

**RESOLUTION NO. 4961**

**A RESOLUTION ENCOURAGING CONTINUED WORK ON THE CHENA RIVERWALK PHASE III PROJECT AND CONSIDERATION FROM THE ALASKA RAILROAD CORPORATION TO GRANT A LONG-TERM LAND INTEREST FOR THE PROJECT**

**WHEREAS**, the City of Fairbanks has been working with the State of Alaska, the Fairbanks North Star Borough, and the Alaska Railroad Cooperation (ARRC) since the late 1980s to construct a Riverwalk on the north side of the Chena River; and

**WHEREAS**, the Chena Riverfront Commission is a joint Commission of the City and the Borough charged with, "planning and fostering the development of riverfront property along the Chena River;" and

**WHEREAS**, in 2015 the Fairbanks City Council adopted the goals, policies, and objectives of the Chena Riverfront Plan by Ordinance No. 5995; and

**WHEREAS**, one of the objectives in the Chena Riverfront Plan is to "Construct new paths along, above, and as close as possible to the riverbank in order to take full advantage of river views;" and

**WHEREAS**, in 1990, the ARRC offered in a letter to the Borough, "to transfer control to the FNSB this area along the river designated for greenbelt, trails, and public amenities by entering into a rent-free, long-term ground lease for this property" which was accepted by the signature of Borough Mayor Juanita Helms, but never transferred; and

**WHEREAS**, in 1993, the ARRC stated in a letter to the Borough they, "agreed to provide the land needed for the trail system for only a small administrative fee and accept the ongoing maintenance responsibility for the bridge and the portion of the trail system site on the 80-acre parcel;" and

**WHEREAS**, in 1994, the ARRC restated this commitment in a letter to the Borough with, "... the Railroad will ensure land is available for the construction of the trail at no cost to the community ..." and "ARRC will accept the ongoing maintenance responsibility for the bridge and the portion of the trail system site on the 80-acre parcel;" and

**WHEREAS**, from 1994 to 2006, the project did not make substantial progress due to lack of construction funding, but the effort was renewed with development of a Conceptual Master Plan by Festival Fairbanks, and the Chena Riverfront Commission passed Chena Riverfront Resolution 2006-2 "...strongly support[ing] the Festival Fairbanks Conceptual Master Plan for the development of a pedestrian walkway and bike path on the north side of the Chena River from Peger Road to the William Ransom Wood Centennial Bridge;" and

**WHEREAS**, in 2010, the City and Borough, respectively, passed Resolutions 4456 and 2010-44 encouraging the Alaska Legislature to transfer parcels of ARRC land to the Borough through a land exchange or by other method; and

**WHEREAS**, in 2011, the ARRC sent a letter to Senator Joe Thomas stating their commitment and support for the project and offered to issue a long-term land use permit at no cost to the community, and the City of Fairbanks applied for the permit; and

**WHEREAS**, in 2014, the ARRC granted a 5-year Land Use Permit, and the City of Fairbanks accepted its terms and conditions by Resolution 4604, including the maintenance responsibility for the path and ownership and maintenance responsibility for the pedestrian bridge over the Chena River; and

**WHEREAS**, in 2014, the City of Fairbanks received State funds to initiate design of the Chena Riverwalk Stage III project; and

**WHEREAS**, in 2017, the Fairbanks Metropolitan Area Transportation System (FMATS) provided Federal funds to complete the design and construction of the project; and

**WHEREAS**, during the design process it was realized by the City of Fairbanks and Alaska Department of Transportation and Public Facilities (ADOT&PF) that the permit was not adequate to meet Federal requirements for an investment in a public transportation facility since a revocable, near-term permit (expiring January 31, 2019) is not a secure land interest; and

**WHEREAS**, in July 2020, Fairbanks Area Surface Transportation (FAST) Planning (formerly FMATS) sent a letter to the ARRC Board of Directors summarizing the project's history and discussions with the ARRC over the past 30 years and requested a long-term interest in the land as an easement or long-term lease (preferably 50 years) at nominal or no cost to the community; and

**WHEREAS**, the ARRC expressed concerns about the width of the footprint needed for the project, and the City of Fairbanks and ADOT&PF reduced the width to 20 feet and submitted new design drawings to the ARRC; but the ARRC Board of Directors decided to, "...not proceed with the project at this time..." to watch development of the subdivision over the next year; and

**WHEREAS**, the City of Fairbanks and ADOT&PF are in the final design phase of the project, and FAST Planning has programmed \$1.7 million in Federal funds for construction of the project in 2022; and

**WHEREAS**, time is of the essence to secure a long-term land interest on ARRC's property to finish the design and right-of-way negotiations to get the project out to bid in the next 12 months, and the City and the Borough do not want to risk losing this construction funding opportunity for the community; and

**WHEREAS**, expanding the Chena Riverwalk to the north side of the Chena River is consistent with the Chena Riverfront Plan and the Borough Comprehensive Plan; and

**WHEREAS**, on July 28, 2020, the Borough Planning Commission voted to approve the Chena Riverwalk Stage III project as being consistent with the Borough Regional Comprehensive Plan; and

**WHEREAS**, the ARRC gave the City a Notice of Termination of the path permit on January 15, 2021; and

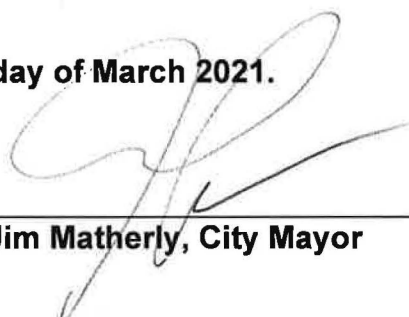
**WHEREAS**, the City Administration requested the ARRC to rescind the Notice of Termination on February 1, 2021; and

**WHEREAS**, the ARRC reconsidered the permit termination and sent a letter to the City rescinding the Notice of Termination on February 19, 2021; and

**WHEREAS**, the Chena Riverwalk Phase III project has been supported by the Chena Riverfront Commission, Borough Assembly, and City Council for over 30 years, and the community continues to support the project.

**NOW, THEREFORE BE IT RESOLVED**, that the Fairbanks City Council encourages all parties involved to continue working on securing a long-term land interest from the ARRC for the Chena Riverwalk Phase III project to bring the project to construction as soon as practical.

**PASSED and APPROVED this 22nd day of March 2021.**




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**Jim Matherly, City Mayor**

YEAS: PASSED and APPROVED on the CONSENT AGENDA  
NAYS: None  
ABSENT: None  
APPROVED: March 22, 2021


ATTEST:

APPROVED AS TO FORM:



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D. Danyielle Snider, MMC, City Clerk



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Paul J. Ewers, City Attorney