

**BOARD ACTION ITEMS FOR
NOVEMBER 15 BOARD MEETING:**

Contracts to be presented to the Board for Approval:

**Contract No. 9999 – State of Alaska DOT&PF
(Anchorage)**

**Update following for Anchorage Assembly
Resolution No. AR 2022-331(S)**

**ANCHORAGE, ALASKA
AR No. 2022-331(S)**

A RESOLUTION OF THE ANCHORAGE ASSEMBLY RESPECTFULLY REQUESTING THE ALASKA RAILROAD CORPORATION TO DENY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES REQUEST FOR A CHANGE OF USE PERTAINING TO 500 W. HOLLYWOOD DRIVE, FORMERLY THE 2-GO TESORO STORE, AND REQUIRING THAT THE TERMS OF LEASE #9999 BE FULLY HONORED POST-HASTE.

WHEREAS, the community of Government Hill has long depended on the convenience store located at 500 W. Hollywood Drive to serve its immediate needs with the next closest location over 1 mile away; and

WHEREAS, this store provided gas and food for residents of the nearby homes and high-density apartments, as well as Joint Base Elmendorf-Richardson and was especially vital to those without motorized transportation; and

WHEREAS, in November 2014, the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) assumed the lease for the property owned by the Alaska Railroad Corporation (ARR) as part of the right-of-way for the Knik Arm Crossing Project with specific assurances that ADOT&PF would "continue the existing use & occupancy as a gas station and convenience store until such time as the land subject to the lease is required for the proposed Knik Arm Bridge Road Improvements" with those terms being included in the lease Article 4, Lessee's Covenants, paragraph 4.01; and

WHEREAS, in 2016, the Knik Arm Crossing Project was terminated and is no longer an active or viable transportation project; and

WHEREAS, despite the cancellation of the Knik Arm project, ADOT&PF evicted the tenant operator of the convenience store and moth-balled the building with fencing and plywood, violating the terms of the lease and the trust of the community; and

WHEREAS, the failure to comply with the lease terms has created an attractive nuisance and being at the entrance to Government Hill, a look of abandonment and economic decline, in addition to being a hardship for those who depended on the store for food, gas and other basic provisions; and

WHEREAS, ARR and the Government Hill community have long enjoyed a supportive relationship that is vital to the success of each; and

WHEREAS, compliance with this lease requirement is both reasonable and enforceable; now, therefore,

THE ANCHORAGE ASSEMBLY RESOLVES TO:

Section 1. Request that the Alaska Railroad Corporation deny the State of Alaska Department of Transportation and Public Facilities request for a change of use pertaining to 500 W. Hollywood Drive, formerly the 2-Go Tesoro store, and requiring that the terms of Lease #9999 be fully honored post-haste.

Section 5. This resolution shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 25th day of October, 2022.