

Final Report to the Local Boundary Commission Concerning the Proposed Annexation of 24.29 Square Miles to the City of Aleknagik

October 1999



**Alaska Department of Community &
Economic Development**



Acknowledgments

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- Keith M. Wright

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Introduction

In its role as staff to the Local Boundary Commission (LBC), State law requires that the Alaska Department of Community and Economic Development (DCED) analyze municipal annexation proposals and offer

recommendations regarding such to the LBC. Specifically, DCED is required to prepare both a preliminary and final report on each annexation proposal. The final report is developed after due consideration is given to comments on the preliminary report. (3 AAC 110.530)

On September 20, 1999, DCED released its 49-page preliminary report (with 9 pages of appendices) regarding the proposed annexation of approximately 24.29 square miles to the City of Aleknagik. The preliminary report concluded that only a 6.29 square mile portion of the territory sought for annexation satisfies all of the requisite annexation standards. That territory was recommended for annexation by DCED. It is comprised of two separate areas located north and south of the existing City of Aleknagik boundaries. Consequently, the preliminary report recommended that the LBC amend the petition to exclude about 18 square miles and approve annexation of the remnant 6.29 square miles.

Copies of DCED's preliminary report were provided to 60 individuals and organizations. Multiple copies of the report were also provided to the City of Aleknagik for public distribution and review. Additionally, the report was made available for public review on the Internet. October 20, 1999 was the deadline for receipt of written comments on the preliminary report.

Public Comments on Preliminary Report

Timely comments regarding the DCED September 20 draft report were received from City of Aleknagik Mayor Tom Tinker, Keith M. Wright, Bob and Cindy Wener, Aleknagik City Administrator and Petitioner's

Representative Carolyn Smith, and Aleknagik Village Public Safety Officer Jason Creasey. Such comments on the preliminary report are synopsisized as follows.

Mayor Tinker's 2-page letter of October 19 indicated that a survey concerning annexation was conducted at a public meeting in Aleknagik on October 18. He stated that the survey demonstrated that, *"It is clear that a majority of tribal members that participated (in the October 18 meeting) are in favor of annexation along the western boundary, as opposed to their (Aleknagik Traditional) Council action."* (The Aleknagik Traditional Council had earlier expressed opposition to annexation of the 18 square mile area to the west of the existing boundaries. However, the Traditional Council expressed non-objection to annexation of the 6.29 square mile area subsequently recommended for annexation by DCED.)

Mayor Tinker's letter concludes with the statement, *"the city council and the planning committee would like to protest the DCED Preliminary Report, that recommends North and South territories only. The City Council and myself would highly recommend that the area of Bear Bay be included in the recommendation to the LBC in the final report."*

Mr. Wright's 2-page letter of October 13, 1999 conveyed his opposition to the proposed annexation. His letter expressed concern that *"The proposed boundaries do not show any pattern of reasonable predictable growth will take place in the next 10 years. The property is remote and will be limited to a limited group of individuals. The rivers serve as the regional transportation network so (sic) no need for additional public safety needs or other public services. There is (sic) only 58 people estimated living in the area proposed for annexation with the vast majority of 86.2% of the people occupy the area on a seasonal basis."*

A letter dated September 29 from Bob and Cindy Wener expressed objection to annexation of the 18 square mile area located to the west of the existing City of Aleknagik boundaries. (This is the same area that DCED suggested the Commission exclude from the amended petition.) However, they conceded that annexation of the two areas located north and south of the existing boundaries *"are ok considering the existing dump areas already exist in both (areas north and south) proposed annex (sic) acreages."* They stated that the City's basis for the proposal to annex the 18 square miles to the west of the existing City boundaries *"is to tax the three lodges in the area with the new city sales tax and bed tax."*

City Administrator Carolyn Smith submitted a 2-page letter (with 4 pages of attachments) on October 19, 1999. Her letter challenged the credibility of certain assertions conveyed in Bob and Cindy Wener's September 29 letter relating to their lack of information about the annexation proposal and the City of Aleknagik's sales and bed taxes.

The letter submitted by Aleknagik Village Public Safety Officer Jason Creasey described two separate incidents that required him to respond to life-threatening boating emergencies in the area proposed for annexation.

Other Considerations

At the time the petition for annexation was filed, the Petitioner anticipated that a bridge and 0.6 miles of road linking the north and south shores of Lake Aleknagik would be constructed in the very near future. Construction of the bridge was expected to bring increased road traffic to the area and lead to increased growth and development in the area proposed for annexation in the short-term. However, the State Transportation Improvement Plan recently issued by the Department of Transportation and Public Facilities anticipates design funds for the bridge in FY 2005. This schedule suggests that the bridge project and attendant growth and development of the area proposed for annexation may not occur for some time.

Hearing Schedule

The LBC has scheduled its hearing on the City's annexation proposal to be held on Saturday, November 20, 1999. The hearing will begin at 2:00 p.m. at the Aleknagik School.

Arrangements were made for formal notice of the LBC's hearing as required by law. Notice of the hearing was published as a display advertisement in the *Bristol BayTimes* on October 13, 20, and 27.

Notice of the hearing has been posted in several locations in the territory proposed for annexation and within the existing boundaries of the City. Copies of the hearing notice, hearing agenda, and guidelines for testimony were also distributed to interested parties. Additionally, a radio station in Dillingham has been asked to broadcast public service announcements regarding the hearing.

Final Conclusions & Recommendation

After considering the comments on its September 20, 1999 preliminary report, DCED affirms the analysis presented in Sections 1 –12 of its preliminary report and its preliminary conclusion that all of the standards

for annexation are satisfied by only a 6.29 square mile portion of the territory sought for annexation by the City of Aleknagik.

Accordingly, DCED hereby recommends that the LBC amend the March 1, 1999 petition of the City of Aleknagik. The effect of such amendment would be to exclude from the annexation 18 square miles of the 24.29 square miles sought by the Petitioner. Thus, DCED recommends that the Local Boundary Commission file with the Second Session of the Twenty-First Alaska State Legislature a recommendation for the annexation to the City of Aleknagik of 6.29 square miles.

A metes and bounds description and map of DCED's recommended post-annexation boundaries for the City of Aleknagik are shown on the following page.

DCED RECOMMENDED POST-ANNEXATION BOUNDARIES OF THE CITY OF ALEKNAGIK

Beginning at the NE corner of Section 28, unsurveyed T10S, R55W, Seward Meridian, Alaska, the TRUE POINT OF BEGINNING for this description; thence the following courses;

- west to the SE corner of Section 19, T10S, R55W; thence
- north to the NE corner of Section 18, T10S, R55W; thence
- west to the SW corner of the SE quarter of Section 11, T10S, R56W; thence
- northwesterly to the NW corner of Section 10, T10S, R56W; thence
- south to the SE corner of Section 33, T10S, R56W; thence
- southeasterly to the SE corner of Section 10, T11S, R56W; thence
- east to the SE corner of Section 12, T11S, R56W; thence
- north to the NE corner of Section 1, T11S, R56W; thence
- east to the SE corner of Section 33, T10S, R55W; thence
- north to the NE corner of Section 28, T10S, R55W, the TRUE POINT OF BEGINNING hereof.

Containing 25.75 square miles (16,480 acres) more or less.



