

CITY OF GUSTAVUS, ALASKA

RESOLUTION 2008-23

**A RESOLUTION OF THE CITY COUNCIL OF GUSTAVUS, ALASKA
AUTHORIZING THE PREPARATION OF A PETITION FOR
ANNEXATION OF TERRITORY TO THE CITY OF GUSTAVUS**

WHEREAS, the territory proposed for annexation exhibits a reasonable need for city government as required by 3 AAC 110.090(a); and

WHEREAS, the City is capable of providing "essential city services" (as defined by 3 AAC 110.990(8)) more efficiently and more effectively to the territory proposed for annexation than another existing city or organized borough as required by 3 AAC 110.090(b); and

WHEREAS, the territory proposed for annexation is compatible in character with the area inside the current boundaries of the City as required by 3 AAC 110.100; and

WHEREAS, the area within the proposed post-annexation boundaries of the City (i.e., the territory proposed for annexation and the area within the existing boundaries of the City) includes the human and financial resources needed to provide essential city services on an efficient, cost-effective level as required by 3 AAC 110.110; and

WHEREAS, the population within the proposed post-annexation boundaries of the City is sufficiently large and stable to support the extension of city government as required by 3 AAC 110.120; and

WHEREAS, the proposed post-annexation boundaries of the City encompass all land and water necessary to provide the full development of essential city services on an efficient, cost-effective level as required by 3 AAC 110.130(a); and

WHEREAS, the territory proposed for annexation is contiguous to the City's present corporate boundaries as presumed by 3 AAC 110.130(b), and

WHEREAS, the proposed post-annexation boundaries of the City include only that area comprising the local community plus reasonably predictable growth, development, and public safety needs during the 10 years following the effective date of annexation as required by 3 AAC 110.130(c); and

WHEREAS, the proposed post-annexation boundaries of the City exclude entire geographical regions or large unpopulated areas, except where justified by the application of the city annexation standards in 3 AAC 110.090 - 3 AAC 110.130; and

WHEREAS, the territory proposed for annexation does not overlap the boundaries of an existing organized borough or City; and

WHEREAS, the proposed annexation area includes the nearly completed Falls Creek hydro electric site and a substantial tidal power resource in Icy Passage, which the City proposes to develop; and

WHEREAS, the proposed annexation area includes moorage locations central to the City's adjacent marine facilities; and

WHEREAS, the Gustavus Volunteer Fire Department has historically provided emergency response, including search and rescue services in the proposed annexation area; and

WHEREAS, 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 in accordance with 3 AAC 110.910; and

WHEREAS, annexation will serve the balanced best interests of the state, the territory proposed for annexation, and affected political subdivisions as required by 3 AAC 110.140.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GUSTAVUS, as follows:

Section 1. Authorization. That the special Borough Committee is authorized to prepare a petition for annexation by legislative review with the Alaska Local Boundary Commission. The petition shall propose the annexation of the area generally described as all lands and waters contained within the following meets and bounds:

Beginning at the NE corner of Gustavus Municipal lands (NE corner Sec 3, T40S, R59E CRM); Thence along the N boundary of Sec 2 (T40S, R59E CRM); Thence along the W, N, and E boundaries of Sec 36 (T39S, R59E CRM), to the NW corner of Sec 31 (T39S, R60E CRM); Thence due S to the N shore of Icy Passage; Thence due S across Icy Passage to the Mean High Tide (MHT) line of Pleasant Island; Thence along the MHT meander line along the N shore of Pleasant Island to the Island's westernmost tip; Thence

approximately WNW to the SW corner of the Gustavus Municipal Boundary at a point in Icy Strait; Thence approximately ENE along the Gustavus Municipal Boundary through Icy Passage, to the SE corner of the Gustavus Municipal Boundary at a point in Icy Passage; Thence N along the Gustavus Municipal Boundary to the point of origin.

with final boundaries to be determined following consultation with the professional staff of the Local Boundary Commission, and

Containing 18 Square Miles, more or less.

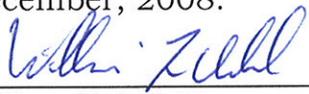
Authorization to file the petition with the LBC shall be the subject of a separate resolution after review and approval by the Council.

Section 2. Petitioner's Representative. That the Mayor or his designee will represent the City for all matters relating to the annexation proceedings.

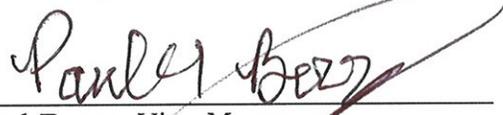
Section 3. Terms and Conditions. That the annexation will be on the terms contained in the annexation petition developed by the City of Gustavus in consultation with the Local Boundary Commission and approved by the State Legislature.

Section 4. Effective Date. That this resolution shall become effective immediately.

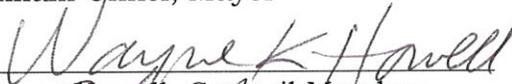
PASSED AND ADOPTED by the Gustavus City Council this 11th day of December, 2008.



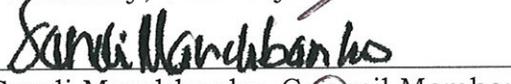
William Unkel, Mayor



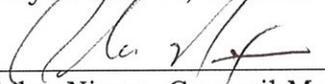
Paul Berry, Vice Mayor



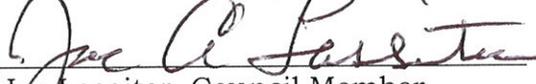
Wayne Howell, Council Member



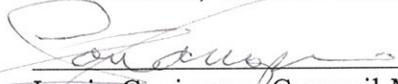
Sandi Marchbanks, Council Member



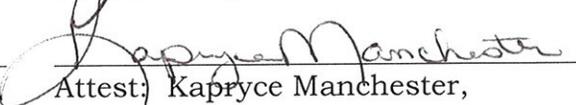
John Nixon, Council Member



Joe Lassiter, Council Member



Louis Cacioppo, Council Member



Attest: Kapryce Manchester,
City Clerk