

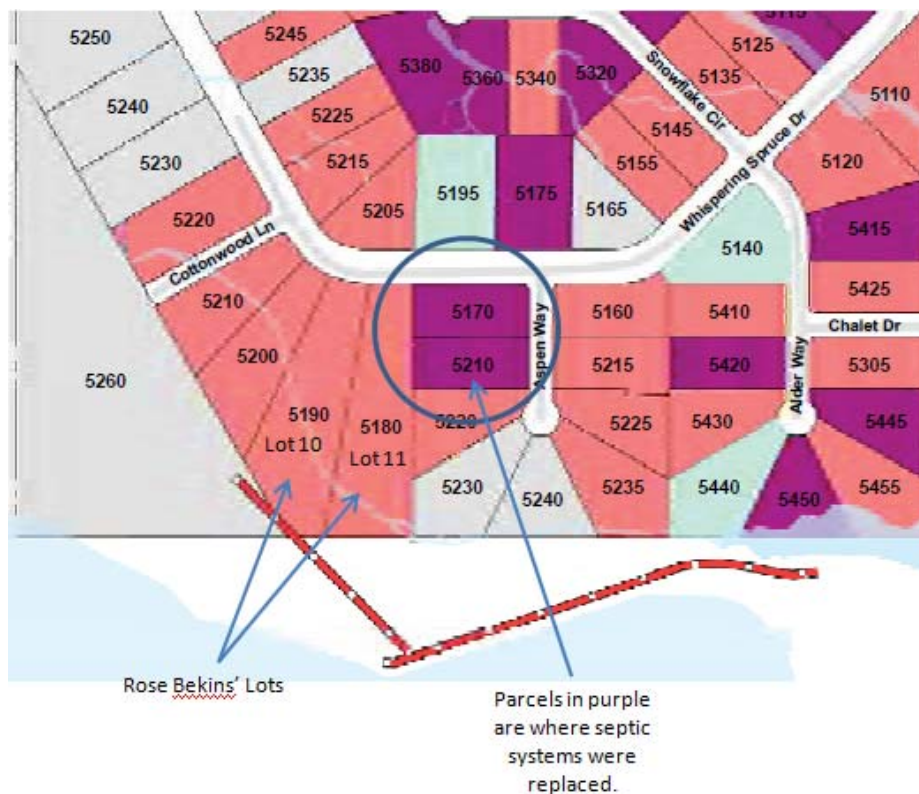
Update to the Agenda Statement Authorizing the Purchase of Lots 10 & 11, Block 2, AWS

At the second meeting in August the Council was asked to consider purchasing two lots in Alpine Woods Subdivision from Rosie Bekins. Council postponed action on the item requesting additional information from staff. Specifically, four items were requested:

- 1) Confirmation of the location of septic system installations adjacent to Lot 11 in relation to the well on that property;
- 2) A list of properties purchased by the City of Valdez in the past 10 years, and the cost per acre paid by the City in each of those transactions;
- 3) Official opinions by the Public Works and Capital Facilities Directors regarding operation value of the land being acquired by the City; and
- 4) A legal opinion from the City Attorney regarding any responsibility the City may have in acquiring this land.

Well/Septic Installation Proximity:

Septic systems were installed under the Alpine Woods Septic Replacement Program on two lots adjacent to Lot 11, owned by Ms. Bekins. This is the property on which her dwelling and well is located. The diagram below shows Ms. Bekins' lots in proximity to the lots where the septic systems were replaced.



Concern was expressed that these two systems were installed within the required 100' separation setback from her well. The stamped asbuilt drawings submitted by the engineer to ADEC were examined

and both show the septic systems installed outside the 100' separation zone. To be sure this is correct, the Building Inspector and Planning Technician in the Community Development Department "ground truthed" the distances by using a soft tape measure. The distance from one system was 105' feet. The distance from the other system was 110' feet. The measuring was conducted in the presence of Mr. Allen Crume who has been the official representative for Ms. Bekins during this process. The asbuilt surveys of the two septic system installations are attached for reference.

Concern was also expressed about the presence of contamination in the well, possibly due to proximity of adjacent septic installations. In an effort to confirm any possible well contamination, staff checked with the Water/Sewer department to determine if any well water samples had been submitted for testing by Ms. Bekins that have come up positive for bacteria. The Water/Sewer staff checked as far back as January 1, 2014 and no samples have been submitted for testing for Ms. Bekins' property. It is possible that Ms. Bekins has submitted samples for testing to outside labs. At this time staff has no confirmation of any contamination of the well.

10 Year Purchase History:

A spreadsheet containing the ten year purchase history has been attached to this agenda statement. As requested by Council member Fleming the per-acre amount has been calculated. It is important to remember several of these purchases included a mobile home structure so the per-acre cost includes the value of any improvements on the property. The spreadsheet includes a "notes" column where staff tried to identify pertinent information about each property. Finally, there are two transactions not included on the spreadsheet. One is with Eric Haltness and the other is with Benny James and that is because land trading, rather than just straight cash transactions, was involved.

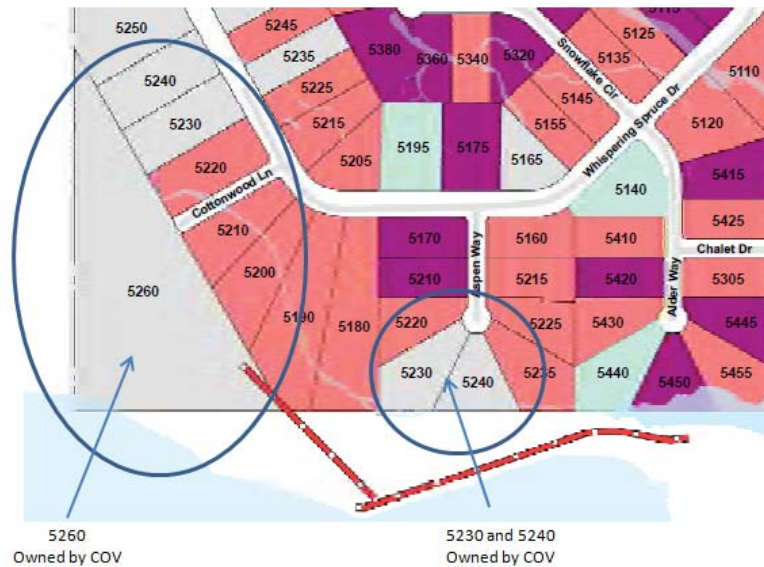
Public Works & Capital Facility Director Opinions:

There have been a small number of potential uses suggested for these parcels that would bring operational value to the City if the property is purchased. The Council requested professional opinions on the use of this property from both the Public Works and Capital Facilities Directors. Following are their responses to proposed uses of the property:

Access to the Levee System: The City owns two lots (numbered 5230 and 5240 in the diagram below) at the end of Aspen Way. These parcels are being used for access to the Levee System.

Storage for the Stockpile of Material: The two lots at the end of Aspen Way identified above and in the diagram below have been cleared and are available for the use of stockpiling material.

Snow Storage: The property is not necessary for snow storage.



Other Potential Identified Uses:

Flood Mitigation: These parcels have been identified as being suitable for potential buy-out as a flood mitigation tool. The lots are in the lowest area of the subdivision and have been subject to the influence of back-eddy water from the Lowe River given its current proximity to the subdivision. Additionally, the location of the Lowe River so close to this portion of the subdivision raises the ground water level also causing potential problems. If purchased for Flood Mitigation the improvements on the property will be demolished. The property will be deed restricted against any new development. This action will be submitted to FEMA through the Community Rating System in hopes the City may be able to improve its National Flood Insurance Program rating – which could lead to a small percentage decrease in flood insurance rates for local residents.

Neighborhood Garden: It is the understanding of staff the residents of Alpine Woods have been looking for a location for a Neighborhood Garden. It is possible these parcels could be used for this purpose.

Stand Alone Wastewater Treatment: This area of the subdivision was identified as the potential site for wastewater treatment infrastructure if a stand-alone sewer system of some type was established in the subdivision. The portion of the map below is from the 2005 HDR study that explored alternative wastewater solutions for the area.



Legal Opinion from the City Attorney:

The City attorney is prepared to provide a legal opinion on the matter, but has requested to do so in Executive Session. In order to facilitate this Council will need to table this item from its original location under Unfinished Business to later on the agenda following Executive Session. After Executive Session the Council will have discussion and vote on the matter.