

# CITY OF AKUTAN

Anchorage Office  
3380 C Street, Suite 205  
Anchorage, Alaska 99503-3952  
Phone (907) 274-7555  
Fax (907) 274-1813

AKUTAN



September 24, 2004

RECEIVED

SEP 30 2004

Local Boundary Commission

Dan Bockhorst  
Alaska Local Boundary Commission  
550 West 7<sup>th</sup> Ave, Suite 1770  
Anchorage, AK 99501-3510

Dear Mr. Bockhorst:

Enclosed is our revised Petition for Annexation for the City of Akutan, as well as our authorizing resolution No. 04-05.

Along with the map that was provided by your office, I have included a map of the airport project and related road options, and a map of the geothermal sources that are being considered for development—both part of the reason we are asking for this annexation. The City and Akutan Corporation have signed initial agreements with the possible developer of the geothermal source, and the developer also is in negotiations with the Aleut Corporation. The airport project is progressing, although two of the all-road options for access have been eliminated at this point.

If there are any questions about this petition, please have your staff contact either myself or Mr. Lamar Cotton at 301-8737.

Sincerely,

Erika Tritremmel  
City Administrator

Enclosures

**PETITION BY THE CITY OF AKUTAN, A CITY WITHIN THE ALEUTIANS  
EAST BOROUGH, FOR ANNEXATION BY ELECTION OF APPROXIMATELY  
52 SQUARE MILES OF UNINHABITED TERRITORY**

The Petitioner hereby requests the Alaska Local Boundary Commission to approve this petition for annexation pursuant to Article X, Section 12 of the Constitution of the State of Alaska and AS 29.06.040(a) and (c), 3 AAC 110.600(c). All Exhibits attached to this petition are incorporated by reference.

**Section 1. PETITIONER.** The name and class of the city petitioning for annexation are listed below:

Name: City of Akutan  
Class: Second Class

**Section 2. GENERAL DESCRIPTION OF THE TERRITORY  
PROPOSED FOR ANNEXATION.** The territory proposed for annexation is generally described as follows:

An estimated 54.35 square miles comprised of 32.17 square miles of lands and 22.18 square miles of tidelands and submerged lands, the uplands on the northern and southern side of Akutan Harbor along with the uplands west of the city boundaries and waters east of the existing boundaries. The new city boundaries would encompass approximately 70 square miles.

**Section 3. REASONS FOR ANNEXATION.** The City seeks to annex the territory in question for the following reasons:

1. Eventual development of an on-land airport and a geothermal project that directly rely on city services. Both projects are located outside of the current city boundaries.

A. The Aleutians East Borough and the City of Akutan have worked closely with state and federal officials to construct an onshore airport facility in Akutan. The community is one of the few places in Alaska without airport or airstrip. As indicated on the map, the location of the proposed airport is outside of the current city boundaries. Per the most recent federal highway bill, \$3 million has been allocated for construction of a road to the airport site. (*Anchorage Daily News*, March 25, 2004). Construction of the site is slated for 2005-06. Upon arrival in Akutan, air passengers will then either travel via road or road and ferry to the community or adjacent fish processing plant. Trident Seafoods is a key user of the facility with as many as 800 workers traveling in and out of Akutan over the various fishing seasons.

**Section 9. POPULATION.** The population within the current boundaries of the City is estimated to be: 787. The population of the territory proposed for annexation is estimated to be: **zero**.

**Section 10. INFORMATION RELATING TO PUBLIC NOTICE.** Exhibit D offers information relevant to providing public notice of the annexation proceedings. This includes information about local media, adjacent municipal governments, places for posting notice, location where the petition may be reviewed and parties who, because of their interest in this matter, may warrant individual notice of the annexation proceedings.

**Section 11. CITY TAXES.** The type and rate of each tax currently levied by the City is listed below:

TAX TYPE	TAX RATE
Property tax	0%
Sales tax (General)	0%
Raw Fish Tax	1%

**Section 12. BOROUGH TAXES IN THE TERRITORY.** The type and rate of each borough tax currently levied in the territory proposed for annexation is listed below.

TAX TYPE	TAX RATE
Areawide property tax	0%
Non-area wide property tax	0%
Raw Fish Tax	2%

---

**Section 13. TAXABLE VALUE OF REAL AND PERSONAL PROPERTY.** The following is the estimated or assessed value of taxable property in the City and the territory proposed for annexation:

Within current City boundaries:

Real property/personal property: \$ 9,313,400 (01.01.03 State Assessor information)

Within area proposed for annexation:

Real property:	\$200,000 est.
Personal property:	\$:0

**Section 14. VALUE OF TAXABLE SALES.** The value of sales/seafood processed that would be subject to City sales taxes upon annexation is estimated to be **\$0.00**. At the current sales tax that applies to fish processing, this would generate an estimated **\$0.00**.

**Section 15. THREE-YEAR REVENUE PROJECTION.** It is estimated that annexation will result in the following revenues for the City during each of the first three years following annexation.

<u>Revenue Source</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Fish processing and sales	\$0.00	\$0.00	\$0.00

**Section 16. THREE-YEAR PROJECTION OF EXPENSES.** It is projected that annexation will result in the following *additional* operating and capital expenses for the City during each of the first three years following annexation.

<u>Operating Expenditure</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Planning	\$ 5,000	\$10,000	\$15,000
Health Care/EMS*	\$10,000	\$10,000	\$10,000
Marine Transportation			
Link from Airport Site	\$15,000	\$15,000	\$15,000

<u>Capital Expenditure</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
----------------------------	---------------	---------------	---------------

N/A

**Section 17. CITY POWERS AND SERVICES.** Listed below are the services and facilities currently provided by the City within its existing boundaries. All of these services, except for those designated below will be extended to the area in question upon its annexation.

Services provided within existing City limits:

1. Public Safety
2. Health Care
3. Planning
4. Administration
5. Boardwalks
6. Water and sewer

7. Electric
8. Cable TV
9. Dock
10. Recreation
11. Refuse Collection
12. Volunteer Fire/EMS & Rescue

City services not to be extended to the annexed area:

1. Water and sewer
2. Electric
3. Refuse Collection
5. Cable TV
6. Dock
7. Recreation

Please note that such services may be provided at a later date. However, it is not realistic to assume that such services will be provided upon annexation.

**Section 18. EXTRATERRITORIAL POWERS.** The City currently exercises the following powers within the territory proposed for annexation under authority of AS 29.35.020.

None formally. Informally it provides police and health services on a very limited emergency case basis only. Such services may entail the transporting of injured individuals from a vessel. However such services are limited in scope and occurrence because of the lack of a road and limited availability of marine vessels. Since such services are provided outside the current municipal boundaries, the city is subject to some legal exposure since its insurance policy does not cover such activities.

**Section 19. BONDED INDEBTEDNESS.** The following is a summary of the current bonded indebtedness of the City.

<u>Bond Issue</u>	<u>Principal Amount</u>	<u>Annual Payment</u>	<u>Date When Fully Paid</u>
-------------------	-------------------------	-----------------------	-----------------------------

**The city currently is without debt.**

**Section 20. BOROUGH SERVICE AREAS.** The territory proposed for annexation is included wholly or partially in the borough service areas listed below.

**None. The Aleutians East Borough does not have service areas.**

**There is not a map showing the boundaries of each these service areas since there are no service areas.**

### **Section 21. LISTING OF BOROUGH POWERS**

A list of all areawide and non-areawide powers exercised by the borough as well as all service area powers exercised by the borough within the territory proposed for annexation is presented as **Exhibit F**.

**The Aleutians East Borough current powers and services are:**

- 1. Planning (The cities have retained this power within their boundaries.)**
- 2. Taxation**
- 3. Education**
- 4. Health**

**Section 22. TRANSITION PLAN.** The transition plan is contained in **Exhibit G**.

**Section 23. FEDERAL VOTING RIGHTS ACT INFORMATION.** Information relevant to the federal Voting Rights Act, which is applicable to any annexation, is provided in **Exhibit H**.

**Section 24. BRIEF.** A written statement fully explaining how the proposed annexation satisfies the standards is included in **Exhibit I**.

**Section 25. AUTHORIZATION.** A certified copy of the ordinance or resolution adopted by the City Council to authorize the filing of this petition is provided as **Exhibit J**.

**Section 26. PETITION INFORMATION & ACCURACY.** An affidavit of the petitioner's representative affirming that the information in the petition is true and accurate is provided in **Exhibit K**.

**Section 27. COMPOSITION AND APPORTIONMENT OF THE CITY COUNCIL.** This will not change because of the annexation. All seven members of the council are elected at large The Mayor is then elected at large from those Council members.

DATED this 3rd day of August, 2004.

By: Erika Truitt  
Petitioner's Representative

**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE TERRITORY PROPOSED FOR**  
**ANNEXATION**

The following describes the territory proposed for annexation. The territory proposed for annexation encircles the current city boundaries.

Beginning at the NW corner of the SW $\frac{1}{4}$  of protracted Section 23, T69S, R113W, Seward Meridian;

thence east to a point where the north boundary of the S $\frac{1}{2}$  of protracted Section 19, T69S, R112W, Seward Meridian intersects with the line of mean high tide of Hot Springs Bay;

thence continuing east approximately 46,000 feet along the extension of the north boundary of the S $\frac{1}{2}$  of protracted Section 19, T69S, R112W, Seward Meridian to the intersection with the extension of the eastern boundary of the W $\frac{1}{2}$  of protracted Section 15, T70S, R111W, Seward Meridian, a point on the submerged lands near Akutan Bay;

thence south along the extension of the eastern boundary of the W $\frac{1}{2}$  of protracted Section 15, T70S, R111W, Seward Meridian, approximately 24,175 feet to a point where the line of mean high tide of Akun Strait intersects with protracted Section 15, T70S, R111W, Seward Meridian;

thence meandering southerly along the line of mean high tide to the south boundary of the N $\frac{1}{2}$  of protracted Section 22, T70S, R111W, Seward Meridian;

thence west to the SW corner of the NE $\frac{1}{4}$  of protracted Section 20, T70S, R111W, Seward Meridian;

thence south to the SE corner of the SW $\frac{1}{4}$  of protracted Section 20, T70S, R111W, Seward Meridian;

thence west to the SW corner of the SE $\frac{1}{4}$  of protracted Section 19, T70S, R111W, Seward Meridian;

thence south to the SE corner of the NW $\frac{1}{4}$  of protracted Section 30, T70S, R111W, Seward Meridian;

thence west to the SW corner of the NE $\frac{1}{4}$  of protracted Section 27, T70S, R112W, Seward Meridian;

thence north to the NW corner of the NE $\frac{1}{4}$  of protracted Section 27, T70S, R112W, Seward Meridian;

thence west to the SW corner of protracted Section 22, T70S, R112W, Seward Meridian;

thence north to the NW corner of the SW¼ of protracted Section 22, T70 S, R112W, Seward Meridian;

thence west to the SW corner of the NW¼ of protracted Section 23, T70S, R113W, Seward Meridian;

thence north to the NW corner of protracted Section 23, T69S, R113W, Seward Meridian, the point of beginning, containing approximately 32.17 square miles of lands and approximately 22.18 square miles of tidelands and submerged lands, all in the Third Judicial District, State of Alaska.

The above description is based on maps compiled from USGS Quad Unimak A-5, 1:63,360 (1989) and Unimak A-6, 1:63,360 (1989).

The above description excludes the current City of Akutan boundaries described as:

Beginning at the N.W. corner of Section 5, UT70S, R112W, Seward Meridian State of Alaska; thence South along the West boundary of Sections 5, 8, and 17, UT70S, R112W, to the S.W. corner of Section 17, UT70S, R112W, thence East along the South boundary of Section 17, 16, 15, 14, and 13, UT70S, R112W, and along the South boundary of Section 18, UT79S, R111W, to the S.E. corner of Section 18, UT70S, R111W; thence North along the East boundary of Sections 18, 7, and 6, UT70S, R111W, to the N.E. corner of Section 6, UT70S, R111W; thence West along the North boundary of Section 6, UT70S, R111W, and along the North boundary of Sections 1, 2, 3, 4, and 5, UT70S, R112W, to the N.W. corner of Section 5 UT70S, R112W, being the place beginning, containing 18 square miles more or less.



**EXHIBIT B**  
**LEGAL DESCRIPTION OF THE PROPOSED POST ANNEXATION**  
**BOUNDARIES OF THE CITY**

The following describes the territory of the City following the proposed annexation and includes the territory of the current City of Akutan.

Beginning at the NW corner of the SW $\frac{1}{4}$  of protracted Section 23, T69S, R113W, Seward Meridian;

thence east to a point where the north boundary of the S $\frac{1}{2}$  of protracted Section 19, T69S, R112W, Seward Meridian intersects with the line of mean high tide of Hot Springs Bay;

thence continuing east approximately 46,000 feet along the extension of the north boundary of the S $\frac{1}{2}$  of protracted Section 19, T69S, R112W, Seward Meridian to the intersection with the extension of the eastern boundary of the W $\frac{1}{2}$  of protracted Section 15, T70S, R111W, Seward Meridian, a point on the submerged lands near Akutan Bay;

thence south along the extension of the eastern boundary of the W $\frac{1}{2}$  of protracted Section 15, T70S, R111W, Seward Meridian, approximately 24,175 feet to a point where the line of mean high tide of Akun Strait intersects with protracted Section 15, T70S, R111W, Seward Meridian;

thence meandering southerly along the line of mean high tide to the south boundary of the N $\frac{1}{2}$  of protracted Section 22, T70S, R111W, Seward Meridian;

thence west to the SW corner of the NE $\frac{1}{4}$  of protracted Section 20, T70S, R111W, Seward Meridian;

thence south to the SE corner of the SW $\frac{1}{4}$  of protracted Section 20, T70S, R111W, Seward Meridian;

thence west to the SW corner of the SE $\frac{1}{4}$  of protracted Section 19, T70S, R111W, Seward Meridian;

thence south to the SE corner of the NW $\frac{1}{4}$  of protracted Section 30, T70S, R111W, Seward Meridian;

thence west to the SW corner of the NE $\frac{1}{4}$  of protracted Section 27, T70S, R112W, Seward Meridian;

thence north to the NW corner of the NE $\frac{1}{4}$  of protracted Section 27, T70S, R112W, Seward Meridian;

thence west to the SW corner of protracted Section 22, T70S, R112W, Seward Meridian;

thence north to the NW corner of the SW $\frac{1}{4}$  of protracted Section 22, T70 S, R112W, Seward Meridian;

thence west to the SW corner of the NW $\frac{1}{4}$  of protracted Section 23, T70S, R113W, Seward Meridian;

thence north to the NW corner of protracted Section 23, T69S, R113W, Seward Meridian, the point of beginning, containing approximately 45.52 square miles of lands and approximately 26.83 square miles of tidelands and submerged lands, all in the Third Judicial District, State of Alaska.

The above description is based on maps compiled from USGS Quad Unimak A-5, 1:63,360 (1989) and Unimak A-6, 1:63,360 (1989).

The current City of Akutan boundaries are as follows:

Beginning at the N.W. corner of Section 5, UT70S, R112W, Seward Meridian State of Alaska; thence South along the West boundary of Sections 5, 8, and 17, UT70S, R112W, to the S.W. corner of Section 17, UT70S, R112W, thence East along the South boundary of Section 17, 16, 15, 14, and 13, UT70S, R112W, and along the South boundary of Section 18, UT79S, R111W, to the S.E. corner of Section 18, UT70S, R111W; thence North along the East boundary of Sections 18, 7, and 6, UT70S, R111W, to the N.E. corner of Section 6, UT70S, R111W; thence West along the North boundary of Section 6, UT70S, R111W, and along the North boundary of Sections 1, 2, 3, 4, and 5, UT70S, R112W, to the N.W. corner of Section 5 UT70S, R112W, being the place beginning, containing 18 square miles more or less.

**EXHIBIT C**  
**MAP OF EXISTING AND PROPOSED BOUNDARIES**

A map showing the current boundaries of the City and the territory proposed for annexation is presented in this Exhibit. (See attached.)

thence west to the SW corner of protracted Section 22, T70S, R112W, Seward Meridian;

thence north to the NW corner of protracted Section 23, T69S, R113W, Seward Meridian, the point of beginning, containing approximately 45.52 square miles of lands and approximately 26.83 square miles of tidelands and submerged lands, all in the Third Judicial District, State of Alaska.

The above description is based on maps compiled from USGS Quad Unimak A-5, 1:63,360 (1989) and Unimak A-6, 1:63,360 (1989).

The current boundaries of the City of Akutan are as follows:

Beginning at the N.W. corner of Section 5, UT70S, R112W, Seward Meridian State of Alaska; thence South along the West boundary of Sections 5, 8, and 17, UT70S, R112W, to the S.W. corner of Section 17, UT70S, R112W, thence East along the South boundary of Section 17, 16, 15, 14, and 13, UT70S, R112W, and along the South boundary of Section 18, UT79S, R111W, to the S.E. corner of Section 18, UT70S, R111W; thence North along the East boundary of Sections 18, 7, and 6, UT70S, R111W, to the N.E. corner of Section 6, UT70S, R111W; thence West along the North boundary of Section 6, UT70S, R111W, and along the North boundary of Sections 1, 2, 3, 4 and 5, UT70S, R1112W, to the N.W. corner of Section 5 UT70S, R112W, being the place beginning, containing 18 square miles more or less.

**EXHIBIT D**  
**INFORMATION RELATING TO PUBLIC NOTICE**  
**MEDIA**

The following is a list of the principal media serving the area within the current and proposed boundaries of the City:

**NEWSPAPER(S)**

Name: Dutch Harbor Fisherman  
Address: 301 Calista Court, Suite B  
Anchorage, Alaska 99518  
Telephone: 348-2468

Name: Anchorage Daily News  
Address: 1001 Northway Dr  
Anchorage, Alaska  
Telephone: 257-4200

**PUBLIC RADIO STATION**

Name: KIAL/AM 1450 - Unalaska Community Radio, Inc.  
Address: P.O. Box 181  
Unalaska, AK 99685  
Telephone: 581-1888 Fax: 581-1634

**PLACES DESIGNATED FOR POSTING OF NOTICES RELATING TO  
ANNEXATION**

The following three or more public and prominent places within the territory proposed for annexation are designated for posting of notices concerning the City of Akutan petition concerning this annexation proposal.

There are no offices in the territory proposed for annexation.  
Therefore notice will be placed in the following places in Akutan that are frequented by individuals that use the area proposed for annexation:

1. City of Akutan offices
2. Akutan Post Office
3. Aleutians East Borough school building
4. McGlashan Store

5. City of Akutan Health Clinic
6. Trident Seafoods Akutan Main Office

### **MUNICIPALITIES ADJACENT TO THE CITY**

The following is a list of cities and organized boroughs whose boundaries extend within 20 miles of the current or proposed boundaries of the City.

Aleutians East Borough. The City of Unalaska is located just west of the city of Akutan and the Aleutians East Borough

## **DETAILS CONCERNING LOCATION WHERE THE PETITION MATERIALS WILL BE AVAILABLE FOR PUBLIC REVIEW**

The petitioner proposes to comply with 3 AAC 110.460(b) by providing a full set of petition documents for public review at the location(s) listed below which are open to the public on the dates and times listed below.

City of Akutan office (Akutan) 9 am - 5 pm, Monday - Friday

City of Akutan office (Anchorage) 8 am - 5 pm, Monday - Friday

Dates: This time period would be in place until the end of annexation review process.

(Please note: a copy of the petition will be available after normal business hours from 6 pm to 10 pm Monday – Friday for the two weeks before the public meeting and through the public hearing.

## **PARTIES THAT THE PETITIONER BELIEVES SHOULD BE PROVIDED INDIVIDUAL NOTICE OF THE FILING OF THE ANNEXATION PETITION.**

The following is a list of names and addresses of parties whose potential interest in the annexation proceedings may warrant individual notice.

1. Trident Seafoods Main Office Akutan, Alaska 99553
2. Akutan Corporation, Akutan, Alaska 99553
3. State of Alaska Department of Natural Resources-Division of Mining, Land and Water, 550 W 7<sup>th</sup> Ave. Ste.1050, Anchorage, Alaska 99501-3579
4. Aleutians East Borough, 3380 C Street, Suite 205. Anchorage, Alaska 99503
5. Aleutians East Borough Main office, Red Cove Road, Sand Point, Alaska 99661

**EXHIBIT E**  
**BOROUGH SERVICE AREAS**

Attached is a map or maps showing the boundaries of each borough service area wholly or partially included within the territory proposed for annexation.

N/A



**EXHIBIT F**  
**LISTING OF BOROUGH POWERS**

The following is a list of all areawide and non-areawide powers exercised by the borough as well as all service area powers exercised by the borough within the territory proposed for annexation.

**Areawide Borough Powers**

1. Taxation
2. Education
3. Planning
4. Health

**Non-areawide Borough Powers**

N/A

**Borough Service Area Powers Exercised within the Territory Proposed for Annexation**

N/A

## **EXHIBIT G TRANSITION PLAN**

The city transition plan is fairly straightforward. Key services such as planning, emergency health care and public safety will be extended to annexed area within the first year of the annexation. This will mean an internal assessment of current city capacity to provide such services in the proposed annexed area. The initial city assessment is that a limited expansion of the three core services will be required. The budget for such services (as noted in section 16) will entail annual expenses of \$30,000–40,000. The specific details of whether additional equipment, facilities and vehicles will be made upon annexation of the additional territory. It is expected that the city will be purchase an emergency medical vehicle along with needed medical supplies and equipment for emergency health care along with a public safety vehicle for the newly annexed area.

**EXHIBIT H**  
**VOTING RIGHTS ACT REVIEW**

There is no Federal Voting Rights Act impact on the area to be annexed.

## **EXHIBIT I PETITIONER'S BRIEF**

The provisions of 3 AAC 110.420(b)(18) require, "a supporting brief that provides a detailed explanation of how the proposal satisfies each constitutional, statutory, and regulatory standard that is relevant to the proposed commission action." The standards are summarized as follows:

- A. Based on relevant factors listed in 3 AAC 110.090(a), plus other relevant factors, the territory proposed for annexation exhibits a reasonable need for city government.

Per 3AAC 110.090 (a) (2-4) the city expects the development of a municipal operated airport and linking road system outside the current municipal boundaries. Moreover, the city expects exploration and possible development of a geothermal energy project adjacent to the current city boundaries. To meet the needs of the new territory and the residents of the city, the city seeks to annex adjacent lands and in turn provide emergency medical, public safety and planning services to such territories.

- B. In accordance with 3 AAC 110.090(b), services determined to be essential city services under 3 AAC 110.970 can be provided more efficiently and more effectively by the City (Petitioner) than by another existing city or by an organized borough on an areawide basis or non-areawide basis, or through an existing borough service area.

The city is the only governmental entity that would provide such services in the Aleutians East Borough.

- C. Based on relevant factors listed in 3 AAC 110.100, plus other relevant factors, the territory proposed for annexation is compatible in character with the annexing city.

The territory proposed for annexation is unpopulated. It is nonetheless suitable for reasonably anticipated community purposes (i.e. airport roads and a possible geothermal energy project).

- D. Based on relevant factors listed in 3 AAC 110.110, plus other relevant factors, the economy within the proposed expanded boundaries of the City include the human and financial resources necessary to provide services determined to be essential city services under 3 AAC 110.970 on an efficient, cost-effective level.

The territory proposed for annexation is unpopulated. The city is financially capable of providing the needed services within its current budget. The city is not anticipating additional derived from the annexed territory.

- E. Based on relevant factors listed in 3 AAC 110.120, plus other relevant factors, the population within the proposed expanded boundaries of the City are sufficiently large and stable to support the extension of city government.

The territory proposed for annexation is unpopulated. It is not expected that the area will result in new residents.

- F. Based on relevant factors listed in 3 AAC 110.130(a), plus other relevant factors, the proposed expanded boundaries of the city include all land and water necessary to provide the full development of services determined to be essential city services under 3 AAC 110.970 on an efficient, cost-effective level.

The area proposed is owned by the Akutan Corporation. The land is essentially vacant and used only sporadically for subsistence purposes.

- G. The territory proposed for annexation is contiguous to the existing boundaries of the City and would not create enclaves in the expanded boundaries of the City. Alternatively, under 3 AAC 110.130(b), a specific and persuasive showing is made that annexation of noncontiguous territory or territory that would create enclaves includes all land and water necessary to allow, on an efficient, cost-effective level, the full development of services determined to be essential city services under 3 AAC 110.970.

The territory proposed for annexation is contiguous to the existing boundaries of the city and would not create enclave in the expanded boundaries of the City.

- H. Under 3 AAC 110.130(c), the proposed expanded boundaries of the City include only that territory comprising an existing local community, plus reasonably predictable growth, development, and public safety needs during the 10 years following the effective date of annexation.

The proposed expanded boundaries of the City include only that territory comprising the City of Akutan plus reasonably predictable growth, development, and public safety needs during the 10 years following the effective date of the annexation.

- I. Under 3 AAC 110.130(d), the proposed expanded boundaries of the City do not include entire geographical regions or large unpopulated areas, except

where justified by the application of the standards in 3 AAC 110.090 - 3 AAC 110.135.

Although the territory includes somewhat large unpopulated areas, the areas identified are essential for the expansion of the road, development of the airport and the potential geothermal project.

- J. If the Petition describes boundaries overlapping the boundaries of an existing organized borough, the Petition addresses the procedures and the brief addresses the standards for either annexation of the enlarged city to the existing organized borough, or detachment of the enlarged city from the existing organized borough. If the Petition describes boundaries overlapping the boundaries of another existing city, the Petition addresses the procedures and the brief addresses the standards for detachment of territory from a city, merger of cities, or consolidation of cities.

The section is not applicable for this application.

- K. Based on relevant factors listed in 3 AAC 110.135, plus other relevant factors, annexation to the City is in the best interests of the state under AS 29.06.040(a) and 3 AAC 110.980.

Annexation of the proposed areas will promote maximum local self-government by the city logically, legally and thoughtfully extending its boundaries to provide needed basic services. As the only local provider of such services it will relieve the state government of such responsibility.

- L. The territory proposed for annexation meets the annexation standards specified in 3 AAC 110.090 - 3 AAC 110.135. Although the annexation proposal is not subject to the legislative-review annexation standard set out in 3 AAC 110.140, the brief also demonstrates with detailed facts and analysis any of the circumstances outlined in 3 AAC 110.140(1) – (9) that exist with respect to the annexation proposal.

Under 3AAC 110.140 (2) annexation of the proposed territory will allow the city to legally and safely provide emergency medical, public safety and planning services. This will enable the city to regulate and control the detrimental effects of the construction and operation of an airport road and field and possible geothermal power development project.

- M. Annexation is subject to approval by a majority of voters who vote on the question within the annexing municipality, as provided in 3 AAC 110.150(5).

The territory proposed for annexation is unpopulated.

N. In accordance with 3 AAC 110.910, the proposed annexation to the City will not deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin.

The city annexation would comply with all such provisions.

O. The Petitioner has prepared a proper transition plan under 3 AAC 110.900.

Other constitutional principles served by the annexation proposal, such as the equal-protection clause and the equal-responsibility clause of Article I, Section 1, of the Constitution of the State of Alaska and the maximum local self-government clause and minimum of local government units clause of Article X, Section 1, of the Constitution of the State of Alaska are also addressed in the supporting brief.

The city has prepared a transition plan as part of this document.

## CITY OF AKUTAN

## RESOLUTION NO. 04-05

**ENTITLED:** AUTHORIZING THE CITY ADMINISTRATION TO SUBMIT A PETITION FOR ANNEXATION TO THE STATE OF ALASKA, LOCAL BOUNDARY COMMISSION.

**WHEREAS,** the Akutan City Council has reviewed a proposal for annexation of uplands surrounding the southern portion of Akutan Harbor and uplands north and west of the current City boundaries, and

**WHEREAS,** the area is important for the City of Akutan because of the future construction of an airport and the possible development of a geothermal power project, and

**WHEREAS,** the affected areas will require City services such as police, road maintenance, health and utilities. Now, therefore be it

**RESOLVED:** That the Akutan City Council proposes that:

1. The area included for the proposed annexation shall be defined in general terms by the attached map.
2. The City administration is directed to submit a Petition of Annexation to the State of Alaska, Local Boundary Commission.

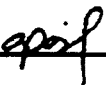
Passed and approved by a duly constituted quorum of the Akutan City Council this 22<sup>nd</sup> day of January, 2004.

Attest:

Mayor



City Clerk





STATE OF ALASKA )  
 ) ss.  
\_\_\_\_\_ JUDICIAL DISTRICT )

1. The written legal description of the territory proposed for annexation presented in Exhibit A of the petition was prepared by Lamar Cotten.
2. The written legal description of the proposed post-annexation boundaries presented in Exhibit B of the petition was prepared by Lamar Cotten.
3. The map showing the current boundaries of the City and the territory proposed for annexation presented in Exhibit C of the petition was prepared by Lamar Cotten.
4. The estimate of the size of the territory proposed for annexation stated in Section 7 of the petition was prepared by Lamar Cotten.
5. The estimate of the population within the current boundaries of the City and the territory proposed for annexation stated in Section 9 of the petition was provided by Lamar Cotten.
6. The statement of City taxes provided in Section 11 of the petition was based on information provided by Erika Tritremmel.
7. The statement of Borough taxes provided in Section 12 of the petition was based on information provided by Erika Tritremmel.

8. The statement of the value of taxable real and personal property in the City and the territory proposed to be annexed provided in Section 13 of the petition was based on information provided by Lamar Cotten.

9. The statement of the value of taxable sales in the territory proposed to be annexed provided in Section 14 of the petition was based on information provided by Lamar Cotten.

10. The statement of other revenues which may accrue to the City as a result of annexation provided in Section 15 of the petition was based on information provided by Lamar Cotten.

11. The statement of expenses which the City may incur as a result of annexation provided in Section 16 of the petition was based on information provided by Erika Tritremmel and Lamar Cotten.

12. The statement of City services provided in Section 17 of the petition was based on information provided by Erika Tritremmel and Lamar Cotten.

13. The statement of extraterritorial City services as provided in Section 18 of the petition was based on information provided by Erika Tritremmel and Lamar Cotten.

14. The statement of City bonded indebtedness as provided in Section 19 of the petition was based on information provided by Lamar Cotten.

15. The maps showing the boundaries of each borough service area wholly or partially within the territory proposed for annexation as presented as Exhibit E were provided by Lamar Cotten.

16. The listing of borough areawide powers, borough non-areawide powers and borough service area powers exercised within the territory proposed for annexation presented as Exhibit F was prepared by Lamar Cotten.

17. The transition plan presented as Exhibit G of the petition was prepared in consultation with the following parties: The City of Akutan and the Aleutians East Borough.

18. The federal Voting Rights Act information presented as Exhibit H of the petition was prepared by Lamar Cotten.

19. The information contained in the petition for annexation is complete and factual to the best of my knowledge.

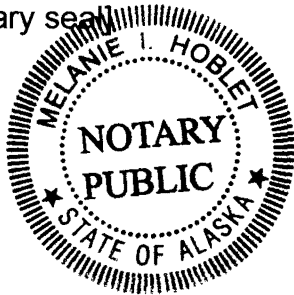
DATED this 9<sup>th</sup> day of August, 2004.

Emilia T. Strommel

Petitioner's Representative

SUBSCRIBED AND SWORN TO before me on this 9<sup>th</sup> day of August, 2004.

[notary seal]



Melanie I. Hoblet

Notary Public in and for Alaska

My Commission expires: \_\_\_\_\_

My Commission Expires:  
March 20, 2007



BLACK DOTS REPRESENT  
FUMARoles AND HOT SPRINGS.  
LARGE DOT IS CONE OF THE  
VOLCANO

