improve to make them better. Road will be built ½ at a time to accommodate access.
    - Snow plowing – Private snow plowing by neighbors on Mesa Place and Snowflake Road. Judy Michaels described that an existing informal arrangement for snow plowing and road maintenance has been in place for years and she would like to see the new landowners be required to participate in the costs.
  - Sue Ayers – Question about 20' road down centerline of ROW. Yes. Might need to shift road slightly to accommodate features. Strip paving consists of 2" D-1 and 2" asphalt from cul-de-sac to intersection only.
    - Concern about maintaining access roads during construction – MOA Right of Way Department monitors construction process to have contractor repair damage.
    - Design observations – A fire truck turnaround is necessary on the lots and concern for Lot 4 & 5 may be ramifications for fire trucks to pivot on the lot. Concern about how the drainage will be treated before going into the creek.
  - Nancy Pease – HDP shows primary trail corridor going up the 156<sup>th</sup> Section Line. Will be a super block in terms of not having north-south connectivity over to Rabbit Creek Road. This is the logical place to provide north-south connectivity since just to the south of 156<sup>th</sup> Section Line Spruce Terrace already has north-south pedestrian access. Suggesting a connection through Tract A as well as connecting to 156<sup>th</sup> Section Line is a valuable community connection. Dianne Holmes adds and proposes to see the legal easement lines on paper, not expecting anyone to build a bridge. Should be surveyed and flagged.
  - S4 - Plat has not been submitted and is real preliminary. Need to present to the Community Council before submitting plat to MOA, which is why they are at this RCCC meeting today. Developer did present to MOA at meeting. Need more information and drafting before submitting a preliminary plat. Then will flag the property with poster and MOA will make information public, with future review and Public Hearing at a Platting Board Meeting, expected to occur in late Fall. S4 will advise when plat is submitted.
- **Bear Resistant Trash Cans** – Bruce Gough – President of Southpark Home Owners Association – Regarding Utilizing Bear Resistant trash cans in the Southpark subdivision. Recently, both the Board and residents voted in favor of secure trash zone in Southpark Subdivision, by a wide margin. Alaska Waste has bear resistant 96 gallon trash cans, still working on getting 64 gallon bear resistant trash cans. Currently back ordered on 96 gallon cans. 40 out of 130 homes in Southpark currently have bear resistant trash cans. Safety and minimize risk of developing trash bears.
  - **Motion Ky Holland & 2<sup>nd</sup> Dianne Holmes** – RCCC support the efforts of Southpark HOA for Southpark designation for Secure Trash Zone area under the MOA. To have this for the 2021 bear season. Recommend and encourage other Rabbit Creek neighborhood areas do the same thing. Resolution to go to the MOA Assembly and others. Questions & comments:
    1. Is this mandatory? A: Yes mandatory if one is using trash cans. There are other options, e.g. if one manages their own trash.
    2. Vote: Yes In-Favor=Unanimous; No Opposed=0; Abstain=0. Motion passes.

## **Old Business & Committee Reports**

### **LUT Follow Up Items/Updates-**

- **Windy Corner Road Renovation Proposition** – RCCC recently sent letter went to Chugach State Parks with concerns about the project, approved at previous meeting. Plan to send the same letter and comments to DOT&PF. Nancy Pease offered comments after discussions with DOT&PF folks:
  - DOT has been working on this project for 20 years. There is momentum on this project.
  - Chugach State Park Plan & DOT Plans have a multi-task trail from Potter to Girdwood. Not going to put in a trail here is that they don't want bicyclists to park here, cross the road to a short section of trail, then get on the highway since there is not a bicycle trail in this area.
- **Request for Corrective Action on Village Scenic Parkway Violation** – At Upper Potter Creek there is an area where heavy excavation and fill operation in excess of what is allowed by permit is under review. Land Use Transportation sent email asking MOA Code & Violation about the issue, received an email back that in fact there has been a violation and they were investigating. Draft letter prepared asking about the violations and documenting the conditions. Discussing the quantity and grade conditions. Documented what was happening to maintain the requirements of Title 21. Asking about revegetation requirements. Showed aerial photos documenting extent of the excavation site on Zoom. Photos and MOA Code Enforcement are posted on RCCC website. Code enforcement measured about 6 acres of disturbance.
  - Frank Pugh requested identification of who performed the measurements? Ann walked Frank through on how to locate letter on RCC website. Proposed draft letter also on RCCC website.
  - Greg Wika – Advised that Mr. Fern never talked to the Owner, which is himself. Greg Wika never talked to Mr. Fern, but did talk with Brad Larson. Stated to Brad Larson that when Greg Wika returns from trip, probably on the 3<sup>rd</sup> week of August, he will start to make corrections. In Dubai right now. Upon return will get re-engineering and site plans. Plan to do a change order to the existing permit. Commercial situation because any fill & grade over 5 acres has to be done as commercial permit. There is no commercial building going on the property. Trying to order 1,000 spruce trees for the erosion process. Missed this year's purchase cutoff. Plan to order trees in October for next year's planting. Asking for time while he works with MOA Code Enforcement. Brad Larson told Greg Wika today that there is nothing on the property that cannot be corrected with the permitting process.
  - Dianne Holmes questioned how the situation fits with the Hillside District Plan.
  - Nancy Pease read thru code and development design standards that describe requirements that spell out only minimal grading on lots that relate to the natural grading of the land. Should be a point-by-point description of how cut & fill meets those standards. Wants an explanation. Pilots identify this as the largest tract of land in south Anchorage being transformed. RCCC should ask for an explanation from Code Enforcement on development.
  - Greg Wika asked why he was not copied on a July 7<sup>th</sup> email to Code Enforcement? Nancy Pease advised that neighbors who have been concerned about the amount of truck traffic and drill & blast operation have been discreet because they felt they have been targeted by push back from Greg Wika. So they asked to go through the Community Council. In light of that the Community Council wanted to be careful to find out if there was a violation before committing a letter. Inquired as a committee without assuming there was a violation. Now as the Community Council, knowing there is a violation, we are asking for some detailed response on how it will be corrected so it does not create a bad precedence. The July 7<sup>th</sup> email was presented by the Land Use Committee after several neighbors asked the Council to look into the issue. The email was information gathering. There were 4 to 6 neighbors that requested the investigation.
    - **Motion Dianne Holmes & 2<sup>nd</sup> Nancy Pease** – To forward the letter with corrections to the second paragraph. Questions & Comments:
      - Ky Holland – Curious about how something like this got to this point. Seems to be a significant deviation from the intent of this zoning. Wonder if MOA needs to describe how it got to this point. What could be done to not get to this point in the future? Seems to be pretty far out there. Nancy Pease and Dianne Holmes made an amendment to the motion, to ask the MOA, How does the scale of the apparent violation happen without Municipality oversight and remedy at an earlier stage?
      - Vote by Chat function writing yes or no: Yes In-Favor=9; No Opposed=7; Abstain=0. Motion passes.
        - Will add Greg Wika as cc to the letter.
  - **Alaska Long Trail** – Came out by former Governor Tony Knowles is proposing something similar to Appalachian Trail, Continental Divide Trail, or Pacific Crest Trail to run all the way North to South in Alaska. LUT will look into this and bring a resolution to the next meeting.
  - **Request Trail Connectivity Planning** – Nancy Pease – HDP shows a connectivity corridor along 156<sup>th</sup> Ave Section Line from Golden View Drive, eastward up to Bear Valley area. There has been recent subdivision activity along the corridor border. There is pedestrian activity on both ends with Goldenview and Bear Valley school kids and neighbors. Rabbit Creek Road is unsafe for pedestrians. Propose to talk to Non-Motorized Coordinator and Planner who are working on Non-Motorized Plans, to educate them and get acknowledgement that even though the corridor might not be developed as a road, it should be included as a transportation connection between schools, parks, and neighborhoods. Once in place it will be easier to acknowledge this corridor by future subdivisions. Nancy drafted a letter that states reduced driving trips, reduce parking demands, promote community health thru convenient exercise opportunities, and complements numerous policies in the Hillside District Plan, Anchorage 2020 Comp Plan, Non-Motorized Park Plan, Municipal Anchorage Hillside Park Plan, and Climate Action Plan. There are Transportation funds available that can enable shovel ready trail projects. Getting Community support for this is the first step. Then bit-by-bit can begin to develop it.
    - **Motion Nancy Pease & 2<sup>nd</sup> Dianne Holmes** - To extend the meeting by 10 minutes. Motion Passes.
    - **Motion Dianne Holmes & 2<sup>nd</sup> Ky Holland** - RCCC shall formalize the Nancy Pease discussion and letter by sending to the Non-Motorized Trail Coordinator and copy other pertinent people at MOA. Comments:

- Ky Holland – Worthwhile and deserving, but also want to recognize that this has the potential of affecting a lot of people. Recently trail development has become a controversial issue. Folks would prefer not to have trails near their property. Need the effort to be well communicated. That the people near the trail have the opportunity early on to have a chance to know of the interest of the trail.
- Frank Pugh – Does not support the motion, but does support the process to engage each and every land owner, to make them aware of the desire of the Community Council on trails. Ensure neighbors are contacted and not imposed. Ann assured Frank that his point is heard loud and clear.
- Dianne Holmes – Added that City has developed report of how important it is for such trails, green, or wet, can increase the value of land. Some that initially have issues, soon learn to use and enjoy the trail Westchester Lagoon trails were used as an example.
- Judy Michael – Wants re-wording of “work with neighbors”, to “should notify and include property owners and neighbors”.
- Vote by means of Chat Box on Zoom: Yes In-Favor=9; No Opposed=7; Abstain=0. Motion passes.
- **Solarize Anchorage** — 31 houses signed up in Solarize Rabbit Creek. 22 already installed. More here than any other neighborhoods. Can sign up until end of August.
- **Resilience Committee** – Ky Holland – John See retired at the end of July.
  - **Motion Ky Holland & 2<sup>nd</sup> Frank Pugh** – To send letter of recognition for services of John See. Also to request continued funding of the Resilience Efforts.
  - Vote by means of Chat Box on Zoom: Yes In-Favor=14 or Unanimous; No Opposed=0; Abstain=0. Motion passes.
- **HALO** – Noted that Lewis & Clark Subdivision has started road construction.
- **Potter Valley Neighborhood** – No Report.

**Next Meeting** – Proposed Zoom Meeting as fallback. Will wait to see what Covid situation is at the time before finalizing.

**Action Items –**

- River Hills Estate Platting
- Bear Garbage Can Zone Letter
- Windy Corner Letter
- Village and Scenic Parkway Issue Letter
- Trail Connectivity Letter

**Meeting adjournment – Motion to Adjourn Judy Michaels & 2<sup>nd</sup> Keith Guyer** - Meeting adjourned at 9:13 pm.