

Requested by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Real Estate Department
For Reading: January 12, 2021

**ANCHORAGE, ALASKA
AR No. 2021-14**

**A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE, ALASKA,
APPROPRIATING FUNDS TO SETTLE A DISPUTE RELATED TO THE
TUDOR/ELMORE DEVELOPMENT PROJECT.**

WHEREAS, the Municipality of Anchorage, Alaska (the Municipality), entered a Development Agreement in October 2017, as amended October 17, 2019 (the "Development Agreement") with DHHS 1, LLC, an Alaska limited liability company ("Developer") for:

- a. Construction of a new 2-story 40,000 square foot building for the Anchorage Health Department (the "New AHD Building") on vacant land at Tudor and Elmore Roads;
 - b. Construction of a new facility for Anchorage School District ("ASD") buses currently located on the southwest corner of Tudor and Elmore Roads at a new location (the "New Student Transportation Facility");
 - c. Construction of at least fifty (50) units of mixed-income senior housing on the site of the current DHHS at 9th Avenue and L Street ("Senior Housing"); and
 - d. Development of approximately (a) Ninety Thousand (90,000) square feet of retail; (b) Fifty Thousand (50,000) square foot of hotel; (c) Eighty Thousand (80,000) square feet of housing; and (d) Eighty Thousand (80,000) square feet of office on the remaining vacant land at Tudor and Elmore Roads.
- (collectively, the "Tudor/Elmore Development Project" or "Project"); and

WHEREAS, a dispute related to the Project arose between the Municipality and Developer ("Dispute") which the parties now desire to settle upon terms which, *inter alia*, include payment by the Municipality of \$450,000 to Developer and up to \$610,000 to four local architecture and engineering firms; now, therefore

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. Appropriation. The Assembly hereby appropriates an amount not to exceed ONE MILLION SIXTY THOUSAND DOLLARS (\$1,060,000) of Areawide General Fund (101000) Fund Balance to the Areawide General Fund (101000), Real Estate Department for purposes of settling the Dispute.

Section 2. Effective Date. This resolution shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Assembly of the Municipality of Anchorage, this
___ day of _____, 2021.

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ATTEST:

Chair of the Assembly

Municipal Clerk

Department of Appropriation:
Real Estate Department \$1,060,000