

689 HCR: CORR: KODIAR ANNEXATION

Box 1633  
Kodiak, Alaska 99615  
February 4, 1979

The Honorable Bill Parker  
Chairman, House Committee on  
Community and Regional Affairs  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Parker:

My husband and I live at Island Lake, Kodiak. in the area affected by the proposed City of Kodiak annexation. We are both opposed to the proposal.

The wishes of area residents were ignored in the Boundary Commission's recommendation. At the well-attended Boundary Commission hearing not one area resident spoke in favor of the proposed annexation; in fact, only the Kodiak City Manager testified in favor of the proposal. A petition opposing the annexation has been circulated among residents of the affected area; at this time over 600 of the area's 800 adult residents have signed the petition.

Prior to the City's proposal, the Kodiak Island Borough had, at the request of area residents, studied providing services to the area through Borough service districts. In an election area residents voted for the establishment of Borough water, sewer and road service districts. The Borough had previously negotiated agreements with the City of Kodiak to make possible this service district approach. Progress stopped, however, when the City sued the Borough and petitioned for annexation of the area.

Now, however, instead of looking toward the provision of services, City officials have stated that they cannot afford to provide sewer, road or improved water service to areas like the one in which we live. We live on a one-acre lot reached by a small privately maintained road. City officials have explained that because the area is sparsely populated and present roads inadequate, the City would not be able to provide services to us. But our situation is not unique in the area proposed for annexation. A one-acre lot is the standard lot size in the area, one-third of the area is completely undeveloped, and two-thirds of the area is sparsely populated.

As justification for recommending the annexation, the Alaska Department of Community and Regional Affairs in its May 17, 1978, Report to the

The Honorable Bill Parker

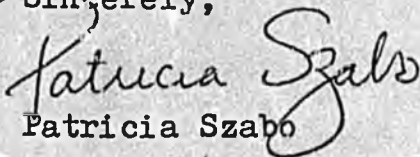
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February 4, 1979

Local Boundary Commission, cited Article X Section 5 of the Alaska Constitution that ". . . a new service area shall not be established . . . if the new service can be provided . . . by annexation to a city." But if the City of Kodiak disavows any intention until some time in the distant future of providing services to the vast majority of the area, doesn't that negate the preference for annexation over a service district?

We urgently request you to recommend the House of Representatives defeat the proposed City of Kodiak annexation, both because the merits of the case argue against annexation and because forced annexation would strip the citizens involved of their right to have a voice in their own fate.

Sincerely,

  
Patricia Szabo

cc: Patrick Carney  
Margaret Branson  
Ray Metcalfe  
Patrick O'Connell  
Charles Parr  
Fred Zharoff

26 January 1979  
Kodiak, Alaska

The Honorable Bill Parker  
Alaska State House of Representatives  
Juneau, Alaska 99811

Dear Representative Parker:

Please place the names of: Dick Juelson, Grey Chandler, Lonna Arndt, and Nick Szabo as persons to be heard for testimony at any hearing held to investigate and/or gather information about the opposed forced annexation here in Kodiak.

Respectfully,

*Dick Juelson*

Dick Juelson, Chairman  
Borough Residents for Autonomy  
Box 286  
Kodiak, Alaska 99615

Copy to: Arliss Sturgulewski, Chairman CRA  
Alaska State Senate

MILLERS FALLS  
ERASE  
COTTON BLENDED

January 22, 1979

Honorable Jay Hammond  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

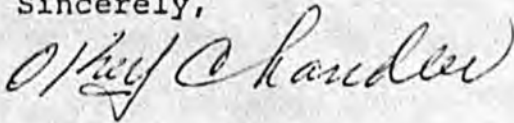
Dear Governor Hammond:

I am circulating a petition that opposes forced annexation. I have several hundred signatures from the proposed annexation area. Ninety-five percent of those contacted signed the petition. The remaining five percent did not sign for religious reasons and other affiliations.

About eighty-five percent of City residents contacted have signed the petition opposing annexation.

We solicit your assistance in defeating this issue.

Sincerely,



Okey Chandler  
P.O. Box 1635  
Kodiak, Alaska 99615

cc: Hon. Arliss Sturgulewski  
Hon. Tim Kelly  
Hon. Bob Mulcahy  
Hon. Patrick Rodey  
Hon. Terry Stimson

TAX CONSULTANT  
ACCOUNTANT

PHONE: 486-5359  
BOOKKEEPER

*"Jo" Hajdu*

P. O. Box 627  
Kodiak, Alaska 99615

January 25, 1979

Dear *Representative Parker*:

I am greatly concerned about claims made by the City of Kodiak in the past several months concerning the underlying "necessity" for its annexation efforts. The City has alleged that annexation is required if it is to provide utility services sought by residents outside the municipal limits.

In fact, the City has every right to provide these services right now, without any annexation. Under Title 29 of the Alaska Statutes, municipalities owning or operating utilities are specifically authorized to extend their services outside the municipal limits. The City's own charter grants the identical power.

In addition, it is the Borough's position, currently being pursued in the courts, that the City not only has the "right" to provide these residents with water and sewer services, but is actually under an obligation to do so in light of agreements negotiated previously with the Borough and conditions attached to sewer and water funds provided the City under Federal and State grants.

Since utility funds are self-supporting, with the full costs paid by the users, there would be no cost to the residents of the City. I think it could be documented that the surcharge on the present water users outside the City results in a profit to the City. Further, until such time as sewer service is provided outside the City boundaries, the entire costs of the very expensive new sewerage treatment plant are being borne by the residents of the City, so it would be to the benefit of the users inside the City to expand the user base.

It is hard to believe that a municipal government such as the City of Kodiak would deliberately mislead the people of this area. Yet it is my opinion that such deliberate misrepresentation is precisely what has taken place. It is hoped that the municipal body which would seek to achieve annexation through such means will not be afforded the opportunity to govern those citizens it has attempted to deceive. Perhaps this is one of the reasons that the majority of the people living outside the City have elected to form service districts to take care of their needs as they perceive them.

Sincerely,



JO HAJDU

January 26, 1979

Honorable Jay S. Hammond  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

Attn: Bill Parker, Chairman  
House Community & Regional Affairs Committee

Hon. Arliss Sturgulewski, Chairman  
Senate Community & Regional Affairs Committee

Re: Opposition to City of Kodiak Annexation Attempt

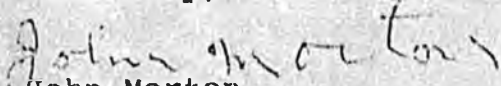
Dear Governor Hammond:

In 1965, I lived in the La Lande Addition, adjacent to the City of Kodiak. The lots were 50 X 100 feet and there was a trailer court in our vicinity. We petitioned the City of Kodiak to be annexed that year because of the need for sewer services. We were annexed in 1966.

We have a City water system that was installed with antique fittings. So poor is the City's public works capabilities that the Fitzgerald Welding Shop had a fire and was gutted because the fire department did not have the tools available to open the hydrants. It was only after the disastrous fire that modern hydrants were installed by the City. I continued to live in the same location until 1969, and the requested utilities had still not been installed. During the period of residence the only thing that I ever received were several tax increases from the City. The records of the City Public Works Department will show that the sewer was not installed until fall of 1973. The City of Kodiak's total lack of public works capability is not only well known, but easily documentable.

The City says they are broke and that they need the taxpaying participation of citizens outside the City to help underwrite the cost of services being rendered to City residents. The only thing that I can see that I will receive from the City of Kodiak are tax increases, as their past record shows. I request that you and your Administration and our Legislative representatives work aggressively against this forced annexation.

Sincerely,

  
John Morton  
PO Box 14  
Kodiak, Alaska 99615

cc: Hon. Bob Mulcahy, Alaska State Senate  
Fred Zharoff, Alaska State House of Representatives  
Community & Regional Affairs Committee Members -  
State House & Senate  
Alaska State Legislature

January 26, 1979

Honorable Jay S. Hammond  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

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House Community & Regional Affairs Committee

Hon. Arliss Sturgulewski, Chairman  
Senate Community & Regional Affairs Committee

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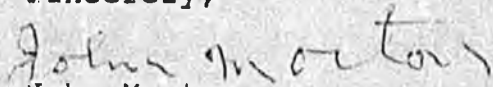
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Sincerely,

  
John Morton  
PO Box 44  
Kodiak, Alaska 99615

cc: Hon. Bob Mulcahy, Alaska State Senate  
Fred Zharoff, Alaska State House of Representatives  
Community & Regional Affairs Committee Members -  
State House & Senate  
Alaska State Legislature

1-24-77

Dear Bill,

Saw you on  
Capitol '74 the other  
evening. We enjoy  
that program as  
it makes us feel  
closer to all our  
elected officials.

Thank you for  
considering the  
enclosed.

Jim Paulson

23 January 1979  
Kodiak, Alaska

The Honorable Bill Parker  
Alaska State House of Representatives

Dear Representative Parker:

I have been an Alaskan resident in Kodiak for 31 years and am in total opposition to the forced annexation of my area to the City of Kodiak for the following reasons:

1. The area is still very suburban in nature due to large lots, most of which are over one acre in size, one has 67 acres. In order to pay taxes and assessments on this size lot at this time, many of us would have to subdivide and sell part which would defeat the reason we moved out here.

2. The Antiquities Act - Proposition 13 --- so many issues are showing us that people, yes Alaskans too do care "how" they're governed and when "enuff is enuff".

The people & their wishes should be important in decision making where their property and well-being is concerned. If people are so full of apathy that they don't express their opinions & wishes that is one thing. They deserve what they get. However, expressing such and being able to change inequitable laws and/or reverse decisions not representative of the people affected, is our right as citizens.

3. We know the City of Kodiak is in financial trouble - an article in our local papers now and again verifies this but must we pay for their mistakes and get nothing in return? We pay the city sales tax on everything we purchase in the city and everything that is delivered to us such as oil, propane, etc.... We also pay the Borough Personal Property Tax which city residents don't.... The Borough contributes to the city library on our behalf, swimming pool and gym are Borough, we who have city water pay a higher usage rate and we have and pay for a fire district.

People in the Borough recently voted for new service districts in the event they are needed, and only one area is in need of any particular service at this time which can be taken care of without being annexed. The Borough and City has an agreement contract stating the city will supply non-residents with services they are willing to pay for and want. Otherwise, the majority of the people are content with things as they are.


4. We residents organized and have circulated petitions in the affected areas and in the City. For myself I have had one person refuse to sign saying he was involved with the city over property he owns. Within the City I've only had two people not sign. Most people are well aware that the revenue the City would derive from our property couldn't pay for much service. I sincerely believe they only want us as a tax base for bonding purposes.

I am very suspicious of people or governments that go behind my back in order to get something done which affects me and mine so deeply.

If and when a majority of the people in my area by a vote feel it best to annex I would go along peaceably. None of the people in the City or in the affected areas were consulted on this matter - but treated like we weren't old enough to blow our own nose!!

Would much appreciate your careful consideration in helping to reverse the Boundary Commissions decision in this matter. Thank you for "listening".

ENC: Flyer put out & paid for  
by organized residents  
of affected areas.

Sincerely,  
  
Mrs. June Juelson  
Box 286, Kodiak, Ak. 99615 -

January 25, 1979  
Box 2069  
Kodiak, Alaska 99615

Bill Parker  
Chairman House Community & Regional  
Affairs Committee  
Pouch V  
Juneau, AK. 99811

Dear Mr. Parker:

I am against FORCED ANNEXATION. We in the area that the City of Kodiak and the Boundry Commission are trying to force into the City moved in this area to be outside the City, and enjoy the wide open spaces. If we wanted to live in the City we would have built a home there and not where we all chose to live. Also I would have moved to Russia if I wanted to live under dictatorship.

Our Great Borough Government gave us an opportunity in Service District #1 to vote for or against a Service District and what improvements we wanted. The first was water; the second was sewer and the third was roads. The Borough was not biting off a bigger chunk than they can chew, like the City wants to. The Borough had Engineers draw up Plans and Specs for our Water and Sewer Service District and we are all set to go and then the City convinces the Boundry Commission to Force us in as the City is broke and needs our tax money to bail them out; but we will not get the services.

Furthermore no one wants to live under the City Charter as it reads now, as it is not according to Alaska State Statutes and someone in Juneau should look into this.

Please give us some consideration of "freedom to vote" as this is very important to all of us. Thank you for listening.

Sincerely,



Lorna-Lee Arndt  
Block 1 Lot 12B  
U.S.S. 3219

25 January 1979  
Kodiak, Alaska

The Honorable Bill Parker  
Alaska State House of Representatives

Dear Representative Parker:

I am writing you as chairman of the committee for Community and Regional Affairs, to ask that your committee investigate the apparent loss of citizens right to be heard as regards the Boundary Commissions position on the forced annexation of the approximately 2,000 acre's north of the City of Kodiak. As a resident of Kodiak for over 31 years, I have never seen a more flagrant disregard for the people than this.

Although permitted by Alaska Statutes, the intent of the Legislature could not have been to put the residents of the whole community at the mercy of commercial interests and a few misguided local politicians.

As chairman of "Borough Residents for Autonomy" for the past two months, I have discussed this issue with hundreds of local residents. My findings to date are that 95% of those residing outside the city oppose this forced annexation and at least 85% residing inside the city also oppose it. If it's against the wishes of the majority of the people, why should it be allowed to happen?

Thank you for your careful consideration of this matter.

Sincerely,  
*Dick Juelson*  
Dick Juelson, Chairman  
Borough Residents for Autonomy.

DJ:jj  
copy to committee members

25 January 1979  
Kodiak, Alaska

The Honorable Bill Parker  
Alaska State House of Representatives

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Sincerely,  
Dick Juelson  
Dick Juelson, Chairman  
Borough Residents for Autonomy

DJ:jj  
copy to committee members

Ron Matsuoka  
Box 2078  
Kodiak, Alaska 99615

Melissa D. Newton  
Box 773  
Kodiak, Alaska 99615

January 25, 1979

Bill Parker  
House of Representatives Chairman/Committee on Regional Affairs  
Pouch V  
Juneau, Alaska 99801

Dear Mr. Parker;

Although time is running short this letter is intended to bring about some action on the part of the Community and Regional Affairs Committee to help defeat forced annexation with the City of Kodiak. We are only two individuals living within the involved area, however we most certainly are not alone in our protest to this annexation.


To begin with let it be known that the wishes of area residents were totally ignored by the local boundary commission. Every resident of the area who testified at the boundary commission hearing spoke *against* forced annexation! It seems to us that our feelings and interests are being ignored by more powerful individuals who stand for annexation in the hope to gain a great deal for their own self-interests.

Another pertinent fact is that the area does not meet the standards for annexation. The area is not urban: the standard lot size in the area is one acre or larger, and one third of the land area is undeveloped.

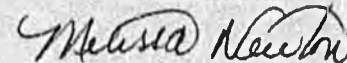
City services are not required in this area. Fire protection is presently provided through a service district; roads are presently State-maintained or privately maintained; police protection is provided by the State Troopers; water is presently available to the majority of the area and is paid by user fees; sewers can be provided through service districts in those areas where sewers are needed.

We have signed a petition opposing forced annexation and hope that it will give you some idea how many individuals hope to stop annexation. We need your help! Please act on the behalf of the residents of this area by overturning forced annexation.

Sincerely,



Ron Matsuoka



Melissa Newton

cc: Terry Stimson  
Bob Mulcahy  
Margaret Branson  
Patrick O'Connell  
Fred Zharoff  
Bill Parker

Patrick Rodey  
Tim Kelley  
Ray Metcalfe  
Charles Parr  
Patrick Carney

Chairman,  
House Committee on Community  
and Regional Affairs  
Pouch V,  
Juneau, Alaska 99801

RE: FORCED ANNEXATION IN KODIAK

January 15, 1979

Dear Sir:

We live in the sub-division known as Woodland Acres. It has come to our attention that this area is one of the areas that the Boundary Commission feels should be incorporated into the City of Kodiak.

A few months ago the Boundry Commission came to Kodiak and residents of the proposed areas of annexation by the City met in a public meeting. Of the more than 100 people present, the only person in favor of annexation was the City of Kodiak's City Manager. This should speak out as the view of the people involved in this annexation. Apparently, the Boundary Commission was blind and deaf for they still want to annex these areas into the City. How can this happen in a democracy? That is why we are writing this letter.

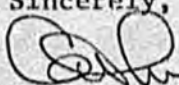
The reason we live in the area we do is for the privacy full acre lots afford. This is not our opinion alone, but shared by many of the people who live here. If our property was annexed into the City, we would be forced to sub-divide our property, or the taxes would be too costly for us to pay.

We have lived on our property for two years. In order to build our house, we had to spend \$6,000 for a well and \$1500 for our sewage system. Now the City wants to incorporate us and make us pay more money for sewer assessments and water assessments, both of which we probably won't see for 10 years. The City cannot even provide these services to all the residents within the City as the boundries stand now, how can they afford them for new residents.

The services the City says that it will provide are already received through the Borough. 1) Roads are presently State maintained or privately maintained. The City proposes to maintain only 2½ miles of road in the entire area. The City cannot even maintain roads that are within a half mile from City Hall! 2) Fire protection is presently provided through a service district. 3) Police protection is currently provided by the State Troopers.

WE DO NOT NEED OUR TAXES INCREASED!! WE DO NOT WANT TO BE INCORPORATED INTO THE CITY OF KODIAK!! Please hear our plea since the Boundary Commission ignored it!! Please do not force us from the land and privacy we, the residents of these proposed areas, want and need.

Sincerely,

  
Catherine Olsen

  
Steven Olsen

PO Box 1574

Kodiak Alaska 99615

February 3, 1979

Senator Arliss Sturgulewski  
Community & Regional Affairs Committee  
Juneau, AK. 99811

Dear Senator Sturgulewski:

The anxiety and activity being generated by the Boundary Commissions annexation statement for an area in Kodiak is touching a lot of people. The flurry seen on top of the pile against annexation does not reflect the thinking of all of us residing in the area affected.

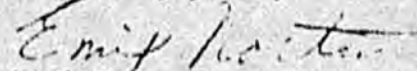
Our elected officials made a statement that they were going to abide by the majority of the voters they heard from. What they should have said is that they would act responsible to the needs of the area to be annexed. Both of our elected officials have lived in Kodiak a long time and are aware of the health problem in the Island Lake area. The Spruce Cape area also has a sewage problem. It is as critical as the Island Lake area but has not had the publicity. A lot of the effluent goes over the bank onto the beach or into swampy or creek areas. I am sure your group deserves a close look at this situation to make an intelligent judgement.

The State Health Department is acutely interested in what will happen. If this area is not annexed and the Borough government attempts to provide the service of sewer and water there could be legal problems to overcome. The services could be delayed and no telling how long it will take the court to come to a decision. Problems like this the officials are aware of and should be paying attention to and not just appeasing the voting public. The animosity against the city a few are carrying in the fight against annexation might cost us all a lot more than just taxes.

I truly think that your group coming to Kodiak and surveying and listening to the people will help the health and welfare of our neighbors. Thank you for your interest.

cc: Clem Tillien, Pres. of Senate  
Bob Mulcahy, Senator & Vice  
Chairman  
Terry Gardiner, Speaker of the  
House  
Bill Parker, Chairman of the  
Committee  
Fred Zharoff, Representative

Very truly yours,



Emil Norton  
Box 1002  
Kodiak, AK.  
99615

RESIDENCE: Cliffside Road  
Miller Pt. 2nd Sub Div  
Blk #1, Lot #7

February 2, 1979  
P.O. Box 2683  
Kodiak, Alaska 99515

House and Senate Community and Regional Affairs Committee  
Pouch V  
Juneau, Alaska 99311

Dear Committee Members;

The City of Kodiak's current taxation policy includes levy of sales tax on goods ordered directly from a point outside Kodiak (i.e. Seattle) when that firm has a representative in Kodiak. They justify this stand on a City Statute which permits such taxation when the goods involved are solicited for within the City proper. This policy results in City sales tax being charged for orders placed directly with the Sears-Roebuck office in Seattle. The City contends that Sears Roebuck catalogs and a Sears Catalog store being in Kodiak constitute sufficient solicitation to support such taxation.

I find this tax policy objectionable and question whether catalogs or the presence of a catalog store in Kodiak qualifies as solicitation - especially for those of us who live outside the city limits. It seems unfair that we Borough residents who live outside, but near the Kodiak City limits should have to pay this tax, whereas persons living elsewhere in the Borough do not.

I learned of this tax in April, 1978 when I placed a fairly large order directly with the Sears Roebuck office in Seattle. Even though I paid for this order (including freight) in advance, I was billed an additional 3% by Sears Roebuck for Kodiak City Sales Tax prior to delivery.

I would appreciate your assistance as a member of the Community and Regional Affairs Committee in looking into the propriety of this taxation. Hopefully, your upcoming visit to Kodiak may provide an opportunity to look into this matter in greater depth.

Your time concerning this matter is appreciated.

Cordially,



Peter B. Jackson

Kodiak, Alaska

Feb. 3, 1979

Dear Sav. Hammond;

I am writing in regards to annexation. We have lived out of the city of Kodiak on Spruce Cape Road for 14 years. If we had wanted to be in the city we would of lived in the city. But we ~~pre~~ prefer to live in Box.

So would you please help us people on Spruce Cape + Island Lake.

Thank You

We Remain

Don + Mary Mack

P.O. Box 2108

Kodiak, Alaska

99615

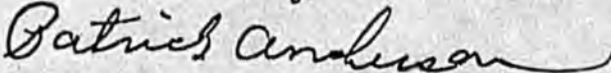
P.O. Box 1673  
Kodiak, Ak. 99615  
3 Feb. 1979

The Honorable Governor Hammond  
Pouch "A"  
Juneau, Ak. 99811

Dear Governor Hammond:

I am a life-long resident of Kodiak Island and I am opposed to being forced to join the City of Kodiak against my wishes.

It would cramp my life style as the City has too many restrictive ordinances. I would be very grateful if you would do what you can to stop this Forced Annexation.

Yours truly,  
  
Patrick Anderson

cc: Committee on Community & Regional Affairs

February 2, 1979

The Honorable Governor Jay Hammond  
Juneau, Alaska

Dear Governor:

We are opposed to the forced annexation being proposed by the City of Kodiak, and the specially appointed Committee on Annexation.

We own three lots within the affected areas and are very disturbed that we are not being allowed to vote on this issue or be taken seriously when we say we are not interested in being annexed into the city. Two of our lots are vacant and our home is on the third. We were planning to build a larger home to accomodate the needs of our family more adequately, but if we are forced into the city it is extremely likely that we could not afford the taxes and other assessments that would be required for sewer and water services (which it seems very unlikely we would receive within a reasonable amount of time). Forced annexation would very possibly force us to sell our larger lot and the hopes of a larger home.

Please take all due action to see that those persons affected by this action on the part of the Kodiak City Council will have their opinions and desires heard, and that an equitable solution be implemented.

Thank you for your interest in these matters and your subsequent intervention as needed.

Sincerely,

*Mr. & Mrs. Glenn Dick*

Mr. & Mrs. Glenn Dick

cc to all Community & Regional Affairs Comm. Members

*Box 1873*

*Kodiak 99615*

Kodiak Alaska.

Jan. 30. 1978

Governor Hammond.

Dear Sir:

I wish to object to the annexation of the lands outside of the City of Kodiak.

I am a 34 year resident of Alaska, all in Kodiak. I have lived in the same place for 30 years.

We, the resident voters, voted for a Service district, which will take care of our need for many years.

Most of us have spent many dollars developing our own utilities, and are happy as things are.

If we weren't we would move on.

Being dictated to goes against the grain, and our democratic way of life.

I believe the same as most of the  
people in the concerned areas, that  
this is only a way for the City, "Kodiak"  
to get more bonding base, and if  
the same holds true as in the past.  
They would not do any improvements  
for 5-10, meanwhile collecting taxes  
for which we would get nothing.

Please give this matter some serious  
thought.

Sincerely

E. E. Erwin

Box 1247

Kodiak Alaska

99615

P.S. I am almost 65 and have voted  
for you each time

E. E. Erwin

P.O. Box 1114  
Kodiak, Ak. 99615  
3 Feb. 1979

The Honorable Governor Hammond  
Pouch "A"  
Juneau, Ak. 99811

Dear Governor :

I am a long time resident of Kodiak. I am unable to work due to a broken hip four years ago. My only income is a small Social Security check. My grandson lives with me and pays my taxes and helps with the groceries.

If this area is annexed to the City of Kodiak, I will have to go on welfare. I request your help in defeating the proposed annexation to the City of Kodiak.

Sincerely yours,  
*Tennis Riley*  
Tennis Riley

cc: CRA Committee members of  
both Senate & House

The Honorable Arliss Sturgulewski  
The Honorable Bill Parker

Tim & Diane Haigh  
1119 Mission Rd. (Box 34)<sup>P.O.</sup>  
Kodiak, Alaska  
99615  
January 31, 1979

Dear Senator and Representative;

I'm writing in the concern of our land which is in the area which Kodiak is trying to annex. We are in the process of building our house and hope to move into it by this spring. We bought this land because we wanted to live outside of the city. We do not want to be apart of the city. So we are making our voice heard.

Thank you for your concern on this matter.

Sincerely,  
Mrs. K. Diane Haigh  
Timothy A. Haigh

Box 15  
Spruce Cape Road  
Kodiak, Alaska 99615

JAN. 29 1979

The Honorable Bill Parker  
Alaska State House of Representatives  
Pouch "V"  
Juneau, Alaska 99811

Dear Representative Parker:

This letter is in regard to the annexation of Spruce Cape, Mill Bay, and Island Lake into the City of Kodiak. We do not wish to be annexed as we do not feel the city can provide us with any better service than we presently have. We have voted against annexation twice but this time we were not allowed to vote. We feel we are being forced to become part of the City of Kodiak against our wishes.

I would urge the Legislature to overturn the decision of the Local Boundary Commission. I would also ask that a hearing be set so that testimony can be heard. Thank you for your attention.

Most sincerely,  
*Beverly R. Horn*  
Beverly R. Horn  
*Louie J. Horn*  
Louie J. Horn

cc: Rep. Margaret Branson  
Rep. Patrick Carney  
Rep. Ray Metcalfe  
Rep. Charles Parr  
Rep. Patrick O'Connell  
Rep. Fred Zharoff

January 31, 1979

The Community & Regional Affairs Committee  
Arliss Sturgulewski: Chairman  
Pouch, V.  
Juneau, Alaska 99615

Attention Arliss Sturgulewski:

This letter is to inform you and your Committee that the vocal minority, that is opposing annexation does not reflect the feelings of the majority in the city or the areas to be annexed. Nor do they offer an alternate solution to bringing about the badly needed services that Kodiak needs.

I am hopeful that in your wisdom or knowledge that you will base your support on the issue of facts in your inquiry, and not on the very vocal minority, as the majority is usually passive and not very vocal. Annexation is the last tool at our disposal to bring about the needed services, as a proposition to elect a unification charter commission and, or a proposition to grant service districts powers to the borough was voted down in our last election.

I leave the question to you; What other choice do we have other than annexation?

Sincerely,



Bob Brooks  
Box 232  
Kodiak, Ak.  
99615

Resident: Spruce Cape area

c.c to: Clem Tillion      Pres. of the Senate  
         Bob Mulcahy      Senator, Vice Chairman of the Committee  
  
         Terry Gardner      Speaker of the House  
         Bill Parker      Chairman of the Committee  
         Fred Zharoff      Representative

To Committee

Chairman

House Committee on Community and Regional Affairs.

Pouch "V"

Juneau, Alaska

99801

Dear Sirs:

dd like to request the committee hold a hearing  
on the Kodiak City annexation.

I urge you to recommend that the legislature  
disapprove of this annexation.

Thank you,

Randolph Pavelko &  
KIM STEVEN

Box 3166

Kodiak, Ak. 99615

X Kimberly Steer

P. O. Box 37  
Kodiak, AK 99615

Chairman,  
Senate Committee on Community & Regional Affairs  
Pouch V  
Juneau, AK 99801

Dear Sir:

In this day and age when the American government is supposed to be going back to the original ideals of our founding fathers of government for the people, by the people, of the people, Alaska seems to be somewhere back in the Dark Ages.

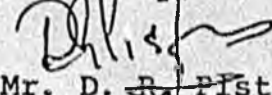
Recently here in Kodiak a local boundary commission was appointed to look into the annexation of several borough areas. For this purpose a hearing was held at which several residents of these areas in question participated. Every resident who testified at the boundary commission hearing was against annexation. Yet despite that fact, the boundary commission decided to go through with the annexation.


What does all this have to do with you and the Alaska State Legislature? You can set right this injustice by disapproving the annexation in this legislative session, otherwise we will have annexation forced down our throats.

We are totally against annexation - if for no other reason than the way our "local government" went about the procedure, disregarding the wishes of those citizens who are effected.

Hopefully, the Alaska State Legislature will demonstrate what democracy is all about by disapproving this forced annexation.

Sincerely,

  
Mr. D. R. Pistorese

  
Mrs. C. M. Pistorese

cc: Chairman  
House Committee on Community & Regional Affairs

President  
Alaska Senate

Speaker  
Alaska House of Representatives

16 January, 1979  
Box 3016  
Kodiak, Alaska  
99615

Alaska State Legislature  
Pouch V  
Juneau, Alaska  
99811

Dear Sirs:

As a resident of the Kodiak Island Borough I am appealing for your support in helping us to overcome a problem. The city of Kodiak is attempting by legislative action to annex the area in which I live into the city. The Local Boundry Commission is reccomending to the Committee on Community and Regional Affairs their approval of the proposal. I strongly urge that you vote against this proposal.

I am opposed to this annexation for the following reasons:

1. The residents of the area had their wishes totally ignored by the Commission. At the hearings in Kodiak on 16 August, 1978, not one resident testified in favor of this action. In fact, there was overwhelming opposition. If for no other reason I feel this fact should have a bearing on the decision.
2. I do not believe that we are urban in nature which is one of the criteria for annexation. The standard lot size is one acre or larger with one-third of the land being undeveloped.
3. I do not believe city services are required. The roads in the area are state or privately maintained. Police protection is provided by the State Troopers. Water is available through wells or user paid water lines. Sewer service will be obtainable at less expense through a service district plan.

Once again I ask that you cast your vote against the annexation proposal. Thank you for your time and consideration of this matter.

Sincerely yours,

*Norman D. Wooten*

Norman D. Wooten

## CAN YOU AFFORD FORCED ANNEXATION?

Despite what the City of Kodiak says, annexation will cost you money . . .

. . . The present City mill rate is 16.1; the mill rate outside the City is 7.0. The proposal for differential tax zones in the annexation area is only a recommendation of the City's annexation committee--six residents of the area to be annexed. The City Council is not obligated to accept the recommendation. AFTER ANNEXATION TAKES PLACE, THE CITY COUNCIL CAN LEVY ANY TAX RATE IT WISHES--REGARDLESS OF THE WISHES OF AREA RESIDENTS.

. . . Fire insurance rates will not decrease because of annexation. Insurance rates are set by a national rating association. Lower rates would require a fire substation and fire hydrants as well as fully maintained roads, higher water pressure and more fire equipment and personnel for the larger area.

. . . Assessments for water and sewer, to be based on the square footage of each lot, will be inequitable. A homeowner on a 200' x 150' lot will pay five times more for water and sewer than a homeowner on a 60' x 100' lot. Unimproved lots will also be assessed for water and sewer.

. . . New trailers will not be allowed in the area, causing housing costs to rise.

. . . Costs of government will increase. The Borough government will continue its present functions so its costs won't decrease, BUT the City's costs will increase with a larger area to be serviced.

Borough residents already pay for the services they use. Almost half the City's revenue comes from sales tax; only about 9% comes from property taxes. It has been estimated that more than half of the sales tax is paid by non-City residents. Why should you be forced to pay more money?

### ANNEXATION WILL NOT NECESSARILY IMPROVE SERVICES

. . . The City's record on road service is poor. Many roads inside the city are unpaved and poorly maintained. Just a few examples: Cope Street, High Street, Baranof Heights, Russell Estates, East Addition, Leite Addition.

. . . The City plans to improve sewer and water service only in certain parts of the annexation area.

. . . Recreation facilities are already available through the Borough--donated swimming pool and gym. The Borough contributes to the support of the A. Holmes Johnson Library for use by Borough residents.

. . . The City police force may be adequate for the present city area, but it would not be able to cover the large area to be annexed.

. . . "Early and special representation" allowing a resident of the area to be a non-voting member of the City Council is an empty promise. Any person may attend Council meetings, and the inequity of not having a vote is the central issue in forced annexation.

### WHAT CAN YOU DO?

This forced annexation can be overturned by the Alaska State Legislature if it acts to disapprove the annexation in the legislative session beginning January 15. If the Legislature does not act, the annexation will take place. YOU CAN INFLUENCE THE LEGISLATURE:

1. A petition opposing forced annexation is presently being circulated. Both residents of the area to be annexed and city residents may sign the petition.

2. Write to the Chairman, Senate Committee on Community and Regional Affairs and the Chairman, House Committee on Community and Regional Affairs, Pouch V, Juneau, AK. 99801. Request that the committees hold a hearing on the Kodiak City annexation and urge them to recommend that the Legislature disapprove the annexation.

PLEASE TURN THE PAGE FOR MORE STEPS YOU CAN TAKE TO DEFEAT FORCED ANNEXATION

3. To help defeat forced annexation, also write to the President, Alaska Senate, and the Speaker, Alaska House of Representatives, Pouch V, Juneau. (If possible, enclose 20 copies of your letter for the Senate and 40 copies for the House and ask that the copies be distributed.) Urge the Legislature to disapprove the Kodiak City annexation for the following reasons:

a. The wishes of area residents were totally ignored by the local boundary commission. Every resident of the area who testified at the boundary commission hearing spoke against forced annexation.

b. The area does not meet the standards for annexation. The area is not urban: the standard lot size in the area is one acre or larger, and one-third of the land area is undeveloped.

c. City services are not required: 1) Fire protection is presently provided through a service district. 2) Roads are presently State-maintained or privately maintained. The City proposes to maintain only 2½ miles of road in the entire area. 3) Police protection is provided by the State Troopers. 4) Water is presently available to the majority of the area and is paid by user fees. 5) Sewers can be provided through service districts in those areas where sewers are needed.

If you have a question or want to sign the petition opposing annexation, call Dick Juelson, 486-3696, Norm Wooten, 486-4415 (after 5 p.m.), or Pat Szabo, 486-3853. Money contributions to help defray costs involved can be mailed to Dick Juelson, Box 286, Kodiak, AK.

This flier is sponsored by Borough Residents for Autonomy, residents of the area to be annexed. The six people appointed by the City Manager to the City's annexation committee do not represent the wishes of area residents. TO MAKE OUR WISHES KNOWN AND TO DEFEAT ANNEXATION, WE MUST LET THE STATE LEGISLATURE KNOW THAT THE MAJORITY OF THE AREA'S RESIDENTS AND PROPERTY OWNERS FEEL THE BOUNDARY COMMISSION WAS WRONG IN APPROVING FORCED ANNEXATION IN KODIAK.

PLEASE ACT NOW--BEFORE IT'S TOO LATE.

Borough Residents for Autonomy  
Box 286  
Kodiak, Alaska 99615

_____	Third Class
_____	Postage Paid
_____	Permit No. 20
_____	Kodiak, Alaska

RESIDENT OR  
BOXHOLDER  
KODIAK, ALASKA 99615

*ms*

15 January, 1979

Box 3016

Kodiak, Alaska

99615

*✓ to Committee*

Chairman  
House Committee on Community  
and Regional Affairs  
Pouch V  
Juneau, Alaska  
99811

Dear Sir:

I am writing to request that you hold hearings on the attempt of the city of Kodiak to annex certain areas into the city.

I urge you to vote against this proposal when it comes before you. I am confident that if you allow the residents of the area to testify at a hearing that your vote will be against the annexation.

Thank you for your consideration of the matter.

Sincerely yours,

*Norman D. Wooten*

Norman D. Wooten

January 31, 1979

The Community & Regional Affairs Committee  
Arliss Sturgulewski: Chairman  
Pouch, V.  
Juneau, Alaska 99615


Attention Arliss Sturgulewski;

This letter is to inform you and your Committee that the vocal minority, that is opposing annexation does not reflect the feelings of the majority in the city or the areas to be annexed. Nor do they offer an alternate solution to bringing about the badly needed services that Kodiak needs.

I am hopeful that in your wisdom or knowledge that you will base your support on the issue of facts in your inquiry, and not on the very vocal minority, as the majority is usually passive and not very vocal. Annexation is the last tool at our disposal to bring about the needed services, as a proposition to elect a unification charter commission and, or a proposition to grant service districts powers to the borough was voted down in our last election.

I leave the question to you; What other choice do we have other than annexation?

Sincerely,

  
Bob Brooks  
Box 232  
Kodiak, Ak.  
99615

Resident: Spruce Cape area

c.c to: Clem Tillion      Pres. of the Senate  
          Bob Mulcahy     Senator, Vice Chairman of the Committee  
  
          Terry Gardner    Speaker of the House  
          Bill Parker     Chairman of the Committee  
          Fred Zharoff    Representative

Box 15  
Spruce Cape Road  
Kodiak, Alaska 99615

JAN. 29 1979

The Honorable Bill Parker  
Alaska State House of Representatives  
Pouch "V"  
Juneau, Alaska 99811

Dear Representative Parker:

This letter is in regard to the annexation of Spruce Cape, Mill Bay, and Island Lake into the City of Kodiak. We do not wish to be annexed as we do not feel the city can provide us with any better service than we presently have. We have voted against annexation twice but this time we were not allowed to vote. We feel we are being forced to become part of the City of Kodiak against our wishes.

I would urge the Legislature to overturn the decision of the Local Boundary Commission. I would also ask that a hearing be set so that testimony can be heard. Thank you for your attention.

Most sincerely,

Beverly R. Horn  
Beverly R. Horn

Louie J. Horn  
Louie J. Horn

cc: Rep. Margaret Bronson  
Rep. Patrick Carney  
Rep. Ray Metcalfe  
Rep. Charles Parr  
Rep. Patrick O'Connell  
Rep. Fred Zharoff

The Honorable Arliss Sturgulewski  
The Honorable Bill Parker

Tim & Diane Haigh <sup>P.O.</sup>  
1119 Mission Rd. (Box 34)  
Kodiak, Alaska 99615  
January 31, 1979

Dear Senator and Representative;

I'm writing in the concern of our land which is in the area which Kodiak is trying to annex. We are in the process of building our house and hope to move into it by this spring. We bought this land because we wanted to live outside of the city. We do not want to be apart of the city. So we are making our voice heard.

Thank you for your concern on this matter.

Sincerely,  
Mrs. K. Diane Haigh  
Timothy A. Haigh

Mr. and Mrs. Louis B. Lindsey  
Box 951  
Kodiak, Alaska 99615  
February 1, 1979

Honorable Bill Parker  
Members of Community & Regional Affairs  
House Committee  
State of Alaska  
Juneau, Alaska

Dear Sir:

We are taking this opportunity to express our feelings against being annexed to the city of Kodiak. We have lived in Kodiak 30 years—most of that time living in the Spruce Cape area—on a "homesite" which we "proved-up" on. There have been several attempts during the last few years to take us into the city. These attempts have been made more in the form of threats and untruths than in a co-operative workable arrangement.

Sincerely,

*Mrs. Louis B. Lindsey*  
Mr. and Mrs. Louis B. Lindsey

cc: Gov. Hammond, Patrick Carney, Margaret Branson, Ray Metcalfe, Patrick O'Connell, Charley Parr, Fred Zharoff

The Honorable Arliss Sturgulewski  
The Honorable Bill Parker

Tim & Diane Haigh <sup>P.O.</sup>  
1119 Mission Rd. (Box 34)  
Kodiak, Alaska 99615  
January 31, 1979

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Thank you for your concern on this matter.

Sincerely,  
Mrs. K. Diane Haigh  
Timothy A. Haigh

3 January 1979

RE: Local boundary commission proposal for Kodiak annexation

Dear Legislature:

I would like to go on record expressing my objection to the proposed boundary commission proposal for annexation to the city of Kodiak. In 1946, I obtained title to my homestead and have had continuous residency there since 1950. In 1973, I subdivided 19-one acre lots and have sold 12 of these lots. In 1973, I sold 100 acres to Mr. Al Schafer, who in turn, subdivided about 50-one acre lots. The remaining 67 acre parcel has been advertised for sale for six or seven months. However, the costs of development and the pending threat of annexation have discouraged buyers.

If there is a need for the development of this property, it can be developed through the Borough sewer, water and road service district, which we in the area voted for, without annexation, or the additional improvement, assessments and 9 mill city tax.

There is a 40 acre tract in USS 3515 adjoining my property with only one house. There are only 10 houses on my 160 acre homestead in US Survey 1682.

At this time, we feel the proposed annexation is premature. It should be postponed a few years until the need for full city services exists and the area has the population base necessary to support those services. Forced annexation to the city would leave me in dire circumstances, as I am 85 years old.

I think the members of the legislature should visit Kodiak prior to letting this happen. On that visit, I am sure you will discover many parts of the city which need and pay for city services, but are still waiting to receive them.

I respectfully request your support of a resolution rejecting this proposed annexation. If I can provide you with more information on this matter, please let me know.

Sincerely,

*B. E. Nachtweih*

B.E. Nachtweih, Alaskan  
P.O. Box 1247  
Kodiak, Alaska 99615

December 21, 1978

Dear Legislator:

On behalf of the residents of the Spruce Cape, Monashka Bay, Mill Bay and Island Lake areas, I am seeking your assistance and that of your colleagues in the State Legislature in requesting that you support a joint Senate/House resolution, overturning the Local Boundary Commission's recommendation that these areas be annexed into the City of Kodiak.

As expressed in the attached letter to the Boundary Commission, the residents of this annexation area have not voted for annexation. They feel they do not need and cannot afford the full range of City services at this time. They recognize the need for sewer, water and road services as expressed by their vote when they approved a Borough service area to provide these services.

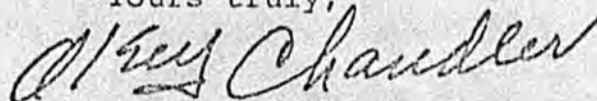
As you know, following that election the City of Kodiak took legal action to enjoin the election, even though their efforts to obtain a restraining order to bar the election were overruled by the Kodiak Superior Court. A final decision on this issue is still pending.

We recognize the State Constitution and the State laws of Alaska allow the Boundary Commission the power to annex areas regardless of the citizens' wishes; therefore, we ask your assistance in exercising your constitutional power to overturn this decision, by allowing free people the constitutional rights guaranteed by the U. S. Constitution to express themselves in a free election the type of local government they wish to represent them, and the types and levels of service from government they feel they need and can afford.

I am sending a copy of this letter to Governor Jay Hammond and each member of the Alaska State Legislature. I will also be forwarding additional materials to you during the discussions on this issue as I am sure other citizens of this area will also be doing.

Again, I ask your assistance and vote to undo what is about to be done to those of us who will be included in this annexation area.

Yours truly,



Okey Chandler

ANNEXATION HEARING

MAY 20, 1978

The Boundary Commission should not consider forcing anyone to be a part of the City before City government is in the framework of the U. S. Constitution.

October, 1977 City voters voted for everyone to pay their own personal property taxes instead of the City paying them. December, 27, 1977, several of the biggest businessmen, millionaire boat owners, etc., appeared before City Council and requested they override the referendum and they did. The City will pay their taxes until January 1, 1979.

Most cannery workers are paid \$4.00 to \$4.50 per hour. About 8 years ago, it was voted to tax rent. Labor in the City is taxed.

Last summer City Manager, Mr. Widom, stated that the City was going broke and found new things to tax: lawyer fees, Sears orders, freight and parcel post. A Sales Tax Inspector and Collector was hired.

At the last Council meeting, it came up to raise the sales tax \$.02.

After looking at tax assessments and large businesses in the core area, it is obvious that most of them are paying taxes on 1965 valuations. Land values have risen 5-30 times as much in outlying areas.

Approximately 20 years ago, residents of the Mission Road area voted to be annexed to the City. Lots in the area were 1,000 to 6,000 square feet. Land value doubled in a year or two. In 5 to 6 years, the assessed value went up 20 times more than they were when annexed to the City. Allman Addition was annexed in 1965. Several

hundred people lived in both of these areas.

Area: Catholic School - 80 Acres, Annexed 1967.

Area: Kodiak Community College - 80 Acres, Annexed 1965.

Area: Hospital and Graveyard - 50 Acres, About 1966 Annexed.

Sealand Cargo Dock was annexed in 1977. They were paying \$17,000 taxes and now pay no taxes.

Gibson Cove was annexed in 1976. No one lives in this area. The Borough is losing money.

There have been 15 to 20 other annexations. For various reasons quite a few were to keep from paying taxes on inventory and equipment.

The real property tax amounted to \$677,116 in the City in 1977. Sales tax was \$1,200,000. More than half of this was paid by people living outside of the City. Over 1/3 of City taxes are paid by people living outside of the City.

The Police Department is budgeted for \$813,379 which is \$136,000 more than all real property taxes collected in the City.

There were 3800 people living in the City in 1970. This is \$214.00 for every person living in Kodiak to support the Police Department. People living outside City limits do not need City Police protection. There hasn't been an act of violence that I have seen in the newspapers outside of the Kodiak area.

The City Manager is grossly exaggerating the facts about services. He stated that 40% of library services were for people living outside of the City. There are about 3 times as many people living in the City as in the immediate vicinity. He stated there were 26 fires outside the City in 1977. There have been 2 trailer fires in the Spruce Cape area since December 12, 1977.

The cemetery was public land which was given to the City. The

City doesn't dig any graves. There is another cemetery.

The Ram site is a community project. The City is paid for everything that is landed at the City Dock. I am sure the City makes out.

All of the land in the Monashka Bay area was bought from the Borough or BLM on contract. 70-80% are buying in new subdivisions on installment. Monashka Bay has about 300 acres and 15-20 houses. USS 1682 has 160 acres about a mile from Island Lake. It is very irregular to be included in Island Lake area and has about 12 houses on it.

USS 3219 - 10 acres, 30-40 houses. Lots are 50 x 100. Many lines were put in 20 years ago and were not buried deep enough.

Any areas that wants an improvement district petitions the Borough and it is placed on the ballot. All water and sewer lines are installed by the City and Borough and are done by contract.

I came to Kodiak February, 1946. There were 2,600 people here then. In 32 years it has grown to 3,800. The projected population growth in the various areas are pipe dreams.

The airport is 5 or 6 miles from Sealand Dock. This is several hundred acres in this area that belongs to the Federal government. No one lives on it. Wien Airlines has a contract for security check. The City is paid, if this is annexed the City will probably tax freight, and tickets and everything else they can tax.

The only government we have in Kodiak that abides by the U. S. Constitution and common law is the Borough government. If this vast area is annexed to the City it will destroy what is left of democracy in this area.

The City is broke and seeks this large annexation to bail them out. The City Manager and City Council that sent for you never spent a day on the firing line to keep democracy alive. I request that you deny this petition for annexation.

A handwritten signature in cursive script that reads "Okey Chandler". The signature is written in dark ink and is positioned in the center-right of the page.

Okey Chandler .

June 13, 1978

Ms. Sheila Gallagher  
Chairman, Local Boundary Commission  
Suite 201  
3201 "C" Street  
Anchorage, Alaska 99503

Dear Ms. Gallagher:

Enclosed are statements from Kodiak City residents. Cope Street behind the Travel Lodge is about 300 yards long and hasn't improved in more than 32 years. Alder Lane & High Street are just as bad or worse.

The City Manager would have you believe that living in the City would solve everyone's problems since they would have a Public Works Department. He grossly exaggerated facts. He stated the average family on the West Coast was 4.0 in size when it is 3.5. In Kodiak it is 3.4. I am dubious of anything he gave you as evidence.

The electric meter reading is done on contract. All meters are read whether they are being used or not. I have 2 meters. A neighbor has 2 meters. There are 20 or so meters in the Spruce Cape area on unoccupied buildings. 75 or 30 per cent of people living on Spruce Cape & Mission Road live in trailers on rented lots.

The City Manager stated last Summer, the City was going broke. I gave Mr. Strandberg a copy of the 1977 Spruce Cape appraisals & am mailing you a copy.

Mr. Craig Bishop at the December 12 meeting was opposed to annexation of USS-3098 that he has his trailer court & bookkeeping service on. He presented a petition at the Dec. 12 meeting. He favored annexation. Mr. Bishop was recently elected President of Chamber of Commerce. He had an application to build an apartment complex which the City Council approved. He stated that a trailer court owner sold land to repair his roads. He sold 2 houses & the land they were about 300 yards from his trailer court. He sold the houses to increase his trailer sales' stock in Ellis Flats. He has about 15 acres in his trailer court with 90 or 100 trailers. The roads are unplatted. The roads & trailer court are private property. If they are upgraded, the owner will pay for it. Mr. Bishop said that other roads were needed. All of the lots on Spruce Cape are 1 lot deep. The only roads needed are private driveways. He came to Kodiak '72 or '73.

Page 2

Mr. Mills stated there was 1 house on Island in 1963. There were many houses in the Island Lake area then. The tax records & K.E.A. records will verify this. Since he was here, he worked in a cannery for several years & as a heavy equipment operator. He has applied for a 1/2 million dollar permit that requires City approval (he lives in the City).

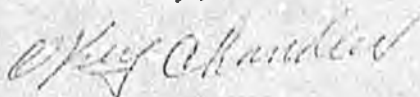
Mr. William H. Lamme, former Kodiak Post Master, lived on Island Lake 20 years ago & now lives in Anchorage.

Mr. Gary Stevens, Acting Mayor of Kodiak, came to Kodiak in 1972 or '73 & is an official in a Japanese owned cannery .

The reason I've taken time to gather the above facts is that I have a tremendous investment in democracy with 5 years, 1 month and 29 days in the military. I have spent over \$4,000.00 since 1963 and several months of my time trying to keep democracy alive on Kodiak Island. I obtained 500 borough books from Mr. Ronald Cease when the borough was formed in Kodiak and spent about \$1,500.00 on newspaper ads; \$1,000.00 on zerox copies, \$800.00 or more on radio and T.V. ads; \$800.00 on envelopes, stamps/supplies, etc. I have mailed every member of the House & State Senate information/research material on various issues which I was concerned with and also to every Governor except Governor Miller. I have written every U.S. Senator & key men in the House of Representatives & wired our representatives in D.C. & the President on several occasions.

Please give the above statements every consideration in whatever determinations you make which affects the lives of many Kodiak residents.

Sincerely,



Okey Chandler  
Box 1635  
Kodiak, Alaska 99615

cc: Other boundary commissioners

E. Neseth

Box 456

Phone: 486 5681

TO WHOM IT MAY CONCERN

Mr. Neseth and I have lived at the end of Cope Street since the 1930's when the area was away out of town.

Many homes have filled in the area since and Cope Street simply grew in by general use. It is grossly inadequate for the amount of traffic on it, especially in the winter when it is too hazardous to drive as serious icing occurs.

The overflow from ditching (or whatever) has nowhere but the road to get on, and is an every winter condition.

Such a vehicle as the garbage truck has great difficulty maneuvering for a turn-- this is winter and summer.

Our private steps from the Base Road level to the Cope Street level past our kitchen window becomes a public thoroughfare for foot travel at this end. This is naturally a nuisance besides an invitation to who-knows-what mischief in this day. We don't like it.

*E. Neseth*

Tempe Berestoff  
Box 2196  
Kodiak, Alaska 99615

June 2nd, 1978

TO WHOM IT MAY CONCERN:

I lived on High Street for five (5) years in house #306. The garbage truck and two wheel drive vehicles cannot travel up this road when deep snow or ice conditions prevail. The road is very narrow with no place to park. One house has no City water.

Sincerely,

*Tempe Berestoff*

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Phone # 486-5922

June 2, 1978

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*Janet Wentz*  
\_\_\_\_\_  
Janet Wentz  
P. O. Box 2791  
Kodiak, Alaska 99615

Phone 486-5725 (office)  
486-4991 (home)

June 5, 1978

TO WHOM IT MAY CONCERN:

As a resident on Cope Street from November 1, 1975 to January 4, 1976, I found the public works facilities in very poor condition. There was no water pressure and at best of conditions was not able to wash clothes or shower without being inconvenienced by poor water pressure. During our residency there we found that most times we had to park on Rezanoff and walk up the hill carrying groceries, etc., because there was no parking facilities available on the street. Snow removal activities prevented any parking during that period of time. Because of these conditions my family and I moved to another area.



Laurel L. Bolden  
Box 172  
Kodiak, Alaska 99615

C. B. Radio Channel 11, call number KAHN 1687  
Work Phone, 485-5725

The purpose of this letter, is to illustrate, through relating a series of past events, what I perceive to be a general lack of concern for the other guy or what could be termed an "every man for himself," attitude.

I had heard of Russell Estates and their "sewer problems" but was assured that my new house (Jim Smith's old house-Lot 3 Block 3) had already experienced the local problems and through a new pump and line that was installed, should have no further problems. We moved into the house on the twelfth of August 1977.

Everything was going smoothly until November 17th when my neighbor's (John Pirak) and my sewer line froze, breaking my grinder pump and I assume his also. The history on the open sewer lines that froze is somewhat unclear to me but I shall give you an account as best I can determine.

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Now we know how and why the open copper sewer lines were there, but not why they were left uncovered or whose responsibility it was to cover them, nor has anyone involved accepted the responsibility.

It should also be mentioned at this point that John Pirak's grinder pump and lead-in lines were open to the elements and unprotected from any possible freezing situation. Sometime after the sewage line replacement and before I bought the house, my grinder pump lines had also blown and had been replaced by Tac Plumbing with copper lines. As can be confirmed by Bradley Plumbing, the heat tape previously installed on the plastic lines was 1 ft laying on the bottom of the pump housing and consequently those lines were frozen. No indication of these problems was related to me by Jim Smith so I had assumed they did not exist.

So much for the background. Now that my pump has quit and I have water all over my house (Nov 17), I called my contractor (Richard Carr) note- (house still under warranty) and explained the situation to him; careful to mention that I'm sure the line is frozen and the pump broken, and requested that he, as the contractor, make arrangements through the responsible parties, to repair the problem. The reason I suspected a broken pump is that I had the complete service manual and trouble shooting guide on loan from the neighbor on the other side of me (who had recently experienced a similar problem), which clearly explained that a blocked line would most likely cause the pump to fail.

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I made arrangements with Bradley Plumbing to have the pump repaired the afternoon of 20 December but was greeted by the work crew at 08:30 a. m. when I was returning home from work. The men had just turned the circuit breakers off in the house and were ready to begin repairs. The next thing they did was cut the two electrical wires leading to the pump. One line was still hot and on the same line with my refrigerator. In my opinion a very dangerous and non professional approach. I mentioned I had the step-by-step instructions for pump removal and repair but they chose not to use them. They did remove the pump, take it to the shop, repair it, replace it, and it worked. The cost was \$200.87 for two men for three hours minus \$24.02 for parts. My neighbor indicated that he could do it in from one to two hours.

Incidentally, I covered the sewer lines myself to prevent freezing. Bradley Plumbing, after replacing the broken parts in the pump, re-installed the heat tape on the lead-in lines and confirmed it was working. These lines later refroze, even with the heat tape on, indicating the initial installation was not adequate to withstand the winter environment we experience in Kodiak.

Meanwhile, John Pirak's contractor (Mr Nylund), had put some heat tape and insulation on his pump and lines. They were, quite obviously, inadequate as their pump and lines refroze. John Pirak has had his problems too. After returning to Kodiak after his Christmas Vacation, he discovered his sewage system was not working properly. I don't know just what series of events led up to the present day situation, but I do know that about the fourteenth of February he began dumping raw sewage between our houses. The City was notified of this that day and a Mr. Herman Beukers came out and evaluated the situation and talked with John Pirak and myself. I had thought that this would be sufficient to "get the ball rolling" and clear up this problem. I was wrong, as I found out when I had returned home from an extended trip to Seattle on the 25th of February. Raw sewage was still being dumped between our houses routinely, and in its flow to Lilly Lake was passing under my house. The stench was, and is, terrible. On Monday, the 27th of February, I called the City Manager and explained the situation to him and my displeasure that the situation had progressed unchecked. I had called John Pirak first to find out if anything was being done, to which he replied "no". It should be noted that even though I would not, and did not dump sewage during the month my system was out, there are people with different values, and under these circumstances, they cannot be faulted entirely in this matter. At least this time my phone calls prompted some action and the following day his system was again hooked into the sewer system and "magically" worked. If you should check with the weather bureau you would notice the temperature had been above freezing for several days and had undoubtedly thawed the lines allowing his pump to again work. I believe this whole evolution is based on the simple fact that liquids freeze when not properly insulated from the cold.

Everyone is again happy and contented for the moment but; wait a minute, are John's pump and lines freeze-protected? No! they aren't and he is gone out on another Crabbing trip. Effectively there has been no long term solution introduced and the situation is likely to occur again at any moment.

Although I discussed, in detail, all the aforementioned circumstances with each person involved, no one would acknowledge and accept the responsibility for the occurrences or admit to a lack of professionalism. The common putoff was "I'll look into it", "The City is responsible", or "The other guy should have done it".

I intend to send a copy of this letter only to the people mentioned on the distribution list for now and will hold my final judgements until everyone has had ample time to respond to this and possibly bring new light on the situation and work out a reasonable answer to why this has happened, and correct those discrepancies that now exist.

I have decided that the financial responsibility for my above mentioned problems, rests with Richard Carr and that he, in turn, should redeem whatever monies he feels he is due from the responsible individuals.

I would hope to have more pleasant relations with everyone in the future but realize few people are appreciated by those who bring them to task. It should also be noted that throughout this affair I have not lost my temper and my primary concern has always been to correct those faults that should never have occurred in the first place.

Sincerely yours,

  
D. R. Jeffs

Distb:  
Richard Carr  
Bradley Plumbing  
Tac Plumbing  
City Manager  
John Pirak



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Points for consideration raised by Jack Chenoweth on Kodiak annexation issue -- January 29, 1979

Re the character of local government in Alaska:

1. The adaptation of local government to continually changing conditions is a characteristic of Alaska's local government system.
2. The decision regarding changing boundaries must be taken not by those immediately affected but by a state agency (the Local Boundary Commission) on the basis of independent evaluation.

Points related to the purpose of legislative oversight on annexation questions:

1. As political subdivisions, the cities and boroughs which have been incorporated are established to perform portions of the state's responsibilities for government that they are capable of performing. The state cannot escape responsibility for the essential quality and competence of the units of local government which exist and operate in accordance with applicable state statutes.
2. Local government involves the discharge of legal responsibilities. The capacities and abilities of municipalities to accept and discharge responsibilities greatly varies. The review process offers an opportunity for the legislature to gauge the capacities of the local government to provide services throughout an annexed or expanded area.
3. The effect of the boundary change on the people involved is a legitimate concern. As taxation is always the central factor in annexation decisions, one should question if the levels of taxation can be related to levels of service to be offered and whether annexation, with its attendant tax burden changes, will contribute to a better sharing of the burdens and opportunities for local government throughout a metropolitan region.
4. The resultant relationship of the annexation on city/borough relations is also to be considered. The legislature may do well to consider whether fulfillment of the annexation will have an effect on the range of political, service and other relationships between the city and borough and whether, in the short-range and in the long run, those relationships will grow stronger.
5. The legislature has the opportunity to review the boundary change for compliance with proper administrative procedures. Was the hearing properly noticed? Were those in attendance given opportunity to comment? Did the Commission adhere to its own requirements? Etc.



Official Business

# Alaska State Legislature

## House of Representatives

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Pouch V  
State Capitol  
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Some questions raised by the annexation question:

1. What needs exist within the area to be annexed that would best be met by annexation?
2. Is the City entitled to annexation for reasons of equity?
3. Would annexation have any adverse effects upon those residing in the area to be annexed or upon other Kodiak residents?
4. Does the annexation proposed meet the standards for annexation as contained in 19 Alaska Administrative Code 05.010 ? (See copies given Committee members)

JOAN M. KATZ

Attorney at Law  
540 L Street,

Suite 101,

(907) 274-7634  
Anchorage, Alaska 99501

January 30, 1979

Representative Bill Parker  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Re: City of Kodiak Proposed Annexation

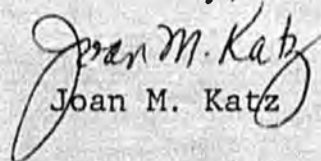
Dear Representative Parker:

Last week I sent you rather voluminous information pertaining to the proposed Kodiak annexation. Some committee members have helpfully suggested that a more condensed presentation might be useful, with the original documents available for backup documentation.

Thus, at this time I am sending a summary statement outlining the Kodiak Island Borough's opposition to annexation. Also enclosed is a map of the relevant area which was prepared at my request by the staff of the Local Boundary Commission; (I merely added the color effects).

I hope this additional information is useful. Your consideration of this issue, which is of such vital interest to the citizens of Kodiak, is greatly appreciated.

Sincerely,

  
Joan M. Katz

vs

encl.

JOAN M. KATZ

Attorney at Law  
540 L Street,

Suite 101,

(907) 274-7634  
Anchorage, Alaska 99501

January 25, 1979

Representative Bill Parker, Chairman  
Community and Regional Affairs  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

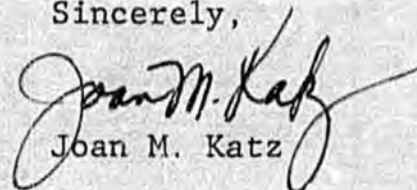
Re: City of Kodiak Proposed Annexation

Dear Representative Parker:

I enjoyed talking with you this morning in connection with the above-referenced matter. Enclosed, as per our discussion, are copies of the two briefs I have submitted at various stages in this controversy. Please feel free to call me with any questions you may have or any additional areas regarding which you may need further input. I have also contacted Hayden Green at the University and he assures me that he and P. J. Hill, who prepared the economic analysis submitted to the Local Boundary Commission and included in the information being sent to you, will also be available to answer any questions you might have.

As you will note, the issues in this controversy range from basic principles of democratic government, to economics, to fundamental notions of fair dealing. Your concern that the people of Kodiak have an opportunity to present their views to the Committee in person is in my view, very appropriate and certainly appreciated. I am also grateful for your intention to see that I am kept abreast of your Committee's activities pertaining to Kodiak.

Sincerely,

  
Joan M. Katz

vs

encl.



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
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Display Ad

Approx. 5½" X 3½"

The Alaska Senate and House  
COMMUNITY AND REGIONAL AFFAIRS COMMITTEES

will hold a

PUBLIC HEARING

on SJR 12 and HJR 10 related to

LOCAL BOUNDARY COMMISSION RECOMMENDATION FOR  
ANNEXATION OF TERRITORY TO THE CITY OF KODIAK

Saturday, February 10  
East Elementary School  
2:00 P.M.

June 13, 1978

Ms. Sheila Gallagher  
Chairman, Local Boundary Commission  
Suite 201  
3201 "C" Street  
Anchorage, Alaska 99503

Dear Ms. Gallagher:

Enclosed are statements from Kodiak City residents. Cope Street behind the Travel Lodge is about 300 yards long and hasn't improved in more than 32 years. Alder Lane & High Street are just as bad or worse.

The City Manager would have you believe that living in the City would solve everyone's problems since they would have a Public Works Department. He grossly exaggerated facts. He stated the average family on the West Coast was 4.0 in size when it is 3.5. In Kodiak it is 3.4. I am dubious of anything he gave you as evidence.

The electric meter reading is done on contract. All meters are read whether they are being used or not. I have 2 meters. A neighbor has 2 meters. There are 20 or so meters in the Spruce Cape area on unoccupied buildings. 75 or 80 per cent of people living on Spruce Cape & Mission Road live in trailers on rented lots.

The City Manager stated last Summer, the City was going broke. I gave Mr. Strandberg a copy of the 1977 Spruce Cape appraisals & am mailing you a copy.

Mr. Craig Bishop at the December 12 meeting was opposed to annexation of USS-3098 that he has his trailer court & bookkeeping service on. He presented a petition at the Dec. 12 meeting. He favored annexation, 5/ Mr. Bishop was recently elected President of Chamber of Commerce. He had an application to build an apartment complex which the City Council approved. He stated that a trailer court owner sold land to repair his roads. He sold 2 houses & the land they were about 300 yards from his trailer court. He sold the houses to increase his trailer sales' stock in Bells Flats. He has about 15 acres in his trailer court with 90 or 100 trailers. The roads are unplatted. The roads & trailer court are private property. If they are upgraded, the owner will pay for it. Mr. Bishop said that other roads were needed. All of the lots on Spruce Cape are 1 lot deep. The only roads needed are private driveways. He came to Kodiak '72 or '73.

Page 2

Mr. Mills stated there was 1 house on Island in 1963. There were many houses in the Island Lake area then. The tax records & K.E.A. records will verify this. Since he was here, he worked in a cannery for several years & as a heavy equipment operator. He has applied for a 1/2 million dollar permit that requires City approval (he lives in the City).

Mr. William H. Lamme, former Kodiak Post Master, lived on Island Lake 20 years ago & now lives in Anchorage.

Mr. Gary Stevens, Acting Mayor of Kodiak, came to Kodiak in 1972 or '73 & is an official in a Japanese owned cannery .

The reason I've taken time to gather the above facts is that I have a tremendous investment in democracy with 5 years, 1 month and 29 days in the military. I have spent over \$4,000.00 since 1963 and several months of my time trying to keep democracy alive on Kodiak Island. I obtained 500 borough books from Mr. Ronald Cease when the borough was formed in Kodiak and spent about \$1,500.00 on newspaper ads; \$1,000.00 on zerox copies, \$800.00 or more on radio and T.V. ads; \$200.00 on envelopes, stamps/supplies, etc. I have mailed every member of the House & State Senate information/research material on various issues which I was concerned with and also to every Governor except Governor Miller. I have written every U.S. Senator & key men in the House of Representatives & wired our representatives in D.C. & the President on several occasions.

Please give the above statements every consideration in whatever determinations you make which affects the lives of many Kodiak residents.

Sincerely,



Okey Chandler  
Box 1635  
Kodiak, Alaska 99615

cc: Other boundary commissioners

E. Neseth

Box 456

Phone: 486 5681

TO WHOM IT MAY CONCERN

Mr. Neseth and I have lived at the end of Cope Street since the 1930's when the area was away out of town. Many homes have filled in the area since and Cope Street simply grew in by general use. It is grossly inadequate for the amount of traffic on it, especially in the winter when it is too hazardous to drive as serious icing occurs. The overflow from ditching (or whatever) has nowhere but the road to get on, and is an every winter condition. Such a vehicle as the garbage truck has great difficulty maneuvering for a turn-- this is winter and summer. Our private steps from the Base Road level to the Cope Street level past our kitchen window becomes a public thoroughfare for foot travel at this end. This is naturally a nuisance besides an invitation to who-knows-what mischief in this day. We don't like it.

*Eunice Neseth*

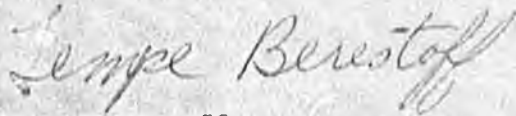
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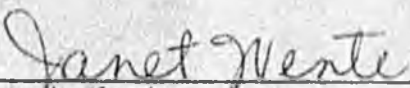
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Janet Wente

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Kodiak, Alaska 99615

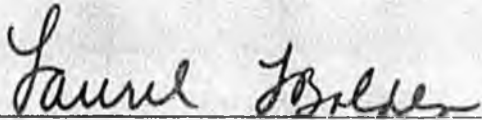
Phone 486-5725 (office)

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Laurel L. Bolden  
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C. B. Radio Channel 11, call number KAHH 1687  
Work Phone, 486-5725

8 March 1978

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I made arrangements with Bradley Plumbing to have the pump repaired the afternoon of 20 December but was greeted by the work crew at 08:30 a. m. when I was returning home from work. The men had just turned the circuit breakers off in the house and were ready to begin repairs. The next thing they did was cut the two electrical wires leading to the pump. One line was still hot and on the same line with my refrigerator. In my opinion a very dangerous and non professional approach. I mentioned I had the step-by-step instructions for pump removal and repair but they chose not to use them. They did remove the pump, take it to the shop, repair it, replace it, and it worked. The cost was \$200.87 for two men for three hours minus \$24.02 for parts. My neighbor indicated that he could do it in from one to two hours.

Incidentally, I covered the sewer lines myself to prevent freezing. Bradley Plumbing, after replacing the broken parts in the pump, re-installed the heat tape on the lead-in lines and confirmed it was working. These lines later refroze, even with the heat tape on, indicating the initial installation was not adequate to withstand the winter environment we experience in Kodiak.

Meanwhile, John Pirak's contractor (Mr Nylund), had put some heat tape and insulation on his pump and lines. They were, quite obviously, inadequate as their pump and lines refroze. John Pirak has had his problems too. After returning to Kodiak after his Christmas Vacation, he discovered his sewage system was not working properly. I don't know just what series of events led up to the present day situation, but I do know that about the fourteenth of February he began dumping raw sewage between our houses. The City was notified of this that day and a Mr. Herman Beukers came out and evaluated the situation and talked with John Pirak and myself. I had thought that this would be sufficient to "get the ball rolling" and clear up this problem. I was wrong, as I found out when I had returned home from an extended trip to Seattle on the 25th of February. Raw sewage was still being dumped between our houses routinely, and in its flow to Lily Lake was passing under my house. The stench was, and is, terrible. On Monday, the 27th of February, I called the City Manager and explained the situation to him and my displeasure that the situation had progressed unchecked. I had called John Pirak first to find out if anything was being done, to which he replied "no". It should be noted that even though I would not, and did not dump sewage during the month my system was out, there are people with different values, and under these circumstances, they cannot be faulted entirely in this matter. At least this time my phone calls prompted some action and the following day his system was again hooked into the sewer system and "magically" worked. If you should check with the weather bureau you would notice the temperature had been above freezing for several days and had undoubtedly thawed the lines allowing his pump to again work. I believe this whole evolution is based on the simple fact that liquids freeze when not properly insulated from the cold.

Everyone is again happy and contented for the moment but; wait a minute, are John's pump and lines freeze-protected? No! they aren't and he is gone out on another Crabbing trip. Effectively there has been no long term solution introduced and the situation is likely to occur again at any moment.

Although I discussed, in detail, all the aforementioned circumstances with each person involved, no one would acknowledge and accept the responsibility for the occurrences or admit to a lack of professionalism. The common putoff was "I'll look into it", "The City is responsible", or "The other guy should have done it".

I intend to send a copy of this letter only to the people mentioned on the distribution list for now and will hold my final judgements until everyone has had ample time to respond to this and possibly bring new light on the situation and work out a reasonable answer to why this has happened, and correct those discrepancies that now exist.

I have decided that the financial responsibility for my above mentioned problems, rests with Richard Carr and that he, in turn, should redeem whatever monies he feels he is due from the responsible individuals.

I would hope to have more pleasant relations with everyone in the future but realize few people are appreciated by those who bring them to task. It should also be noted that throughout this affair I have not lost my temper and my primary concern has always been to correct those faults that should never have occurred in the first place.

Sincerely yours,

  
D. R. Jeffs

Distb:  
Richard Carr  
Bradley Plumbing  
Tac Plumbing  
City Manager  
John Pirak

HOUSE  
JOURNAL SUPPLEMENT

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January 24, 1979

Wednesday

No. 2

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STATE OF ALASKA  
LOCAL BOUNDARY COMMISSION  
JUNEAU, ALASKA

RECOMMENDATIONS OF THE LOCAL BOUNDARY COMMISSION  
SUBMITTED TO THE ELEVENTH STATE LEGISLATURE  
FIRST SESSION ASSEMBLED

SUBMITTED JANUARY 24, 1979

RECOMMENDATIONS

1. Recommendation for annexation of territory to the City of Kodiak.
2. Recommendation for correcting an error in the present corporate boundary description of the Kenai Peninsula Borough.

STATE OF ALASKA  
LOCAL BOUNDARY COMMISSION  
JUNEAU, ALASKA

RECOMMENDATION FOR ANNEXATION  
OF TERRITORY TO THE  
CITY OF KODIAK, ALASKA

SUBMITTED TO THE ELEVENTH LEGISLATURE,  
FIRST SESSION ASSEMBLED

SUBMITTED JANUARY 24, 1979

## RECOMMENDATION FOR ANNEXATION OF TERRITORY

to the  
City of Kodiak

WHEREAS, the petitioner, the City of Kodiak, has requested that certain property in the Mill Bay area be annexed to the city, to wit: twenty five lots contiguous to and North and East of the City of Kodiak, including residential and commercial properties; and

WHEREAS, upon receipt of the petition, the Department of Community and Regional Affairs determined that the petition was sufficient; and

WHEREAS, subsequent to giving proper notice, the Local Boundary Commission held a public hearing at Kodiak, Alaska, on December 12, 1977, in the Kodiak City Council Chambers; and

WHEREAS, as a result of that public hearing, the Local Boundary Commission determined other urban lands in addition to those defined in the petition might be suitable for annexation to the City of Kodiak; and

WHEREAS, after giving proper public notice, the Local Boundary Commission held an additional public hearing at Kodiak on April 26, 1978, to consider annexation of geographical areas generally described as the Spruce Cape area, the Mill Bay area, the Monashka Bay area, and the United States Coast Guard Station to the City of Kodiak; and

WHEREAS, after giving proper public notice, the Local Boundary Commission held a public meeting in Anchorage on August 16, 1978, to review the record of proceedings on the

petition; and

WHEREAS, the City of Kodiak has stated to the Local Boundary Commission that it is financially capable of providing its full range of general fund services to the area encompassed by the Local Boundary Commission decision; and

WHEREAS, the Local Boundary Commission has determined that the territory to be annexed meets the standards for annexation set forth at 19 AAC 05.010(3) in that the area is generally urban in character, as evidenced by Kodiak Island Borough population estimates, property valuations, and the relatively high level of commercial activity; and

WHEREAS, the Local Boundary Commission has determined that the territory to be annexed meets the standards for annexation set forth at 19 AAC 05.010(4) in that evidence gathered at the public hearings shows that the area to be annexed is in need of municipal services which can be most efficiently provided by the City of Kodiak; and

WHEREAS, the Local Boundary Commission has determined that the territory to be annexed meets the standards for annexation set forth at 19 AAC 05.010(5) in that Kodiak Island Borough planning documents indicate there is likelihood that growth and development will occur in the territory and annexation will enable the city to plan for and control that development and arrange the most efficient municipal services plan to accommodate the expected growth;

NOW, THEREFORE, the Local Boundary Commission recommends that, pursuant to Article X, Section 12, of the Alaska

Constitution, and Alas. Statutes 44.19.260, the petition to annex the territory generally described as the Spruce Cape area and the Mill Bay area be approved and that the boundaries of the City of Kodiak be amended to read as follows:

Beginning at Corner 3 of U.S. Survey 3945, said point being the true point of beginning; thence,

(1) S 55°21'W, 10,868.88 feet to Corner 2 of U.S. Survey 3945; thence,

(2) S 34°34'E, 4250.40 feet to Corner 1 of U.S. Survey 3945; thence,

(3) S 5°06'E, 957.66 feet to Corner 2 of U.S. Survey 2537-B, identical with Corner 15, U.S. Survey 3945; thence,

(4) S 5°05'30"E, approximately 260.74 feet, more or less, to a point intersecting with the Northerly ROW of the Abbert Highway; thence,

(5) along the said ROW in a Westerly and then Southerly direction to a point located upon the common boundary of Public Land Orders 5566 (parcel 2) and 5550, located within U.S. Survey 1673; thence,

(6) S 45°00'E, 2000 feet; thence,

(7) Southeasterly 3,280 feet, more or less, to point "A", said point "A" lying: S 15°34'E, 1,290 feet, more or less, to the center of the channel of St. Paul Harbor from the Southwest corner of Lot 6, Block 20 of U.S. Survey 2537-B; thence,

(8) N 58°06'E, 7,470 feet to a point in the channel North of the Easterly tip of Crooked Island; thence,

(9) N 0°50'W, 1,644.7 feet to a point located in the channel between Near Island and Holiday Island; thence,

(10) N 42°22'E, 5,200 feet, to Point "B", said point "B" lying: S 42°22'W, 3,037.1 feet, more or less, from a point on an

isolated rock which bears S 31°50'E, 191.95 feet from WC 6 MC, U.S. Survey 1822, said point also lying S 32°24'E, 1,162 feet, more or less, from MC 6, U.S. Survey 2873; thence,

(11) N 32°24'W, to a point in the channel which is 1,000 feet from the mean high water line of Kodiak Channel; thence,

(12) along a line, 1000 feet seaward, from the meander line of mean high water in a Northeasterly and then Northwesterly direction to a point 1,000 feet Northerly from the most Northerly tip, at mean high water, of Spruce Cape; thence,

(13) continuing along a line, 1,000 feet seaward, from the meander line of mean high water, proceeding around Mill Bay in a Southwesterly, Northwesterly, and then Northeasterly direction, to a point which is located upon the projected extension seaward of the Northern boundary of Lot 17, Block 1, Second Addition of Miller Point Subdivision, plat approved 11/29/66, said boundary being more specifically described as a line bearing S 73°01'E from the Division of Lands Witness Corner monument located 15 feet West of the Northeast Corner of Lot 17, Block 1, of said subdivision; thence,

(14) N 73°01'W, 1,000 feet to the Northeast Corner of Lot 17, Block 1, of said subdivision; thence,

(15) N 73°01'W, along the Northerly boundary of Lot 17, Block 1, of said subdivision, 327.41 feet, and continuing on approximately the same bearing an additional 1728.59 feet to WC 6 of Lot 3, U.S. Survey 3462; thence,

(16) S 47°56'W, 2551.56 feet to Corner 1, Lot 3, U.S. Survey 3462, identical to the East Corner of Lot 3 of Block 6, Monashka Bay Subdivision, plat approved 9/19/67; thence,

(17) S 45°42'59"W, 295.41 feet, to the South Corner of Lot 3, Block 6 of said subdivision; thence,

(18) N 44°05'04"W, approximately 115 feet, along the Southwesterly boundary of Lot 3, Block 6 of said subdivision to a point which bears N 50°13'26"E from the South Corner of

Lot 7, Block 5, of said subdivision; thence,

(19) S 50°13'26"W, across Otmeloi Way to the South boundary of Lot 7, Block 5, of said subdivision, and continuing along the Westerly ROW of Lake View Drive, 4,433.17 feet, more or less, to the Southeast Corner of Lot 7 of Block 8 of the Monashka Bay Subdivision, plat approved 9/19/67; thence,

(20) S 79°11'50"E, 569.59 feet, to Corner 5 of U.S. Survey 3467; thence,

(21) S 23°54'W, 2500.01 feet, to Corner 4 of U.S. Survey 3467, identical with Corner 4 of U.S. Survey 3468; thence,

(22) S 85°27'W, 746.33 feet, to Corner 3 of U.S. Survey 3468, identical with Corner 3 of U.S. Survey 2538-A; thence,

(23) S 55°21'W, 1893.54 feet, to Corner 4 of U.S. Survey 3945; thence,

(24) N 34°39'W, 2811.6 feet to Corner 3 of U.S. Survey 3945, the true point of beginning.

In accordance with Article X, Section 12, of the Alaska Constitution, this recommendation shall become effective forty-five days after presentation to the legislature or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in, by a majority of the members of each house.

January 24, 1979

HOUSE JOURNAL  
SUPPLEMENT

No. 2

STATE OF ALASKA  
LOCAL BOUNDARY COMMISSION  
JUNEAU, ALASKA

RECOMMENDATION FOR CORRECTING AN ERROR IN THE  
PRESENT CORPORATE BOUNDARY DESCRIPTION  
OF THE KENAI PENINSULA BOROUGH

SUBMITTED TO THE ELEVENTH LEGISLATURE,  
FIRST SESSION ASSEMBLED

SUBMITTED JANUARY 24, 1979

RECOMMENDATION FOR CLARIFICATION OF SOUTHEASTERLY BOUNDARY  
of the  
KENAI PENINSULA BOROUGH

WHEREAS, the Local Boundary Commission has requested that the boundary description of the Kenai Peninsula Borough, dated April 30, 1974, be corrected and clarified in the southeasterly part of the boundary description, in the general area of Sargent Ice Field and the Chugach National Forest Boundary; and

WHEREAS, subsequent to giving proper notice, the Local Boundary Commission conducted a public hearing in Soldotna on Friday, January 12, 1979, to consider whether the boundary in question should be clarified and corrected; and

WHEREAS, after giving proper notice, the Local Boundary Commission held a public meeting in Yakutat on Thursday, January 18, 1979, reviewed the original boundaries, the proposed clarification, and all testimony prior to and during the January 12, 1979, public hearing; and

WHEREAS, the Kenai Peninsula Borough is in accord with the proposed clarification;

NOW, THEREFORE, the Local Boundary Commission recommends that, pursuant to Article X, Section 12, of the Alaska Constitution, and Alaska Statutes 44.19.260, the recommendation to clarify and correct the southeasterly boundary of the Kenai Peninsula Borough be approved and the following described boundary be adopted:

Beginning at Cape Douglas on the west side of Cook Inlet at the N.E. Corner of Sec. 27, T15S, R24W (projected), Seward Meridian, State of Alaska; thence West to the N.E. Corner of Sec. 29, T15S, R26W (projected); thence South to the S.E. Corner of Sec. 32, T16S, R26W (projected); thence West to the N.E. Corner of T17S, R28W (projected); thence South to the S.E. Corner of T17S, R28W (projected); thence West to the S.W. Corner of T17S, R32W (projected); thence North to the N.W. Corner of T17S, R32W (projected); thence West to the S.W. Corner of T16S, R32W (projected); thence North to the N.W. Corner of T13S, R32W (projected); thence West to the S.W. Corner of T12S, R32W (projected); thence North to the N.W. Corner of T11S, R32W (projected); thence East to the S.W. Corner of T10S, R30W (projected); thence North to the N.W. Corner of T9S, R30W (projected); thence East to the S.E. Corner of T8S, R29W (projected); thence North to the N.E. Corner of T8S, R29W (projected); thence East to the N.E. Corner of T8S, R28W (projected); thence North to the N.W. Corner of T6S, R27W (projected); thence East to the S.W. Corner of T5S, R26W (projected); thence North to the N.W. Corner of T5S, R26W (projected); thence East to the S.W. Corner of T4S, R25W (projected); thence North to the N.W. Corner of T1S, R25W (projected); thence East to the S.W. Corner of T1N, R24W (projected); thence North to the N.W. Corner of T4N, R24W (projected); thence East to the S.W. Corner of T5N, R23W (projected); thence North to the N.W. Corner of T8N, R23W (projected); thence West to the S.E. Corner of T9N, R24W (projected); thence North to the N.E. Corner of T12N, R24W (projected); thence West to the S.E. Corner of T13N, R24W (projected); thence North to the N.E. Corner of T15N, R24W (projected); thence East to the N.E. Corner of T15N, R12W (projected); thence South to the N.W. Corner of T13N, R11W (projected); thence East to the N.E. Corner of T13N, R10W (projected); thence South to the S.E. Corner of T13N, R10W (projected), said Corner being in Cook Inlet at Longitude 150°58'18"W, Latitude 61°10'00"N; thence Southeasterly to the S.E. Corner

of T12N, R9W (projected), said Corner being in Cook Inlet at Longitude  $150^{\circ}46'37''$ W, Latitude  $61^{\circ}04'49''$ N; thence Northeasterly to the N.E. Corner of T12N, R7W (projected), said Corner being in Cook Inlet at Longitude  $150^{\circ}26'01''$ W, Latitude  $61^{\circ}10'01''$ N; thence Southeasterly to the N. E. Corner of T11N, R6W (projected), said Corner being in Turnagain Arm at Longitude  $150^{\circ}14'40''$ W, Latitude  $61^{\circ}04'49''$ N; thence East to the N.E. Corner of T11N, R5W (projected), said Corner being in Turnagain Arm at Longitude  $150^{\circ}04'01''$ W, Latitude  $61^{\circ}04'49''$ N; thence Southeasterly to the N.E. Corner of Sec. 24, T10N, R2W (projected), said Corner being in Turnagain Arm at Longitude  $149^{\circ}32'05''$ W, Latitude  $60^{\circ}57'01''$ N; thence Southeasterly to the N.E. Corner of T9N, R1W (projected), said Corner being in Turnagain Arm at Longitude  $149^{\circ}21'26''$ W, Latitude  $60^{\circ}54'25''$ N; thence East to the N.E. Corner of T9N, R1E (projected), said Corner being in Turnagain Arm at Longitude  $149^{\circ}10'48''$  West, Latitude  $60^{\circ}54'25''$  North; thence Southeasterly to the N.E. Corner of Sec. 15, T9N, R2E (projected), said Corner being in Turnagain Arm at Longitude  $149^{\circ}03'41''$ W, Latitude  $60^{\circ}52'41''$ N; thence Southerly to the N.E. Corner of Sec. 26, T9N, R2E (projected), said Corner being in Turnagain Arm at Longitude  $149^{\circ}01'55''$ W, Latitude  $60^{\circ}50'57''$ N; thence South to the S.E. Corner of Section 35, T9N, R2E (projected); thence West to the N.E. Corner of Section 2, T8N, R2E (projected); thence South to the N.E. Corner of Sec. 2, T7N, R2E (projected); thence East to the N.E. Corner of T7N, R4E (projected); thence South to the S.E. Corner of T5N, R4E (projected); thence West to the N.E. Corner of T4N, R4E (projected); thence South to the N.E. Corner of Sec. 25, T4N, R4E (projected); thence East to the S.E. Corner of the S.W. 1/4 of Sec. 22, T4N, R5E (projected); thence Southerly to the S.E. Corner of the S.W. 1/4 of Sec. 34, T1N, R5E (projected); thence West to the N.E. Corner of the N.W. 1/4 of Sec. 3, T1S, R5E (projected); thence Southerly to the S.E. Corner of the N.W. 1/4 of Sec. 27, T1S, R5E (projected); thence West to the S.W. Corner of the

N.W. 1/4 of Sec. 27, T1S, R5E (projected); thence South to the N.E. Corner of Sec. 9, T3S, R5E (projected); thence Southwesterly to the S.E. Corner of Sec. 7, T3S, R5E (projected), said Corner being at or approximately at Cape Junken; thence Southwesterly to the S.E. Corner of the N.E. 1/4 of Sec. 4, T4S, R1E (projected), said Corner being at or approximately at Barwell Island; thence Southwesterly to the N.E. Corner of the S.E. 1/4 of Sec. 17, T5S, R1W (projected), said Corner being at or approximately at Pilot Rock; thence Southwesterly to the S.W. Corner of the S.E. 1/4 of Sec. 33, T7S, R2W (projected), said Corner being at or approximately at Seal Rock; thence Southwesterly to the N.W. Corner of Sec. 14, T10S, R7W (projected), said Corner being at or approximately at Pye Reef; thence Southwesterly to the S.E. Corner of the N.E. 1/4 of Sec. 28, T11S, R10W (projected), said Corner being at or approximately at Gore Point; thence Southwesterly to the S.E. Corner of the N.E. 1/4 of Sec. 27, T12S, R13W (projected), said Corner being on or approximately on the Southerly point of East Chugach Island; thence Southwesterly to the S.E. Corner of Sec. 31, T12S, R14W (projected), said Corner being at or approximately at Perl Rock; thence Southwesterly to Longitude 153°00'00"W, Latitude 59°02'00"N, in Cook Inlet; thence Southwesterly to the place of beginning at Cape Douglas, containing 25,600 sq. mi. more or less.

Together with all State waters lying within and appurtenant to the above described boundary; EXCEPT, all waters lying more than three miles Southerly of the boundary line between Perl Rock at or approximately at the S.E. Corner of Sec. 31, T12S, R14W (projected) and Longitude 153°00'00"W, Latitude 59°02'00"N, in Cook Inlet, and the N.E. Corner of Sec. 27, T15S, R25W (projected), at Cape Douglas, Southwesterly offshore jurisdiction terminates at a line beginning at the N.E. Corner of Sec. 27, T15S, R24W (projected), at Cape Douglas; and extending S62°30'00"E three miles.

In accordance with Article X, Section 12, of the Alaska Constitution, this recommendation shall become effective forty-five days after presentation to the legislature or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each House.