

The petitioner hereby requests that the Local Boundary Commission (hereafter commission or LBC) grant this petition to [merge or consolidate] the municipalities of _____ and _____ under Article 10, Section 12 of the Constitution of the State of Alaska, AS 29.06.090(b), and AS 44.33.812(3).

All of the petition's sections and exhibits need to be addressed and filled out. If a requirement does not apply, simply state "not relevant." If the petition has already addressed a requirement, simply state where it addressed the requirement. This petition incorporates by reference all of the attached exhibits. Add additional space where necessary.

Section 1. Petitioner's Name. 3 AAC 110.420(b)(1).

The petitioner consists of voters residing in the area seeking [merger or consolidation] (area). State how the petitioner is authorized to file a petition under 3 AAC 110.410 (9)(A). Include the voters' signatures and addresses in **Exhibit A**.

Section 2. Petitioner's Representative. 3 AAC 110.420(b)(2).

The petitioner designates the following individual to serve as its representative in all matters concerning this petition:

Name: _____

Physical address: _____

Mailing address: _____

Phone number: _____ Fax number: _____

Email address: _____

Petitioner's Alternative Representative

The petitioner designates the following person to act as alternative representative in matters regarding the proposed [merger or consolidation], in the event the primary representative is absent, resigns, or fails to perform his or her duties:

Name: _____

Physical address: _____

Mailing address: _____
Phone number: _____ Fax number: _____
Email address: _____

**Section 3. Name and Class of Municipalities for which a Change is Proposed.
3 AAC 110.420(b)(3).**

The name and class of the municipalities for which [merger or consolidation] is proposed are:

Name: _____

Class: _____

Name: _____

Class: _____

Name and Class of Proposed Municipality: _____

**Section 4. General Description of the Nature of the Proposed Boundary Changes.
3 AAC 110.420(b)(4).**

This petition requests that the commission authorize the proposed [merger or consolidation].

Section 5. General Description of the Area Proposed for [Merger or Consolidation]. 3 AAC 110.420(b)(5)(A). *(E.g. size, location, population, current use, and prospective development).*

Section 6. Reasons for the Proposed Boundary Change. 3 AAC 110.420 (b)(6).

Section 7. Legal Descriptions, Maps, and Plats. 3 AAC 110.420(b)(7).

See Exhibits B-1 to B-3.

Section 8. Size of the Area Proposed for Change. 3 AAC 110.420(b)(8).

- a) The area of the existing municipalities is now _____ square miles and _____ square miles, respectively

- a) The area of the municipality after [merger or consolidation] would be _____ square miles.

Section 9. Data Estimating the Population of the Area Proposed for Change.

3 AAC 110.420(b)(9).

- a) The population of the existing municipalities is now _____ and _____, respectively.
- b) The population of the municipality after [merger or consolidation] is estimated to be: _____.

Section 10. Information Relating to Public Notice and Service of Petition.

3 AAC 110.420(b)(10)

See **Exhibit C**.

Section 11. Tax Data. 3 AAC 110.420(b)(11,12).

- a) **The assessed or estimated value of taxable property in the area proposed for change** (if either the proposed municipality or any existing municipality for which change is proposed currently levies or plans to levy property taxes).

Real property	\$ _____
Personal property	\$ _____
Total	\$ _____

- b) **Projected taxable sales in the area** (if either the proposed municipality or any existing municipality for which change is proposed currently levies or plans to levy sales taxes. Any different sales tax rates for different goods or services are listed separately and totaled). The projected value of taxable sales within the area is \$_____. At a rate of _____, projected annual sales tax revenues in the area will be \$ _____.

- c) **Each municipal tax levy currently in effect in the area proposed for merger or consolidation.**

The type and rate of each tax currently levied by municipalities within the area:

Borough, city, or service area	Property tax (mills)	Sales tax (%)	Other (delete column if not used)	Other (delete column if not used)	Other (delete column if not used)

Section 12. Budget Information. 3 AAC 110.420(b)(13)(B).

Exhibit D presents projected revenue, operating expenditures, and capital expenditures for the proposed municipality or for any existing municipality(s) for which change is proposed up to the first full fiscal year after the transition is complete.

Section 13. Existing Long Term Municipal Debt. 3 AAC 110.420(b)(14).

Name/type of debt	Purpose of debt	Date debt will be fully paid

Section 14. Municipal Powers and Functions. 3 AAC 110.420(b)(15).

The powers and functions of the proposed municipality or of any existing municipality(s) for which change is proposed.

Name of municipality or service area	Powers and functions before the proposed change	Powers and functions after the proposed change

The powers and functions of alternative service providers in the area proposed for merger or consolidation.

Name of municipality or service area	Powers and functions before the proposed change	Powers and functions after the proposed change

Section 15. Transition Plan. 3 AAC 110.420(b)(16).

See Exhibit E.

Section 16. Governing Body Composition and Apportionment.

3 AAC 110.420(b)(17).

Describe the composition and apportionment of any proposed municipality or of existing municipality for which change is proposed, before and after the proposed change.

Section 17. Supporting Brief. 3 AAC 110.420(b)(19).

See Exhibit F.

Section 18. Documentation Demonstrating that the Petitioner is Authorized to File the Petition Under 3 AAC 110.410. 3 AAC 110.420(b)(20).

See **Section 1** and Exhibit A.

Section 19. Petitioner's Affidavit. 3 AAC 110.420(b)(22).

See Exhibit G.

Exhibit A.

**Documentation Demonstrating that the Petitioner is
Authorized to File the Petition Under 3 AAC 110.410**

Briefly state why and how 3 AAC 110.410 authorizes the petitioner to file the petition. Next, insert the resolution passed by the city council or borough assembly authorizing filing of the petition. Below is an example resolution.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A PETITION FOR THE [*Consolidation or Merger*] OF THE [*Name of Municipality*] and [*Name of Municipality*]

WHEREAS, the [*Name of Municipality*] (hereafter [*“City or Borough”*]) is classified as a [*classification of city or borough*] and is a political subdivision of the State of Alaska, the [*city or borough*] authorizes the [*insert title of official*] to file a [*merger or consolidation*] petition with the Local Boundary Commission. The petition shall propose the [*consolidation or merger*] of the [*name of municipality*] and [*name of municipality*]. The legal boundary descriptions of the [*name of municipality*] and [*name of municipality*] are shown in “Exhibit B-1.” Maps of the [*names of municipalities*] are shown by “Exhibit B-3.” Both are incorporated herein by reference.

WHEREAS, the [*title of official*] is designated as the representative of the [*city or borough*] for all matters relating to the [*consolidation or merger*] petition.

NOW, THEREFORE, BE IT RESOLVED by the [*name of city council or borough assembly*] that this resolution shall become effective immediately.

Adopted by the [*City Council or Borough Assembly of Name of Municipality*] this _____ day of _____, 20____.

Mayor

ATTEST:

[City or Borough] Clerk

Exhibit B-1.
**Legal Metes and Bounds Descriptions of the Municipalities Proposed for
Merger or Consolidation**

This includes the USGS quad information and dates. Any plats required by the Department of Commerce, Community, and Economic Development (hereafter “department”) to demonstrate the accuracy of the legal descriptions are also included.

Exhibit B-2.

**Legal Metes and Bounds Description of the Boundaries of the Municipality after the
Proposed Merger or Consolidation**

This includes the USGS quad information and dates. Any plats required by the department to demonstrate the accuracy of the legal descriptions are also included.

Exhibit B-3.

**Map of the Municipalities Proposed for Merger or Consolidation
And Map of the Municipality after the Proposed Merger or Consolidation**

Exhibit C.

Information Relating to Public Notice and Service of the Petition

Local Media

The following lists the principal news media, if any, serving the boundaries proposed for change. If there aren't any, simply state that. Add additional space as necessary.

Newspaper(s) 3 AAC 110.450(a)(1):

Name: _____

Physical address: _____

Mailing address: _____

Telephone and fax number: _____ Fax number: _____

Email address: _____

Name: _____

Physical address: _____

Mailing address: _____

Telephone and fax number: _____ Fax number: _____

Email address: _____

Radio and television station(s) 3 AAC 110.450(a)(5):

Name: _____

Physical address: _____

Mailing address: _____

Telephone and fax number: _____ Fax number: _____

Email address: _____

Name: _____

Physical address: _____

Mailing address: _____

Telephone and fax number: _____ Fax number: _____

Email address: _____

Three or more prominent places readily accessible to the public and within or near the boundaries proposed for change to post notices concerning this petition:

Location and address	Days and times open to the public

Adjacent municipalities (including service areas) within twenty miles of the boundaries proposed for change:

Municipality	Address and contact information

Individuals and entities whose potential interest in the petition proceedings may warrant individual notice of the filing of the petition, and/or a copy of the petition:

Name	Address	Email address

Location(s) where the petition materials will be available for public review:

Location and address	Days and times open to the public

Exhibit D-1.

Projected Revenues, Operating Expenditures, and Capital Expenditures for Any Proposed Municipality or for Existing Municipality for which Change is Proposed

Include the current fiscal year, the first fiscal year after the transition is anticipated to be complete, and any years in between. Add more columns and another table if necessary.

Revenues	First fiscal year	Second Fiscal Year	Third fiscal year	Last fiscal year
Operating expenses				
Capital expenditures				
Balance				

Exhibit E.
Transition Plan

A) *As required under 3 AAC 100.900, does the petition include a practical transition plan:*

- *Per 3 AAC 110.900(a), demonstrating the capability of the municipality to extend essential municipal services (as determined under [3 AAC 110.970](#)) into the boundaries proposed for change within the shortest practical time after the effective date of the proposed change?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

- *Per 3 AAC 110.900(b), to assume all relevant and appropriate powers, duties, rights, and functions presently exercised by an existing borough, city, unorganized borough service area, or other appropriate entity located within the boundaries proposed for change?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

- *Per 3 AAC 110.900(c), for the transfer and integration of all relevant and appropriate assets and liabilities of an existing borough, city, unorganized borough service area, and other entities located within the boundaries proposed for change?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

- *Per 3 AAC 110.900(c), that specifically addresses procedures ensuring that the transfer and integration of assets and liabilities of an existing borough, city, unorganized borough service area, and other entities located within the boundaries proposed for change; and that the transfer*

and integration occurs without loss of asset value or credit reputation, or a reduced bond rating for liabilities?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

B) Per 3 AAC 110.900(b) and (c), is the plan designed to effect an orderly, efficient, and economical transfer within the shortest practicable time (not exceeding two years) after the proposed change would take effect?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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C) Per 3 AAC 110.900(b) and (c), was the plan prepared in consultation with officials of each existing borough, city, and unorganized borough service area?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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- Per 3 AAC 110.900(e), does the plan state the names and titles of all those officials who were consulted by the petitioner, and the consultation subjects and dates?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Officials consulted for the transition plan			
Name	Title and organization	Date(s) consulted	Subject(s) discussed

- Per 3 AAC 110.900(f), was the prospective petitioner unable to consult with those officials because they chose not to consult with the petitioner, or were unavailable during reasonable times to consult?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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- *If yes, the petitioner may request that the LBC waive the consultation requirement. If so, the petitioner must document all attempts it made to consult with those officials. Is the petitioner submitting such a request, and is it documenting all its attempts to consult with those officials?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Exhibit F.
Supporting Brief

This exhibit consists of a supporting brief that explains in detail how the proposed merger or consolidation satisfies each relevant constitutional, statutory, and regulatory standard. In preparing the brief, the petitioner should examine the language of the standards themselves – the below merely summarizes the standards.

If a requirement does not apply, simply state “not relevant.” If the petitioner has already addressed a requirement, simply state where it was addressed. Please be aware that the regulations often repeat the statutes, but sometimes subtly differ or have additional criteria. To avoid repetition, it suffices to explain how the petition meets the regulations, and refer to that explanation when addressing the statutes, *as long the regulation covers everything stated in the statute.*

Many standards list factors that the commission *may* consider. The word “may” indicates that it is optional for the commission to consider those factors. The LBC is not required to consider them, nor is it limited to those factors. Instead, they are guidelines for the LBC to use in evaluating the overall standard. The petitioner is not required to address every single “may” factor. The brief should answer the following questions:

Merger Standards

A. *Per Article 10, Section 3, of the Constitution of the State of Alaska, if the merger concerns a borough, would the borough after merger embrace an area and population with common interests to the maximum degree possible?*

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

B. *Per 3 AAC 110.220(a)(1), does the proposed merger:*

(1) meet the standards in 3 AAC 110.220 - 3 AAC 110.235?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

(2) If a petition to form a merged city, also meet the city incorporation standards of the Alaska constitution, AS 29.05, 3 AAC 110.005 – 3 AAC 110.042, and 3 AAC 110.900 - 3 AAC 110.970? See the city incorporation information packet on the LBC website for more information.

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

(3) If a petition to form a merged borough, also meet the borough incorporation standards of the Alaska constitution, AS 29.05, 3 AAC 110.045 – 3 AAC 110.067, and 3 AAC 110.900 - 3 AAC 110.970? See the borough incorporation information packet on the LBC website for more information.

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

C. Per 3 AAC 110.220(a)(2) and 3 AAC 110.225, is the proposed merger in the best interests of the state?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

D. Per 3 AAC 110.220(c), if the proposed merger includes lands or submerged lands outside of the boundaries of the merging municipalities, does the petition also meet the annexation standards?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

E. Per 3 AAC 110.900, does the petition include a proper transition plan?

Yes	No <input type="checkbox"/>
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Please explain how.

F. Per 3 AAC 110.910, does the proposed merger deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin?

Yes	No <input type="checkbox"/>
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Please explain how.

G. Per 3 AAC 110.981, does the proposed borough merger promote maximum local self-government?

Yes	No <input type="checkbox"/>
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Please explain how. In doing so, consider whether the proposal would expand or diminish the level of local government currently provided by the municipalities being merged.

H. Per 3 AAC 110.982, does the proposed merger promote a minimum number of local government units?

Yes	No <input type="checkbox"/>
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Please explain how. In doing so, consider for borough merger whether the merged borough minimizes the number of local government units, and whether the boundaries of the merged borough maximize an area or population with common interests. For city merger, consider whether the merged city minimizes the number of local government units.

Consolidation Standards

A. Per Article 10, Section 3, of the Constitution of the State of Alaska, if the consolidation concerns a borough, would the borough after consolidation

embrace an area and population with common interests to the maximum degree possible?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

B. Per 3 AAC 110.240(a)(1), does the proposed consolidation:

(1) meet the standards in 3 AAC 110.240 - 3 AAC 110.245?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

(2) If a petition to form a consolidated city, also meet the city incorporation standards of the Alaska constitution, AS 29.05, 3 AAC 110.005 – 3 AAC 110.042, and 3 AAC 110.900 - 3 AAC 110.970? See the city incorporation information packet on the LBC website for more information.

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

(3) If a petition to form a consolidated borough, also meet the borough incorporation standards of the Alaska constitution, AS 29.05, 3 AAC 110.045 – 3 AAC 110.067, and 3 AAC 110.900 - 3 AAC 110.970? See the borough information packet on the LBC website for more information.

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

C. Per 3 AAC 110.240(a)(2) and 3 AAC 110.245, is the proposed consolidation in the best interests of the state?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

D. Per 3 AAC 110.240(c), if the proposed consolidation includes lands or submerged lands outside of the boundaries of the consolidating municipalities, does the petition also meet the annexation standards?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please explain how.

E. Per 3 AAC 110.900, does the petition include a proper transition plan?

Yes	No <input type="checkbox"/>
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Please explain how.

F. Per 3 AAC 110.910, does the proposed consolidation deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin?

Yes	No <input type="checkbox"/>
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Please explain how.

G. Per 3 AAC 110.981, does the proposed borough consolidation promote maximum local self-government?

Yes	No <input type="checkbox"/>
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Please explain how. In doing so, consider whether the proposal would expand or diminish the level of local government currently provided by the municipalities being merged.

H. Per 3 AAC 110.982, does the proposed consolidation promote a minimum number of local government units?

Yes	No <input type="checkbox"/>
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Please explain how. In doing so, consider for borough consolidation whether the merged borough minimizes the number of local government units, and whether the boundaries of the merged borough maximize an area or population with common

interests. For city consolidation, consider whether the merged city minimizes the number of local government units.

