

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. 2008-119

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

6  
7 **WHEREAS**, the Upper O'Malley LRSA was created by Anchorage Ordinance 79-  
8 234; the current mill rate shall not exceed 2.00 mills in any calendar year; and  
9

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

14 **WHEREAS**, the twenty properties proposed for annexation, attached hereto as  
15 Exhibit A, are accessible only through roads located within and maintained by Upper  
16 O'Malley LRSA; and  
17

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

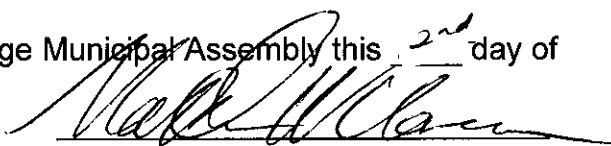
22 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
23

24 **Section 1.** The twenty properties specifically described on Exhibit A are added to  
25 the Upper O'Malley LRSA.  
26

27 **Section 2.** The boundaries of Upper O'Malley LRSA in Anchorage Municipal  
28 Code section 27.30.700 are amended to add the new properties.  
29

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

32 PASSED AND APPROVED by the Anchorage Municipal Assembly this 2<sup>nd</sup> day of  
33 December, 2008.

  
Chair of the Assembly

36 ATTEST:

37   
38  
39 Municipal Clerk  
40

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects - General Government**

**Title:** AO 2008 - 119      **AN ORDINANCE APPROVING ANNEXATION OF PROPERTIES TO UPPER O'MALLEY 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.**

**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 Upper O'Malley LRSA maximum 2.00 mill levy will occur. Assumption is that general annual assessed valuation and general operating budget increases will be five percent (5%) per budget period.

<b>Budget Period:</b>	<b>BP2009</b>	<b>BP2010</b>	<b>BP2011</b>	<b>BP2012</b>	<b>BP2013</b>
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**Operating Expenditures: Expressed in Thousand Dollars**

1000 Personnel Services	-	-	-	-	-
2000 Supplies	25.8	27.1	28.5	29.9	31.4
3000 Contribution to Others	-	-	-	-	-
4000 Debt Service	-	-	-	-	-
5000 Capital Outlay	-	-	-	-	-

**Total Direct Costs: Expressed in Thousand Dollars**

25.8	27.1	28.5	29.9	31.4
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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**

25.8	27.1	28.5	29.9	31.4
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**Revenues: Expressed in Thousand Dollars**

25.8	27.1	28.5	29.9	31.4
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<b>Capital:</b>	None	None	None	None	None
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<b>Positions:</b>	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 2.00 mill levy are less than \$32,000 in budget year 2009 or any of the next four budget years. (Estimated 2009 Assessed Valuation of Annexed Properties within the Subdivision will be \$12,882,030. Upper O'Malley LRSA maximum mill levy is 2.00 mills. Maximum tax revenues will be \$25,764 for Budget Year 2009).

**PRIVATE SECTOR ECONOMIC EFFECTS:**

No substantial private sector economic effects anticipated. Private sector estimated economic effects are less than \$32,000 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 \$200 of property taxes per \$100,000 assessed value annually for Upper O'Malley 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 749- 2008

**Meeting Date:** October 28, 2008

**FROM: MAYOR**

**SUBJECT: AN ORDINANCE APPROVING ANNEXATION OF PROPERTIES TO UPPER O'MALLEY 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 Upper O'Malley 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 2.00 mills in a calendar year. Exhibit A to the Ordinance identifies the affected properties.

The Upper O'Malley LRSA Board of Supervisors, after holding a publicly noticed meeting, decided to request the Assembly to annex certain affected properties that only have access using the roads maintained by their LRSA. The board has discussed the annexation with most of the affected property owners informing them of the board's decision. See attached Upper O'Malley LRSA Maps depicting annexation Areas A, B, C and D.

The 25<sup>th</sup> Legislature approved House Bill 185, effective September 4, 2007, relating to certain municipal service areas providing road service. If roads maintained by a service area provide the only access to the subdivision or parcel or provide access to the subdivision or parcel 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 HOUSE BILL 185, amendment to AS 29.35.450(c)(3), 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 set on December 2, 2008. During the interim period, the Administration will inform the affected property owners by certified mail, providing a copy of the ordinance and memorandum, explaining the public hearing process, the effect 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.

1  
2 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**  
3 **APPROVING ANNEXATION OF PROPERTIES TO UPPER O'MALLEY LRSA,**  
4 **PURSUANT TO ALASKA STATUTES 29.35.450(c)(3), AND AMENDING THE**  
5 **BOUNDARIES OF THE LRSA IN ANCHORAGE MUNICIPAL CODE SECTION**  
6 **27.30.700 ACCORDINGLY, EFFECTIVE JANUARY 1, 2009.**  
7

8 Prepared by: Gerald A. Pineau, Sr. Administrative Officer  
9 Resource Management Division

10 Recommended by: Alan J. Czajkowski, Director  
11 Maintenance & Operations Dept.

12 Concur: Sharon Weddleton, CFO

13 Concur: James N. Reeves, Municipal Attorney

14 Concur: Michael K. Abbott, Municipal Manager

15 Respectfully submitted: Mark Begich, Mayor

**Exhibit A**  
**Properties to Annex to Upper O'Malley LRSA**

Clearview Subdivision, Lots 11, 12, 13, 15, 16, 17, and Lot 18

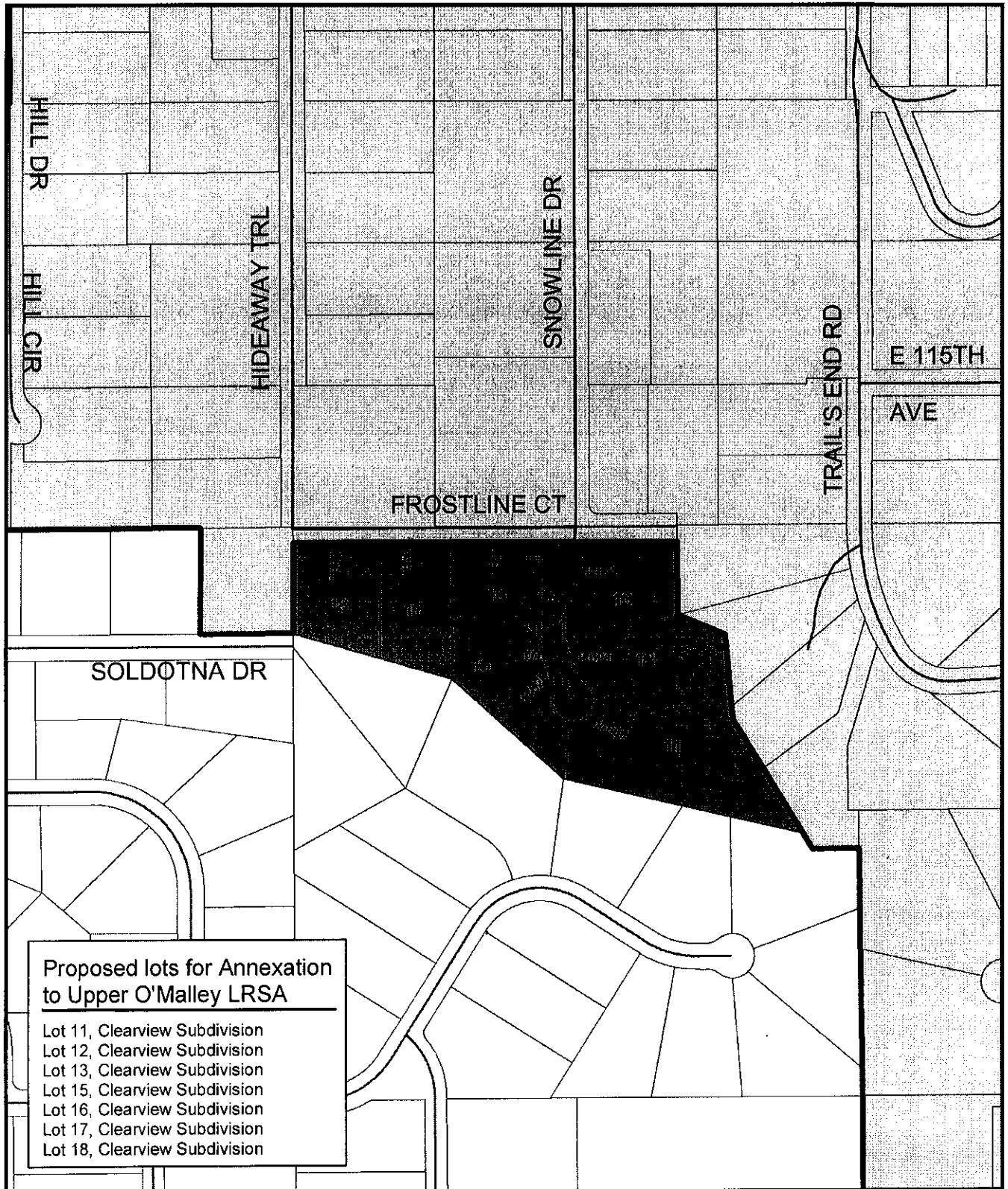
Lakewood Hills Subdivision, Addition 2, Lot 21d and Lot 22

McCready Subdivision, Lots 1, 2, 3, 5, 6, 7, 9, 10A, and 11

# Upper O'Malley Limited Road Service Area

- Proposed Annexation to Upper O'Malley LRSA (area A)
- Existing Upper O'Malley LRSA

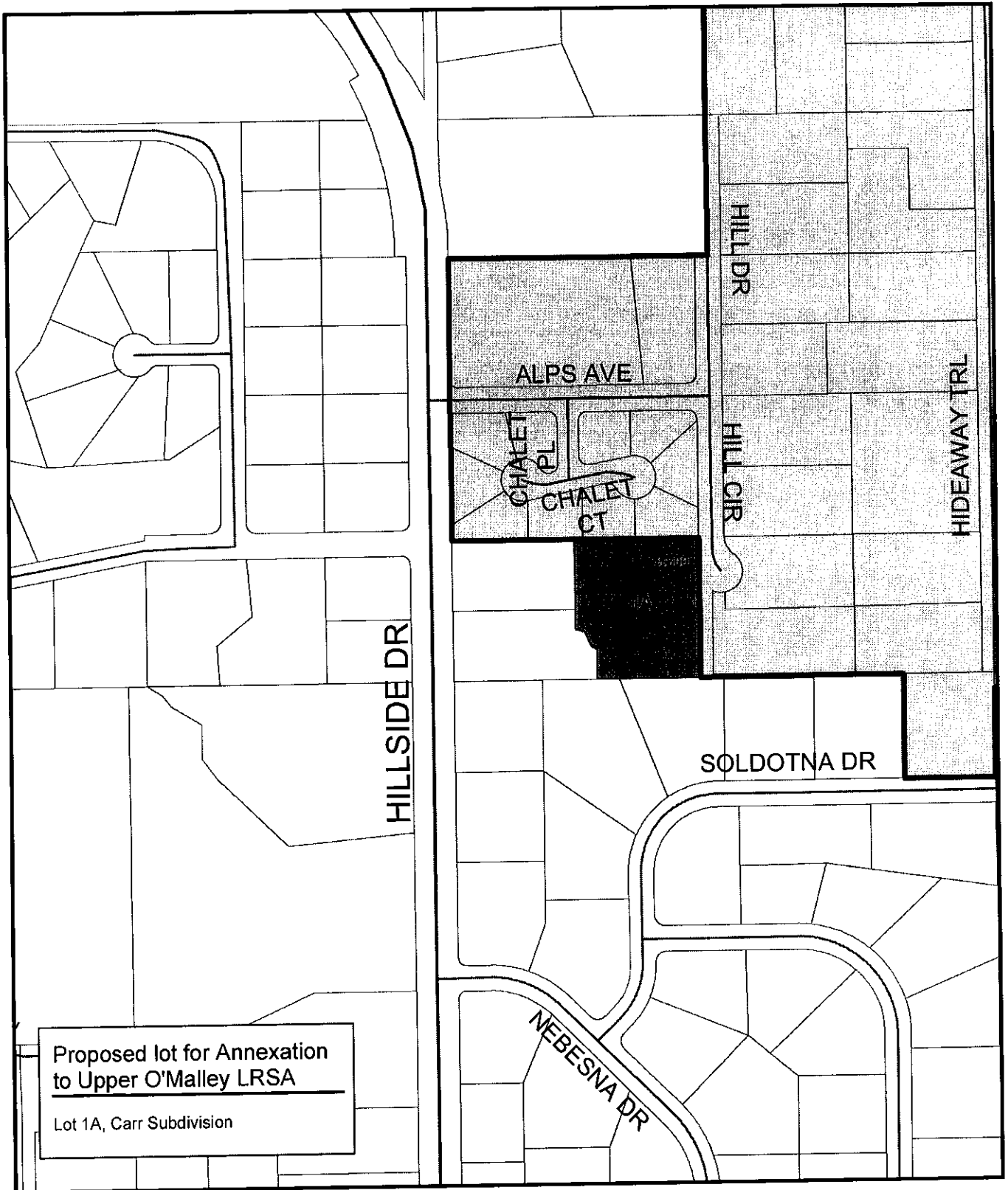
'7800' Address House Number



# Upper O'Malley Limited Road Service Area

- Proposed Annexation to Upper O'Malley LRSA (area B)
- Existing Upper O'Malley LRSA

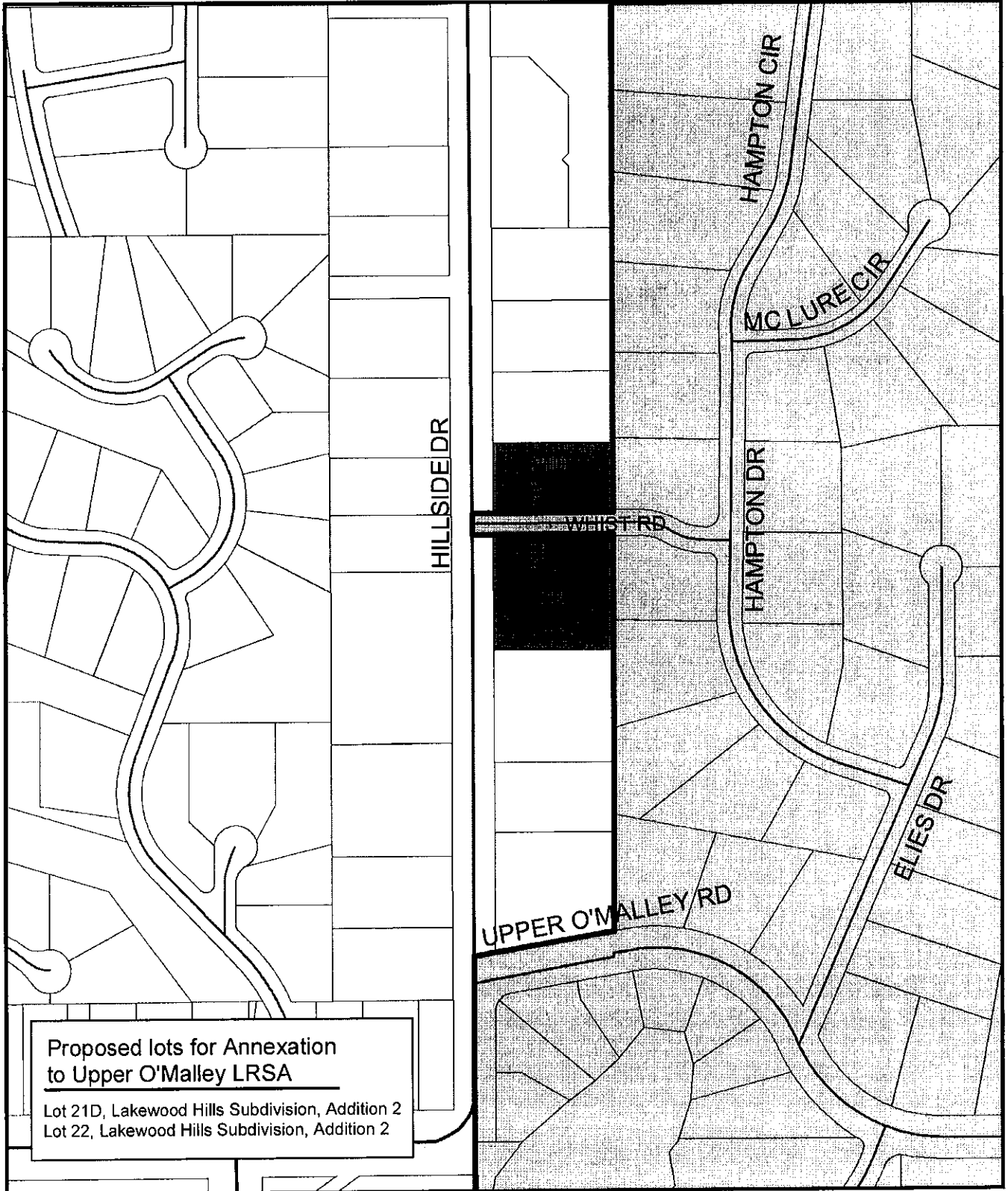
'11500' Address House Number



# Upper O'Malley Limited Road Service Area

- Proposed Annexation to Upper O'Malley LRSA (area C)
- Existing Upper O'Malley LRSA

'7401' Address House Number

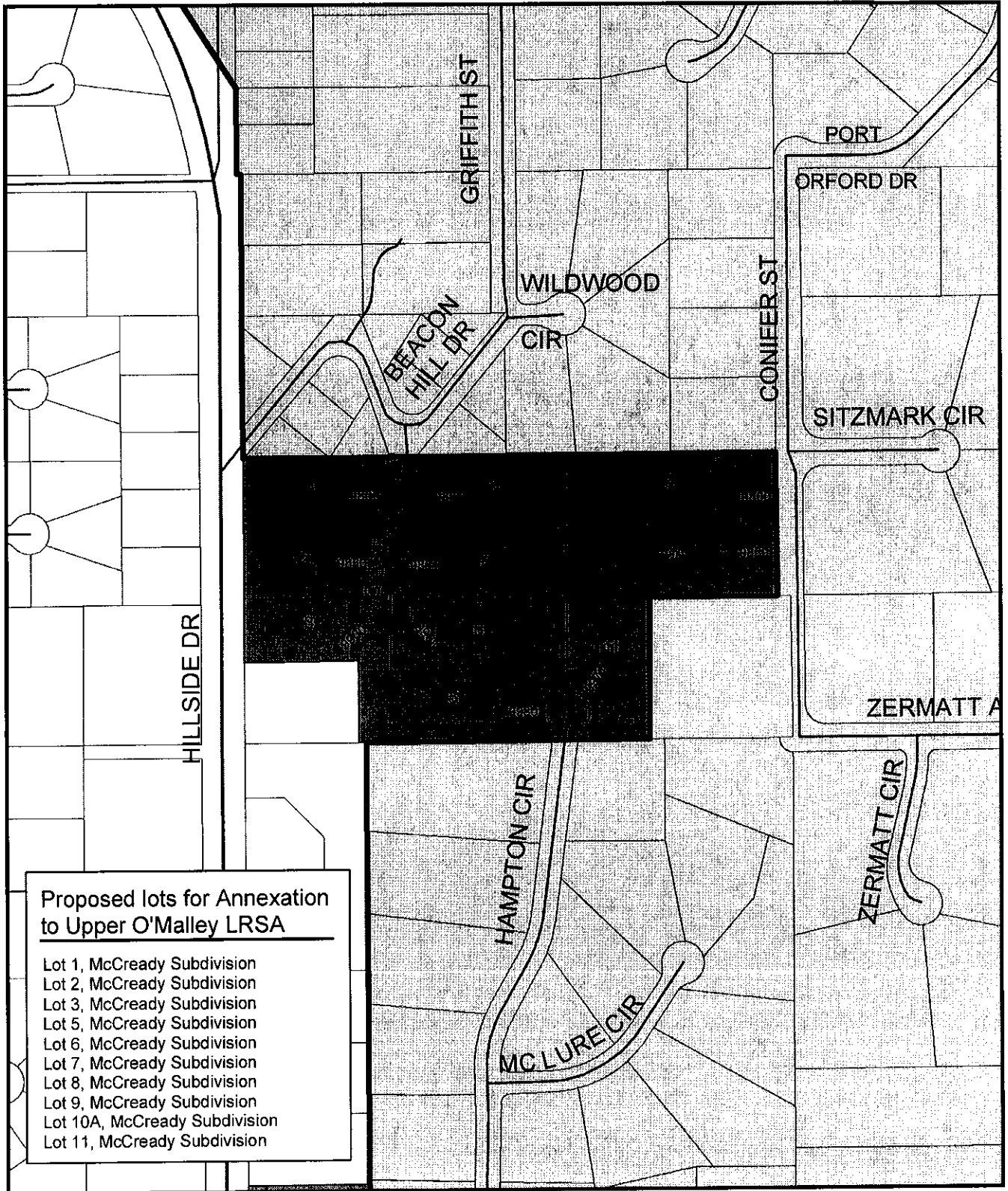




# Upper O'Malley Limited Road Service Area

- Proposed Annexation to Upper O'Malley LRSA (area D)  
■ Existing Upper O'Malley LRSA

'9800' Address House Number

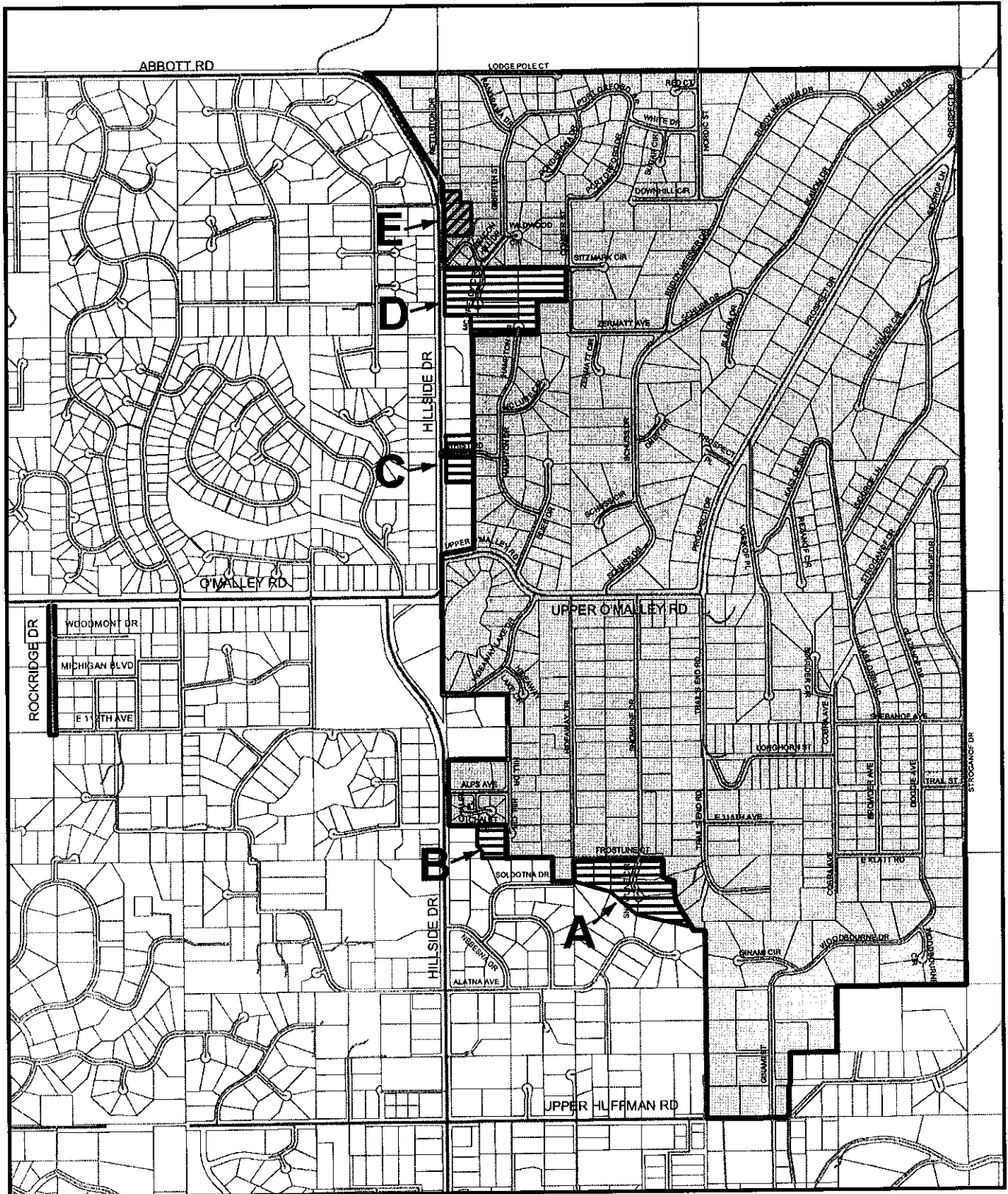


# Upper O'Malley Limited Road Service Area



Proposed Annexation to Upper O'Malley LRSA

Proposed De-Annexation from Upper O'Malley LRSA



**Content ID:** 007005**Type:** Ordinance - AO

An Ordinance Approving Annexation of Properties to Upper O'Malley LRSA, Pursuant to

**Title:** AS 29.34.450(c)(3), and Amending the Boundaries of the LRSA in AMC Section 27.30.700 Accordingly, Effective January 1, 2009**Author:** pineaug**Initiating Dept:** StreetMaint**Date Prepared:** 10/21/08 8:40 AM**Director Name:** Alan J. Czajkowski**Assembly Meeting Date:** 10/28/08**Public Hearing Date:** 12/2/08

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
Clerk_Admin_SubWorkflow	10/24/08 3:03 PM	Exit	Heather Handyside	Public	007005
MuniMgrCoord_SubWorkflow	10/24/08 3:03 PM	Approve	Heather Handyside	Public	007005
MuniManager_SubWorkflow	10/24/08 3:03 PM	Approve	Heather Handyside	Public	007005
Legal_SubWorkflow	10/24/08 2:12 PM	Approve	Rhonda Westover	Public	007005
Finance_SubWorkflow	10/24/08 1:38 PM	Approve	Sharon Weddleton	Public	007005
OMB_SubWorkflow	10/24/08 12:02 PM	Approve	Wanda Phillips	Public	007005
StreetMaint_SubWorkflow	10/24/08 11:05 AM	Approve	Maury Robinson	Public	007005
AllOrdinanceWorkflow	10/24/08 9:50 AM	Checkin	Gerald Pineau	Public	007005
OMB_SubWorkflow	10/24/08 9:32 AM	Reject	Wanda Phillips	Public	007005
StreetMaint_SubWorkflow	10/23/08 3:02 PM	Approve	Maury Robinson	Public	007005
AllOrdinanceWorkflow	10/23/08 1:55 PM	Checkin	Gerald Pineau	Public	007005
OMB_SubWorkflow	10/23/08 1:49 PM	Reject	Wanda Phillips	Public	007005
StreetMaint_SubWorkflow	10/23/08 11:10 AM	Approve	Maury Robinson	Public	007005
AllOrdinanceWorkflow	10/23/08 7:58 AM	Checkin	Gerald Pineau	Public	007005
Finance_SubWorkflow	10/22/08 2:48 PM	Reject	Nina Pruitt	Public	007005
OMB_SubWorkflow	10/22/08 9:38 AM	Approve	Wanda Phillips	Public	007005
StreetMaint_SubWorkflow	10/21/08 8:57 AM	Approve	Alan Czajkowski	Public	007005
AllOrdinanceWorkflow	10/21/08 8:51 AM	Checkin	Gerald Pineau	Public	007005



CONSENT AGENDA - INTRODUCTION