

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Dept. of Law
For Reading: October 28, 2008

CLERK'S OFFICE

APPROVED
Date: 12-2-08

ANCHORAGE, ALASKA
AO NO. 2008-118

1 **AN ORDINANCE APPROVING ANNEXATION OF PROPERTIES TO MOUNTAIN**
2 **PARK/ROBIN HILL LIMITED ROAD SERVICE AREA (LRSA), PURSUANT TO**
3 **ALASKA STATUTES 29.35.450(c)(3), AND AMENDING THE BOUNDARIES OF**
4 **THE LRSA IN ANCHORAGE MUNICIPAL CODE SECTION 27.30.700**
5 **ACCORDINGLY, EFFECTIVE JANUARY 1, 2009.**

6
7 **WHEREAS**, the Mountain Park/Robin Hill Limited Road Service Area was created
8 by Anchorage Ordinance 83-116; the current mill rate shall not exceed 1.3 mills in
9 any calendar year; and

10
11 **WHEREAS**, amendments to Alaska Statutes 29.35.450(c)(3) in 2007 provide for
12 parcels to be added to an existing service area, without the necessity of a vote,
13 where the service area provides the only access to the those parcels; and

14
15 **WHEREAS**, the 39 properties proposed for annexation, attached hereto as Exhibit
16 A, are accessible only through roads located within and maintained by Mountain
17 Park/Robin Hill LRSA; and

18
19 **WHEREAS**, it is appropriate to add these properties already utilizing the roads
20 maintained by the LRSA into the road service area to contribute to the cost of the
21 area; now, therefore,

22
23 **THE ANCHORAGE ASSEMBLY ORDAINS:**

24
25 **Section 1.** The 39 properties specifically described on Exhibit A are added to the
26 Mountain Park/Robin Hill Limited Road Service Area

27
28 **Section 2.** The boundaries of Mountain Park/Robin Hill Limited Road Service
29 area in Anchorage Municipal Code section 27.30.700 are amended to add the new
30 properties.

31
32 **Section 3.** This ordinance shall be effective on January 1, 2009.

33
34 PASSED AND APPROVED by the Anchorage Municipal Assembly this 2nd day of
35 December, 2008.

36
37 
Chair of the Assembly

38 ATTEST:
39 
40 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

Title: AO 2008-118 ANNEXING CERTAIN PARCELS IN THE SECLUDED HILL, TUSTAMENA, ROSEBUD HILLS AND CONTOUR ACRES NO. 4 SUBDIVISIONS TO THE MT. PARK/ROBIN HILL LIMITED ROAD SERVICE AREA (LRSA) WHICH ROAD ACCESS IS SOLELY THROUGH THE MT. PARK/ROBIN HILL LRSA AND AMEND THE MT. PARK/ROBIN HILL LRSA BOUNDARIES IN ANCHORAGE MUNICIPAL CODE SECTION 27.30.700, EFFECTIVE UPON ADOPTION OF THIS ORDINANCE.

Sponsor: Mayor
Preparing Agency: Maintenance and Operations Department
Others Impacted: N/A

Mill Levy Changes: No changes in maximum mill levy are anticipated. Increases in Expenditures and Revenues based on Mt. Park/Robin Hill LRSA maximum 1.30 mill levy will occur. Assumption is that general annual assessed valuation and general operating budget increases will be five percent (5%) per budget period.

Budget Period:	BP2009	BP2010	BP2011	BP2012	BP2013
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Operating Expenditures: Expressed in Thousand Dollars

1000 Personnel Services	-	-	-	-	-
2000 Supplies	21.7	22.8	23.9	25.1	26.4
3000 Contribution to Others	-	-	-	-	-
4000 Debt Service	-	-	-	-	-
5000 Capital Outlay	-	-	-	-	-

Total Direct Costs: Expressed in Thousand Dollars

21.7	22.8	23.9	25.1	26.4
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Add: 6000 Charge from Others

-	-	-	-	-
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Less: 7000 Charge to Others

-	-	-	-	-
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Function Cost: Expressed in Thousand Dollars

21.7	22.8	23.9	25.1	26.4
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Revenues: Expressed in Thousand Dollars

21.7	22.8	23.9	25.1	26.4
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Capital:	None	None	None	None	None
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Positions:	None	None	None	None	None
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PUBLIC SECTOR ECONOMIC EFFECTS:

No substantial public sector economic effects anticipated. Public sector estimated economic effects based on the maximum 1.30 mill levy are less than \$26,500 in budget year 2009 or any of the next four budget years. (Estimated 2009 Assessed Valuation of Annexed Properties within the Subdivision will be \$16,726,000. Mt. Park/Robin Hill LRSA maximum mill levy is 1.30 mills. Maximum tax revenues will be \$21,743 for Budget Year 2009).

PRIVATE SECTOR ECONOMIC EFFECTS:

No substantial private sector economic effects anticipated. Private sector estimated economic effects are less than \$26,500 in budget year 2009 or any of the next four years. If approved, affected private property owners within the affected subdivisions will pay up to \$130 of property taxes per \$100,000 assessed value annually for Mt. Park/Robin Hill LRSA annual road maintenance service costs.

Prepared by: Gerald A. Pineau, Senior Administrative Officer, Resource Management Division
Recommended by: Alan J. Czajkowski, Director, Maintenance & Operations Department



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

AM 748-2008

Meeting Date: October 28, 2008

FROM: Mayor

SUBJECT: AN ORDINANCE APPROVING ANNEXATION OF PROPERTIES TO MOUNTAIN PARK/ROBIN HILL LIMITED ROAD SERVICE AREA (LRSA), PURSUANT TO ALASKA STATUTES 29.35.450(c)(3), AND AMENDING THE BOUNDARIES OF THE LRSA IN ANCHORAGE MUNICIPAL CODE SECTION 27.30.700 ACCORDINGLY, EFFECTIVE JANUARY 1, 2009.

This Ordinance annexes certain properties to the Mountain Park/Robin Hill LRSA pursuant to AS 29.35.450(c)(3) and amends the boundaries of the LRSA in Anchorage Municipal Code section 27.30.700 without requiring the vote of the affected property owners. The current mill rate is set at a maximum of 1.30 mills in a calendar year. See attached Mountain Park/Robin Hill LRSA Map depicting the annexation area.

The Mountain Park/Robin Hill LRSA Board of Supervisors, after holding a public noticed meeting, requested the Assembly to annex certain affected properties with access solely using the roads maintained by their LRSA. The board has also sent a letter to each affected property owner informing them of the board's decision. See attached Mountain Park/Robin Hill LRSA Map depicting the annexation area.

The 25th Legislature approved House Bill 185, effective September 4, 2007, relating to certain municipal service areas providing road services. If roads maintained by service area provide the only access to the subdivision or parcel or provide access to the subdivision or parcel that is required by the subdivision plat or by other regulation, an ordinance does not require the majority vote of the affected service area voters or the affected annexing property voters. See attached HOUSE BILL HB 185 TEXT amendment to AS 29.35.450(c), attached hereto.

In order to provide ample opportunity for the affected property owners to participate in the Assembly public hearing process, the Administration respectfully requests introduction of the ordinance on October 28, 2008, with a public hearing on December 2, 2008. During the interim period, the Administration will inform the affected property owners by certified mail, providing a copy of the memorandum and ordinance, explaining the public hearing process, the affect on their property taxes and the road maintenance services they can expect to receive as well as their ability to participate in the LRSA board of supervisors meetings.

THE ADMINISTRATION RECOMMENDS THAT THE ORDINANCE APPROVING ANNEXATION OF PROPERTIES TO MOUNTAIN PARK/ROBIN HILL LIMITED ROAD SERVICE AREA (LRSA), PURSUANT TO ALASKA STATUTES 29.35.450(c), AND AMENDING THE BOUNDARIES OF THE LRSA IN ANCHORAGE MUNICIPAL CODE SECTION 27.30.700 ACCORDINGLY, EFFECTIVE JANUARY 1, 2009.

Prepared by:	Gerald A. Pineau, Sr. Adm. Officer, Resource Management Division
Recommended by:	Alan J. Czajkowski, Director, Maintenance & Operations Dept.
Fund certification:	Sharon Weddleton, CFO
Concur:	Michael K. Abbott, Municipal Manager
Respectfully submitted:	Mark Begich, Mayor

Exhibit A
Properties to Annex to Mountain Park/Robin Hill LRSA

Secluded Hills Subdivision, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8

Secluded Hills Subdivision, Block 2, Lots 1, 2, 3, 4, 5

Tustamena Terrace Subdivision, Lots 6, 7A, 8A, 14A, 15A

Tustamena Terrace Subdivision, Addition 1, Lots 9, 10, 11, 12, 13 and 16

Rosebud Hills Subdivision, Block 1, Lots 1, 2, 3, 4, 5, 6, 7

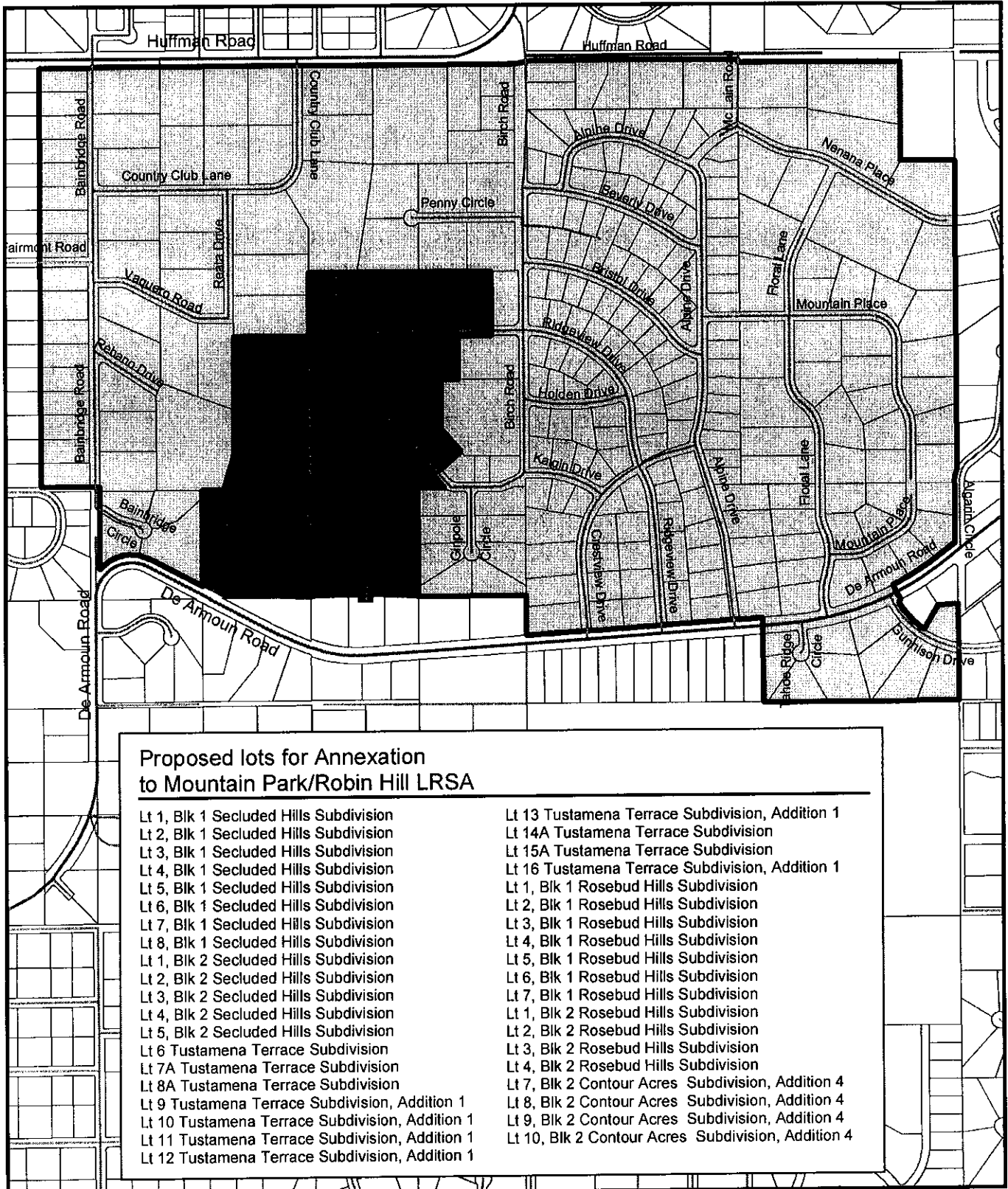
Rosebud Hills Subdivision, Block 2, Lots 1, 2, 3, 4

Contour Acres Subdivision, Addition 4, Block 2, Lots 7, 8, 9, 10

Mountain Park/Robin Hill Limited Road Service Area

- Proposed Annexation to Mountain Park/Robin Hill LRSA
- Existing Mountain Park/Robin Hill LRSA

'7401' Address House Number



HOUSE BILL 185 TEXT

Section 1. AS 29.35.450 (c) is amended to read:

(c) If voters reside within a service area that provides road, fire protection, parks and recreation services, abolishment of the service area is subject to approval of the majority of the voters residing in the service area who vote on the question. A service area that provides road, fire protection, or parks and recreation in which voters reside may not be abolished and replaced by a larger service area unless that proposal is approved, separately, by a majority of the voters who vote on the question residing in the existing service area and a majority of the voters who voted on the question residing in the area proposed to be included within the new service area but outside of the existing service area. A service area that provides road, fire protection or parks and recreation services in which voters reside may not be altered or combined with another service area unless the proposal is approved, separately, by a majority of the voters who vote on the question and who reside in each of the service areas or in the area outside of service areas that is affected by the proposal. ***This subsection does not apply***

(1) to a proposed change to a service area that provides fire protection services that would result in the increasing the number of parcels of land in the service area or successor service area if the increase is not more than six percent and would add not more than 1,000 residents:

(2) in a second class borough to abolishment of a road service area or consolidation of two service areas if

(A) taxes have not been levied in the service area for road maintenance or construction during the last 12 months and there is no balance in any account available to pay for these road services for the service area;

(B) during the last 12 months, the service area board has not met with a quorum present and in accordance with law; or

(C) there are no road maintenance contracts in effect for the service area or the existing road maintenance contracts fail to provide for minimum road standards required by law that are necessary to protect the borough from civil liability;

(3) to require approval by the voters residing in a subdivision proposed to be added to a road service area if roads maintained by the service area provide the only access to the subdivision or provide access to the subdivision that is required by the subdivision plat or by other regulation or ordinance;

(4) to a change in the boundaries of a road service area to a subdivision or a parcel that does not rely on the use of roads maintained by the service area for the subdivision's or parcel's only access or for access that is required by the subdivision plat or by other regulation or ordinance.

Content ID: 007007

Type: Ordinance - AO

An Ordinance Approving Annexation of Properties to Mt. Park/Robin Hill LRSA,

Title: Pursuant to AS 29.35.450(c)(3), and Amending AMC Section 27.30.700
Accordingly, Effective January 1, 2009

Author: pineaug

Initiating Dept: StreetMaint

Date Prepared: 10/21/08 10:25 AM

Director Name: Alan J. Czajkowski

Assembly Meeting Date: 10/28/08

Public Hearing Date: 12/2/08

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	10/24/08 12:49 PM	Exit	Heather Handyside	Public	007007
MuniMgrCoord_SubWorkflow	10/24/08 12:49 PM	Approve	Heather Handyside	Public	007007
MuniManager_SubWorkflow	10/24/08 12:49 PM	Approve	Heather Handyside	Public	007007
Legal_SubWorkflow	10/24/08 11:55 AM	Approve	Rhonda Westover	Public	007007
Finance_SubWorkflow	10/24/08 11:15 AM	Approve	Nina Pruitt	Public	007007
OMB_SubWorkflow	10/24/08 9:58 AM	Approve	Wanda Phillips	Public	007007
StreetMaint_SubWorkflow	10/23/08 11:11 AM	Approve	Maury Robinson	Public	007007
AllOrdinanceWorkflow	10/23/08 8:14 AM	Checkin	Gerald Pineau	Public	007007
OMB_SubWorkflow	10/22/08 4:26 PM	Reject	Wanda Phillips	Public	007007
StreetMaint_SubWorkflow	10/21/08 1:59 PM	Approve	Alan Czajkowski	Public	007007
AllOrdinanceWorkflow	10/21/08 10:29 AM	Checkin	Gerald Pineau	Public	007007

Adendum