

Local Boundary Commission

Decisional Meeting for the City of Fairbanks Detachment Petition

Chair: I call this decisional meeting for the City of Fairbanks detachment petition to order on February 9, 2016 at [current time]. Commissioners, are you prepared to proceed? I would entertain a motion regarding this petition.

[After a motion and second] The floor is now open for the commissioners to discuss the following standards pertaining to this city detachment petition. This is merely a synopsis of the statutes and regulations. The commissioners, parties, and public may refer to the statutes and regulations themselves for the full text. A “yes” answer means that the standard is met, unless otherwise indicated.

City Detachment Standards

3 AAC 110.981. Maximum local self-government		
		<p>The commission will consider:</p> <p style="padding-left: 20px;">(A) Does the proposed detachment diminish the local government provided to the territory and population proposed for detachment, or detrimentally affect the remnant city’s ability to serve the local government needs of city residents?</p> <p style="text-align: center; padding-left: 40px;"><i>and</i></p> <p style="padding-left: 20px;">(B) Can the borough adequately meet the local government needs of the territory and population proposed for detachment?</p> <p style="text-align: right; padding-left: 100px;">[Commissioner discussion]</p>
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Once the LBC has considered these factors, does the proposed detachment promote maximum local self-government?
3 AAC 110.982. Minimum number of local government units		
		<p>The commission must consider whether the territory proposed for detachment is likely to be incorporated as a new city.</p> <p style="text-align: right;">[commissioner discussion]</p>
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Once the LBC has considered this, does the proposed detachment promote minimum number of local government units?
		[commissioner discussion]
3 AAC 110.260. Best interests of the state		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	<p>Is the detaching the proposed territory in the best interests of the state? The commissioners <i>may</i> consider relevant factors listed in 3 AAC 110.260(a).</p> <p style="text-align: right;">[Commissioner discussion]</p>
Yes <input type="checkbox"/>	No <input type="checkbox"/>	<p>(b) Is it necessary to incorporate the territory in order to ensure that its need for local government services will be adequately met?</p> <p style="text-align: right;">[commissioner discussion]</p> <p>If “no,” the standard is met.</p>
Yes <input type="checkbox"/>	No <input type="checkbox"/>	<p>(c) Will the petition create noncontiguous parts of the city or enclaves in the city?</p> <p style="text-align: right;">[Commissioner discussion]</p> <p>If “no,” this standard is met.</p>
		[Skip this question if the previous answer was “no.”]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	<p>If the previous answer was “yes,” and the proposed detachment <i>does</i> create noncontiguous parts of the city or enclaves in the city, does the petition still meet the detachment standards?</p> <p style="text-align: right;">[commissioner discussion]</p>

Transition Plan for the Detachment

3 AAC 110. 900. Transition		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(a) Does the petition include a practical plan demonstrating the transition or ending of municipal services in the shortest practicable time after the proposed detachment? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(b) Does the transition plan include a practical plan to assume all powers, duties, rights, and functions now provided to the territory proposed to be detached? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Was the plan prepared in consultation with the officials of each existing borough, city, and unorganized borough service area? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Was it designed to effect an orderly, efficient, and economical transfer within the shortest practicable time, not to exceed two years after the effective date of the proposed detachment? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(c) Does the transition plan include a plan to transfer and integrate all the assets and liabilities from the territory proposed to be detached? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Was the plan prepared in consultation with the officials of each existing borough, city, and unorganized borough service area wholly or partially included within the boundaries proposed for detachment? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Was the plan designed to effect an orderly, efficient, and economical transfer within the shortest practicable time, not to exceed two years after the date of the proposed detachment? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the plan specifically address procedures that ensure that the transfer and integration occur without loss of value in assets, loss of credit reputation, or a reduced bond rating for liabilities? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(d) Is it necessary for the LBC to require an agreement from the city with any party to assume powers, duties, rights, and functions, and to transfer and integrate assets and liabilities? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(e) Does the transition plan state the names and titles of officials consulted regarding the transition plan? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the transition plan list the consultation dates, and the subject addressed during that consultation? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	(f) Was the prospective petitioner unable to consult with those officials because those officials chose not to consult or were unavailable during reasonable times to consult? [commissioner discussion]

Yes <input type="checkbox"/>	No <input type="checkbox"/>	If "no," this standard is met, and the LBC can skip to 3 AAC 110.910. If the answer is "yes," does the petitioner ask the commission to waive the consultation requirements? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If yes, does the request for a waiver must document all attempts by the prospective petitioner to consult with officials of each existing borough, city, and unorganized borough service area? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If "yes," does the LBC find that the petitioner acted in good faith and that further efforts to consult with the officials would not be productive in a reasonable period of time? [commissioner discussion]
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If "yes," does the LBC grant that waiver? [commissioner discussion]
3 AAC 110.910 Statement of nondiscrimination		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does the effect of the proposed changes deny any person the enjoyment of any civil or political right? [commissioner discussion]