



	Approved	Denied
Date Action Taken:		
Other:	Postponed Indefinitely 9/22/08	
Verified by:	[Signature]	

[Handwritten initials]

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 08-57

TITLE: DIRECTING THE ANNEXATION OF WHISPERING WOODS SUBDIVISION AND PARCEL B19 (17N01W12B019) INTO THE CITY OF WASILLA.

Agenda of: September 22, 2008

Date: September 10, 2008

Originator: City Clerk's Office for Council Member Menard

Route to:	Department	Signature/Date
	Police Chief	
	Culture and Recreation Services	
	Public Works	
X	Finance	
X	Deputy Administrator	
X	City Clerk	[Signature]

REVIEWED BY MAYOR DIANNE M. KELLER: _____

FISCAL IMPACT: yes \$ _Unknown_____ or no Funds Available yes no
Account name/number:

Attachments: Exhibit A; Memorandum from Tom Klinkner, dated Sept. 9, 2008, regarding annexation methods.

SUMMARY STATEMENT:

On August 25, 2008, the Wasilla City Council approved an area near Maney Acres Subdivision # 2 for annexation (Maney Acres Sub. # 2: Block 3, Lots 1, 2, 3, and 4: S 1/2, SE ¼ ; NE ¼ ; Section 11, T17N, R01W).

Council Member Menard proposes to add Whispering Wood Subdivision (Block 1, Lots 1 – 20 and Block 2, Lots 1-16) and Parcel B19 (Exhibit A, attached) as an area to be annexed in conjunction with the Maney Acres Subdivision # 2 annexation.

Residents of Whispering Woods have requested annexation and annexation appears logical as the subdivision is located in the middle of the City of Wasilla. Tract B19 is currently undeveloped.

In addition the Planning Commission included this area for annexation in Planning Commission Resolution Serial No. 08-14, adopted August 12, 2008.

ACTION:

To authorize the annexation of Whispering Wood Subdivision (Block 1, Lots 1 – 20 and Block 2, Lots 1-16) and Tract B19, as described on Exhibit A, attached, by the method of annexation through election.

Method of Annexation

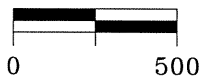
Election: An area may be annexed to the City, upon approval by (i) a majority of votes on the question cast by voters residing in the area proposed to be annexed; and a majority of votes on the question cast by voters residing in the City. AS 29.06.040(c)(1) and (2); 3 AAC 110.150.(3).

EXHIBIT A

Proposed annexation area within
 Section 12, Township 17 North,
 Range 01 West, S.M., Alaska
 Approximately 93.0 acres

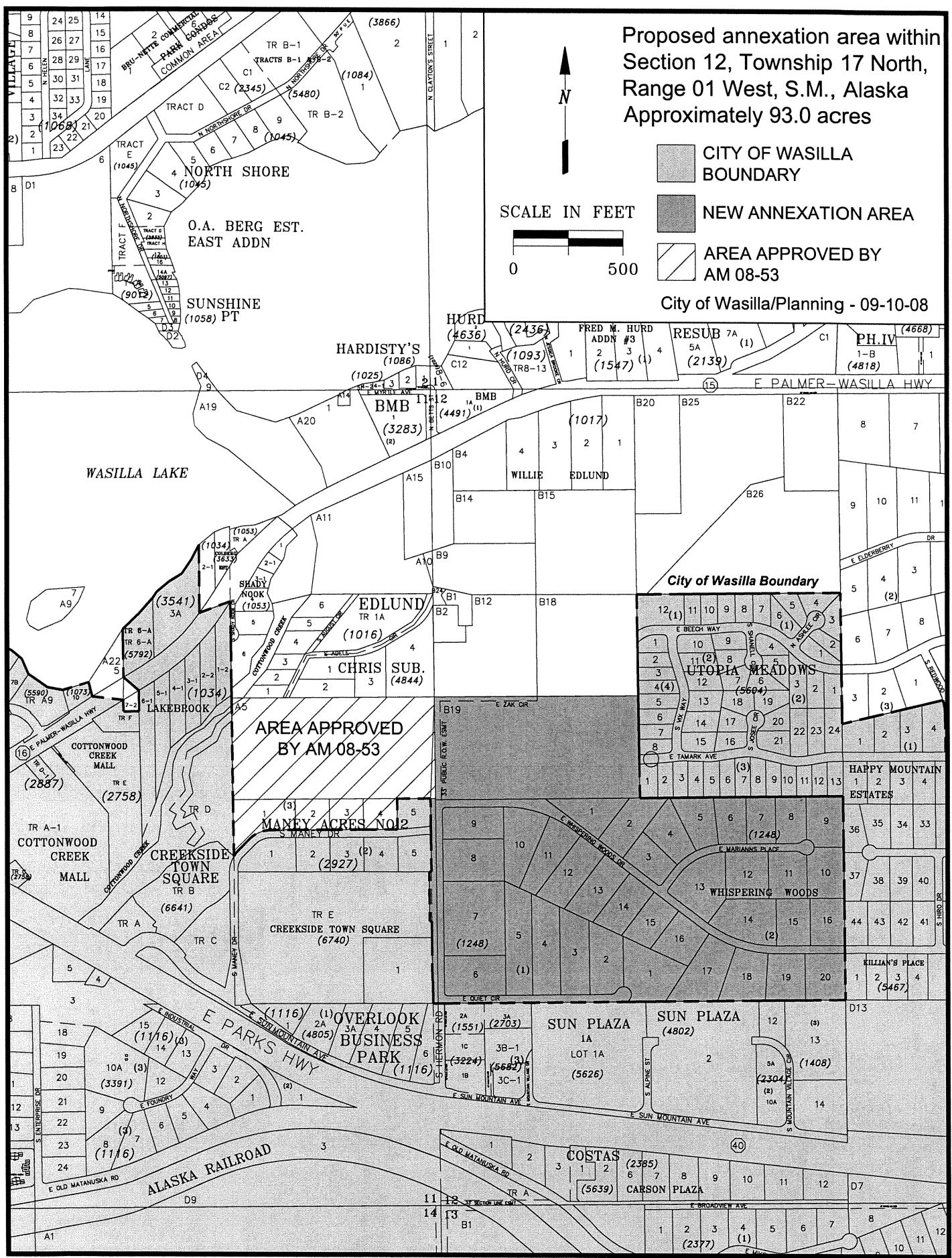


SCALE IN FEET



- CITY OF WASILLA BOUNDARY
- NEW ANNEXATION AREA
- AREA APPROVED BY AM 08-53

City of Wasilla/Planning - 09-10-08



MEMORANDUM

TO: Members of the City Council
FROM: Tom Klinkner
DATE: September 8, 2008
RE: Annexation Methods

RECEIVED
SEP 08 2008
OFFICE OF THE CITY CLERK
CITY OF WASILLA

The following describes in detail the methods that are available to annex contiguous territory to the City. On April 14, 2008, the Council adopted Resolution Serial No. 08-11, supporting the use of all methods of annexation to the City provided for in state law. The resolution recited that state law provides for “seven different types of annexation.” Unfortunately, this statement, apparently based on out-of-date information on the state website, is inaccurate. In fact, state law presently provides for only five types of annexation, which are described below.

1. **City-Owned Property.** City-owned property may be annexed to the City by ordinance. AS 29.06.040(c)(3); 3 AAC 110.150(1).
2. **Petition of All Voters and Property Owners.** An area may be annexed to the City by ordinance without an election if all owners of property in the area and all voters residing in the area petition the Council. AS 29.06.040(c)(4); 3 AAC 110.150(2).
3. **Election.** An area may be annexed to the City, upon approval by (i) a majority of votes on the question cast by voters residing in the area proposed to be annexed; **and** a majority of votes on the question cast by voters residing in the City. AS 29.06.040(c)(1) and (2); 3 AAC 110.150(3). Note that previously described options for annexation to the City by a vote of **either** voters only within the area to be annexed **or** only within the City, have been eliminated by statutory amendment.
4. **Step Annexation.** An area may be annexed to the City gradually over a period not exceeding five years, with approval by the Local Boundary Commission and the voters of the area proposed for annexation, and with review and tacit approval (meaning that the Local Boundary Commission files its recommendation for approval of the annexation during the first 10 days of a regular session of the legislature, and the legislature fails to adopt a concurrent resolution to deny the action within 45 days after it was filed. Alaska Const. art X, §12; AS 29.06.040(b); AS 44.33.812(b)(2).
5. **Legislative Review.** An area may be annexed to the City without approval by voters or property owners with the approval by the Local Boundary Commission and the tacit approval of the legislature in the manner described under step annexation above. Alaska Const. art X, §12; AS 29.06.040(b).