

Exhibit F

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

In accordance with 3 AAC 110.410(a)(4), the City of Soldotna is a home rule city and a political subdivision of the state and therefore may petition the Local Boundary Commission for annexation under the legislative review process. Soldotna City Council Resolution No. 2019-041(S), authorizing the submittal of this annexation petition, was unanimously approved by the Soldotna City Council at their regular meeting on September 26, 2019, a copy of which is provided on the following pages. A copy of the September 26, 2019 meeting minutes is also included in this Exhibit.

Introduced By:	Cashman
Substitute Introduced:	September 26, 2019
Resolution 2019-041:	See Original for Prior History
Date:	September 26, 2019
Action:	Adopted
Vote:	6 Yes, 0 No

CITY OF SOLDOTNA
SUBSTITUTE RESOLUTION 2019-041

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A PETITION TO THE
ALASKA LOCAL BOUNDARY COMMISSION FOR ANNEXATION OF APPROXIMATELY 2.60
SQUARE MILES TO THE CITY OF SOLDOTNA, USING THE LEGISLATIVE REVIEW
METHOD

WHEREAS, the City of Soldotna originally incorporated as a fourth class city in 1960, with 332 residents and an area of 7.4 square miles; and

WHEREAS, the population of Soldotna since that time has grown to an estimated 4,327, while the City limits have remained largely unchanged; and

WHEREAS, the areas immediately outside of and adjacent to the City of Soldotna have grown and developed significantly in recent decades as well, with an estimated 13,471 people living within a 5-mile radius of city boundaries as of the 2010 census; and

WHEREAS, the population living in close proximity to the city limits uses and benefits from the services provided by the City of Soldotna, including roads and other infrastructure, parks, trails and recreational programming, sewer and water utilities, animal control services, and municipal law enforcement; and

WHEREAS, services determined to be essential city services under 3 AAC 110.970 can be provided more efficiently and more effectively by the City of Soldotna than by another existing city or by an organized borough on an area wide basis or non-area wide basis; and

WHEREAS, the territory proposed for annexation is compatible in character with Soldotna; and

WHEREAS, the territory proposed for annexation is contiguous to the existing boundaries of Soldotna and would not create enclaves in the expanded Soldotna boundary; and

WHEREAS, the proposed expanded boundaries of the City are justified by the application of standards in 3 AAC 110.090 – 3 AAC 110.135; and

WHEREAS, Resolution 2018-013(S), adopted by the Soldotna City Council on June 15, 2018, directed the City Administration to prepare an annexation petition for territory adjacent to the City of Soldotna; and

WHEREAS, the “Petition to the Local Boundary Commission to Annex 3.78 Square Miles to the City of Soldotna by the Legislative Review Method” was drafted and made public, with notices and public service announcements provided according to the requirements of 3 AAC 110.425; and

WHEREAS, the Petition describes the territory proposed for annexation, including a legal metes and bounds description, in Exhibit A-1 of the document; and

WHEREAS, the Petition describes the boundaries of an enlarged City of Soldotna after annexation, in a legal metes and bounds description in Exhibit A-3 of the document; and

WHEREAS, the City Council wishes to modify the territory proposed for annexation to remove 'Area 4' and 'Area 5' from consideration; and

WHEREAS, the removal of Areas 4 and 5 will reduce the total square miles of territory proposed for annexation from 3.78 square miles, to 2.60 square miles; and

WHEREAS, the City has undertaken a multi-year process to analyze and consider the fiscal and operational impacts of amending the City's boundaries through annexation, and also to engage and understand the public's perspective with regard to enlarging the City's geographic footprint; and

WHEREAS, annexation of the territory described in the petition, as amended by authorization of this resolution, is in the best interest of the State under AS 29.06.040(a) and 3 AAC 110.135; and

WHEREAS, incorporating the areas described in the petition as amended is in the best interest of the City of Soldotna, in order to protect the municipality's ability to continue providing cost effective and efficient services to the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. That the City Manager is authorized to file a petition with the Alaska Local Boundary Commission for annexation of the territory described in Exhibit A-1 of the document titled, 'Petition to the Local Boundary Commission to Annex 3.78 Square Miles to the City of Soldotna by the Legislative Review Method,' after removing Legal Description of Area 4 (beginning on page 55 of the document) and Legal Description of Area 5 (beginning on page 57 of the document).

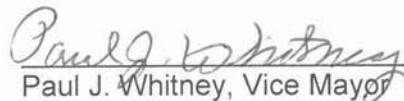
Section 2. That the City Manager is directed to update the petition, including the title of the document (to reflect the amended area of the territory), all narrative sections, exhibits, figures, and appendices, as necessary to remove references to Areas 4 and 5 from the territory proposed for annexation, and to modify Exhibit A-3 so as to exclude Area 4 and Area 5 from the 'Legal Metes and Bound Description of the City Boundaries After the Proposed Annexation,' prior to submittal to the Local Boundary Commission,

Section 3. That the City Manager is further authorized to make minor amendments to the petition prior to submittal to the Local Boundary Commission, in order to address grammatical and technical errors, if any.

Section 4. That the City Manager is designated as the representative of the City for all matters relating to the annexation petition.

Section 5. This resolution shall become effective immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL THIS 26TH DAY OF SEPTEMBER, 2019.


Paul J. Whitney, Vice Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Whitney
No: None



SOLDOTNA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: SOLDOTNA CITY COUNCIL MEMBERS
FROM: STEPHANIE QUEEN, CITY MANAGER *SQ*
DATE: WEDNESDAY, SEPTEMBER 18, 2019
SUBJECT: SUBSTITUTE RESOLUTION 2019-041, AUTHORIZING THE SUBMITTAL OF A PETITION TO ANNEX 2.60 SQUARE MILES TO THE CITY OF SOLDOTNA BY THE LEGISLATIVE REVIEW METHOD (REMOVING AREAS 4 AND 5 FROM THE ORIGINAL PETITION)

Following the pre-submission hearing on September 7, 2019, Council Member Cashman asked whether the territory proposed for annexation could still be amended by City Council, to the extent of eliminating Area 4 and Area 5 from the petition. Substitute Resolution 2019-041, attached, would accomplish this by directing the City Manager to make the necessary changes to the petition; to include removing all references to Areas 4 and 5, and making any other necessary updates consistent with the smaller geographic area.

Resolution 2019-041 was postponed from the September 12, 2019 meeting, and is still in front of the Council during the September 26, 2019 meeting.

During the meeting on the 26th the Council may continue deliberation and take final action on the original resolution, or a Council Member may make a motion to amend by substitute resolution. If a motion to amend by substitute is approved, the Substitute Resolution would then be before the Council for deliberation and final action. If the motion to amend by substitute fails, the original resolution will be back before the Council for additional deliberation and final action.

CALL TO ORDER AND ROLL CALL

Vice Mayor Whitney called the Regular Soldotna City Council Meeting of September 26, 2019, to order at 6:00 p.m.

There were present:

Vice Mayor Paul Whitney
Tim Cashman
Lisa Parker

Tyson Cox
Jordan Chilson
Justin Ruffridge

comprising a quorum of the council.

Also in attendance were:

Stephanie Queen, City Manager
Kyle Kornelis, Director of Public Works
Peter Mlynarik, Police Chief
Shellie Saner, City Clerk

APPROVAL OF AGENDA AND CONSENT AGENDA

(06:02:05)

MOTION: Council Member Chilson moved to approve the agenda and consent agenda.

Vice Mayor Whitney called for additions, corrections or deletions to the agenda or consent agenda.

MOTION: Council Member Cashman moved to suspend the rules and address business item 7.A.2. Resolution 2019-041 the resolution to submit a petition to the local boundary commission, prior to agenda item 6.A. Public Hearings on Ordinances.

MOTION PASSED: Unanimously.

Copies having been made available to the public, City Clerk Saner noted by title only the business items on the consent agenda.

- September 12, 2019 Regular Council Meeting Minutes
- Ordinance 2019-026 – Amending Soldotna Municipal Code, Chapter 6.04 Animal Control, Cruelty to Animals to Clarify Adequate Shelter Requirements and Prohibited Actions (Parker) (Public Hearing on October 10, 2019)
- Ordinance 2019-027 – Increasing Estimated Revenues and Appropriations by \$14,703.78 in the General Fund for Federally Forfeited Property (City Manager) (Public Hearing on October 10, 2019)
- Resolution 2019-042 – Declaring a Vacancy in the Office of Mayor and Setting a Special Election for December 17, 2019 (City Clerk)

Vice Mayor Whitney called for public comment, with none offered.

AGENDA AND CONSENT AGENDA APPROVED: Unanimously.

PUBLIC COMMENTS AND PRESENTATIONS

(06:03:55)

Patricia Patterson addressed the Council regarding the latest news related to vaping, noting that the vaping causing issues was related to black market items.

(06:06:30)

Resolution 2019-041 – Authorizing the City Manager to Submit a Petition to the Alaska Local Boundary Commission for Annexation of Approximately 3.78 Square Miles to the City of Soldotna, Using the Legislative Review Method (City Manager) [Postponed Until September 26, 2019]

Substitute Resolution 2019-041 – Authorizing the City Manager to Submit a Petition to the Alaska Local Boundary Commission for Annexation of Approximately 2.60 Square Miles to the City of Soldotna, Using the Legislative Review Method (City Manager)

[Clerk's Note: The motion to adopt Resolution 2019-041 was on the floor from the September 12, 2019 meeting.]

[Clerk's Note: It was ruled during the pre-submission public hearing on September 7, 2019 that Council Member Cox was not eligible to participate with Resolution 2019-041 as he owns one lot with rental property within the territory proposed for annexation.]

City Manager Queen provided a summary of events over the last few years that brought this issue to this stage in the process.

Vice Mayor Whitney opened the public hearing, asking for public comment.

Written comments in opposition to Resolution 2019-041 were received from the following people:

Lloyd Stenersen

Courtney Stanley

The following people spoke in opposition to Resolution 2019-041:

Brian Olson

Matthew Lay

Donald Boston

Marc Crouse

Dwight Ross

John Corr

Jim Fassler

Patricia Patterson

Dan Vanzant

With no one else wishing to speak, the item was back before the Council.

MOTION TO AMEND: Council Member Cashman moved to amend Resolution 2019-041 by Substitute Resolution 2019-041.

Council Members Cashman, Ruffridge, Chilson, Parker and Vice Mayor Whitney spoke in support of the Substitute Resolution.

VOTE ON MOTION TO AMEND BY SUBSTITUTE:

Yes: Cashman, Chilson, Parker, Ruffridge, Whitney

No: None

Abstention: Cox

MOTION TO AMEND BY SUBSTITUTE PASSED: 5 Yes, 0 No, 1 Abstention

[Clerk's Note: Vice Mayor Whitney ruled that with the amendment by substitute Resolution 2019-041 being approved, the property owned by Council Member Cox was no longer in an area being considered for annexation; therefore, the appearance of a conflict

no longer existed and Council Member Cox was eligible to participate in discussion and voting on Substitute Resolution 2019-041.]

VOTE ON MOTION TO ADOPT SUBSTITUTE:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION TO ADOPT SUBSTITUTE PASSED: 6 Yes, 0 No

PUBLIC HEARINGS

(07:03:55)

Ordinance 2019-023 – Increasing Estimated Revenues and Appropriations by \$59,759 in the General Fund due to the Ratification of a New Collective Bargaining Agreement with Members of the Public Safety Employees Association (City Manager)

MOTION: Council Member Parker moved to enact Ordinance 2019-023.

City Manager Queen summarized the written report.

Vice Mayor Whitney asked for public comments. With no one wishing to speak, the item was back before the Council.

VOTE ON MOTION:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION PASSED: 6 Yes, 0 No

(07:04:50)

Ordinance 2019-024 – Accepting Grant Funds from the American Society of Radiologic Technologists (ASRT) and Increasing Estimated Revenues and Appropriations by \$500 in the General Fund for the ASRT National Library Partnership Grant (City Manager)

MOTION: Council Member Cashman moved to enact Ordinance 2019-024.

City Manager Queen summarized the written report.

Vice Mayor Whitney asked for public comments. With no one wishing to speak, the item was back before the Council.

VOTE ON MOTION:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION PASSED: 6 Yes, 0 No

(07:07:30)

Ordinance 2019-025 – Repealing Soldotna Municipal Code Section 2.30.170, Union Security (City Manager)

MOTION: Council Member Cox moved to enact Ordinance 2019-025.

City Manager Queen summarized the written report.

Vice Mayor Whitney asked for public comments. With no one wishing to speak, the item was back before the Council.

VOTE ON MOTION:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION PASSED: 6 Yes, 0 No

UNFINISHED BUSINESS

(07:09:42)

Resolution 2019-039 – Authorizing the City Manager to Release the Deed Restriction on the SW ¼ of the SE ¼ Section 30, T5N, R10W, Seward Meridian, Containing 40 Acres and Owned by the Kenai Peninsula Borough (City Manager) [Postponed Until September 26, 2019]

[Clerk's Note: The motion to adopt Resolution 2019-039 was on the floor from the September 12, 2019 meeting.]

City Manager Queen reported that there was little interest from the Kenai Peninsula Borough to explore a land trade or possibility of a revised deed restriction.

Vice Mayor Whitney opened the public hearing, asking for public comment. With no one wishing to speak, the item was back before the Council.

Council Members Chilson and Vice Mayor Whitney Spoke in opposition to the resolution.

Council Members Cashman, Ruffridge and Cox spoke in support of the resolution.

VOTE ON MOTION:

Yes: Cashman, Ruffridge, Cox

No: Chilson, Parker, Vice Mayor Whitney

MOTION FAILED TO ADOPT: 3 Yes, 3 No

NEW BUSINESS *[New Business Items not approved on the consent agenda.]*

(07:25:57)

Resolution 2019-043 – Authorizing the City Manager to Waive Formal Bidding Procedures and Execute a Contract in the Amount of \$35,360 with Cummins Inc. for the Purchase of a Standby Generator for Well House C (City Manager)

MOTION: Council Member Parker moved to adopt Resolution 2019-043.

Public Works Director Kornelis summarized the written report.

Vice Mayor Whitney asked for public comments. With no one wishing to speak, the item was back before the Council.

VOTE ON MOTION:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION PASSED: 6 Yes, 0 No

(07:29:01)

Resolution 2019-044 – Declaring the Eligibility of the City of Soldotna to Submit an Application to the Alaska Department of Transportation and Public Facilities (ADOT&PF) for the Community Transportation Program for the Redoubt Avenue and Smith Way Rehabilitation Project in the City of Soldotna and Authorizing the City

Manager to Sign the Application and Future Project Agreements (City Manager)

MOTION: Council Member Cashman moved to adopt Resolution 2019-044.

City Manager Queen summarized the written report.

Vice Mayor Whitney asked for public comments. With no one wishing to speak, the item was back before the Council.

VOTE ON MOTION:

Yes: Cashman, Chilson, Parker, Ruffridge, Cox, Vice Mayor Whitney

No: None

MOTION PASSED: 6 Yes, 0 No

MAYOR/COUNCIL REPORTS

(07:35:32)

Vice Mayor Whitney reported that he submitted a letter in support of the Alaska Christian College grant application for a field house; a Kenai Peninsula Borough (KPB) Planning Ordinance on gated communities; and a KPB gravel ordinance.

Council Member Chilson reported on the September 13, 2019 Chamber of Commerce meeting.

CITY MANAGER'S REPORT

(07:40:39)

City Manager Queen summarized her written report; provided an updates on research being done regarding Spruce Bark Beetle mitigation and the online sales tax.

COUNCIL COMMENTS

(07:48:46)

Council Member Cox reminded everyone to vote next week.

Council Member Chilson thanked staff for all of the efforts with the annexation process and noted his appreciation for its quality.

Council Member Cashman hoped the people realized that the Council took their comments to heart and thanked the staff for their work on the annexation process.

Council Member Parker noted that the annexation process has been a long process and the input from the public was very valuable. She commended the Manager and staff for the work on the annexation process.

Council Member Ruffridge echoed the statements made regarding annexation.

MEETING ANNOUNCEMENTS

(07:54:50)

Vice Mayor Whitney announced the following meetings scheduled at Soldotna City Hall:


- October 8, 2019 Planning and Zoning Commission Meeting 5:30 p.m.
- October 10, 2019 City Council Meeting 6:00 p.m.

ADJOURNMENT

(07:54:58)

There being no further business to come before the Council, Vice Mayor Whitney adjourned the September 26, 2019 Council Meeting at 7:54 p.m. The next regular meeting is scheduled for October 10, 2019 at 6:00 p.m.

I certify the above represents accurate minutes of the Soldotna City Council meeting of September 26, 2019.



Michelle M. Sauer, MMC, City Clerk

Approved by Council: October 10, 2019