

LBC Staff Report to the Local Boundary Commission for the 6_11_14 LBC Meeting

Per the March 27, 2014 “Order on Appeal” and the May 16, 2014 “Order on Motion for Reconsideration,” the LBC staff recommends that – assuming the City of Dillingham desires to proceed with its annexation petition -- the Local Boundary Commission direct the City of Dillingham (hereafter “City”) to refile with the LBC the petition to annex 396 square miles of Nushagak Bay to the City, and for the refile to be in accordance with the requirements for legislative review. The City must comply with all of the requirements for a presubmission hearing specified by 3 AAC 110.425, and then submit the petition to the Department of Commerce, Community, and Economic Development. If the petition is found by the department to be complete in form and content, the petition can be accepted for filing. The City must then follow the other normal steps for a legislative review annexation petition, including the opportunity for written public comments, LBC staff reports, and then the LBC public hearing. In other words, this means starting the petition process all over again. The staff believes that this approach is consistent with the court’s intent as expressed in its two orders.

The LBC staff respectfully suggests that the LBC pass the attached resolution in its June 11, 2014 public meeting to carry out the court’s orders.