

# MUNICIPALITY OF ANCHORAGE



## ASSEMBLY MEMORANDUM

No. AM \_\_\_\_-2022

Meeting Date: January 11, 2022

1 **From: Assembly Members Kennedy and Allard**

2  
3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING**  
4 **TO THE QUALIFIED VOTERS OF THE BIRCHWOOD, CHUGIAK, EAGLE RIVER,**  
5 **EKLUTNA, AND PETERS CREEK AREA AT THE REGULAR MUNICIPAL**  
6 **ELECTION ON APRIL 5, 2022, AN ADVISORY BALLOT PROPOSITION ON**  
7 **WHETHER THE AREA SHOULD RESEARCH AND STUDY THE POTENTIAL TO**  
8 **DETACH FROM THE MUNICIPALITY OF ANCHORAGE AND ESTABLISH A**  
9 **SEPARATE LOCAL GOVERNMENT UNIT.**

10  
11 This is a question to the voters of an area of District 2 that is for advisory purposes  
12 only and does not require or restrict any further action on the part of the State of  
13 Alaska, the Municipality of Anchorage, or the local community itself. The area is  
14 District 2 but without JBER and the portion of Northeast Muldoon. The desired area  
15 for this advisory vote is defined by the same boundaries as the Eagle River-Chugiak  
16 Parks and Recreation Service area, defined in AMC section 27.30.090, and outlined  
17 in the map in AMC section 27.30.700, attached hereto. Regardless of the results of  
18 this advisory proposition election, there is no commitment for action, but the results  
19 will be valuable and inform any organized effort that seeks to explore and study the  
20 possibility of detachment from the Municipality of Anchorage.

21  
22 The question of whether the communities of Birchwood, Chugiak, Eagle River,  
23 Eklutna and Peters Creek area should be allowed to separate from the Municipality  
24 of Anchorage and become a self-determinate local government unit has been a  
25 question for decades yet no public opinion poll has ever been done as extensively as  
26 it can be done with an advisory vote to all eligible voters. History shows support for  
27 it: there was an election held on August 27, 1974 at which time the residents of this  
28 area approved formation of the Eagle River-Chugiak Borough and incorporated as a  
29 second class borough. This new government had a short life as the Alaska Supreme  
30 Court ruled in April 1975 that the state law authorizing the new borough was  
31 unconstitutional, resulting in automatic reincorporation into the Greater Anchorage  
32 Area Borough. Not long after, the Municipality of Anchorage formed. This advisory  
33 proposition offers the chance for the area to declare by popular vote the extent of their  
34 interest in pursuing a separate local government once again. It is an initial step in  
35 what would be a process spanning a few years.

36  
37 This will effectively offer an opportunity to voters to voice an opinion regarding  
38 development of and having access to the data and necessary information regarding  
39 the pros and cons of such an effort. Having been provided the necessary data and  
40 information voters would be prepared to make an informed decision on the question  
41 of actual detachment in the future.

42  
43 There are no economic effects anticipated and thus a summary is not included.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

**We request your support for the ordinance.**

Prepared by: Assembly Counsel  
Respectfully submitted: Crystal Kennedy, Assembly Member  
District 2, Eagle River/Chugiak  
  
Jamie Allard, Assemblywoman  
District 2, Eagle River/Chugiak

Submitted by: Assembly Members Kennedy and Allard

Prepared by: Assembly Counsel

For reading: January 11, 2022

**ANCHORAGE, ALASKA  
AO No. 2022-**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE**  
2 **QUALIFIED VOTERS OF THE CHUGIAK, EAGLE RIVER, EKLUTNA, AND**  
3 **PETERS CREEK AREA AT THE REGULAR MUNICIPAL ELECTION ON APRIL**  
4 **5, 2022, AN ADVISORY BALLOT PROPOSITION ON WHETHER THE AREA**  
5 **SHOULD RESEARCH AND STUDY THE POTENTIAL TO DETACH FROM THE**  
6 **MUNICIPALITY OF ANCHORAGE AND ESTABLISH A SEPARATE LOCAL**  
7 **GOVERNMENT UNIT.**

8  
9  
10 **WHEREAS**, there have been efforts by citizen groups in the past several years and  
11 as long ago as the 1970s to form an independent local government unit in the  
12 Birchwood, Chugiak, Eagle River, Eklutna and Peters Creek area (“Northern  
13 Communities”) separate from Anchorage; and

14  
15 **WHEREAS**, under state law, an area may be “detached” from an existing organized  
16 borough or home rule municipality through action initiated by the Local Boundary  
17 Commission of the state, local voters, or by the Alaska Legislature (see AS  
18 29.06.040 and 3 AAC 110.267 to .275); and

19  
20 **WHEREAS**, having a reliable response of voters of the Northern Communities  
21 stating whether or not they support researching and studying the potential of  
22 detachment and the concomitant economic and fiscal effects and governance  
23 challenges will be valuable information for any organized effort pursuing  
24 detachment; and

25  
26 **WHEREAS**, it is beneficial for the Anchorage Assembly and the residents of the  
27 Northern Communities to poll the electorate of the area by placing an advisory  
28 proposition on the ballot asking whether they support exploring detachment from the  
29 Municipality of Anchorage; now, therefore

30  
31 **THE ANCHORAGE ASSEMBLY ORDAINS:**

32  
33 **Section 1.** An advisory ballot proposition in substantially the same form and  
34 substance as appears in Section 2 below shall be placed on the ballot and submitted  
35 to the qualified voters for this proposition at the regular municipal election of April 5,  
36 2022. For purposes of this ordinance, the “qualified voters for this proposition”  
37 means the qualified voters residing within boundaries identical to the Eagle River-  
38 Chugiak Park and Recreational Service Area (ERCPRSA) boundaries as defined in  
39 Anchorage Municipal Code section 27.30.090 and depicted on the map located in  
40 AMC section 27.30.700.

41  
42 **Section 2.** The advisory proposition shall be presented in substantially the  
43 following form:  
44

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

**PROPOSITION No. \_\_\_\_**  
**Birchwood, Chugiak, Eagle River, Eklutna, and Peters Creek area study**  
**for potential detachment from Anchorage**  
*—This Proposition is Advisory Only—*

Should the communities of Birchwood, Chugiak, Eagle River, Eklutna, and Peters Creek research the potential of detaching the area from the Municipality of Anchorage in order to form a new independent local government?

YES  NO

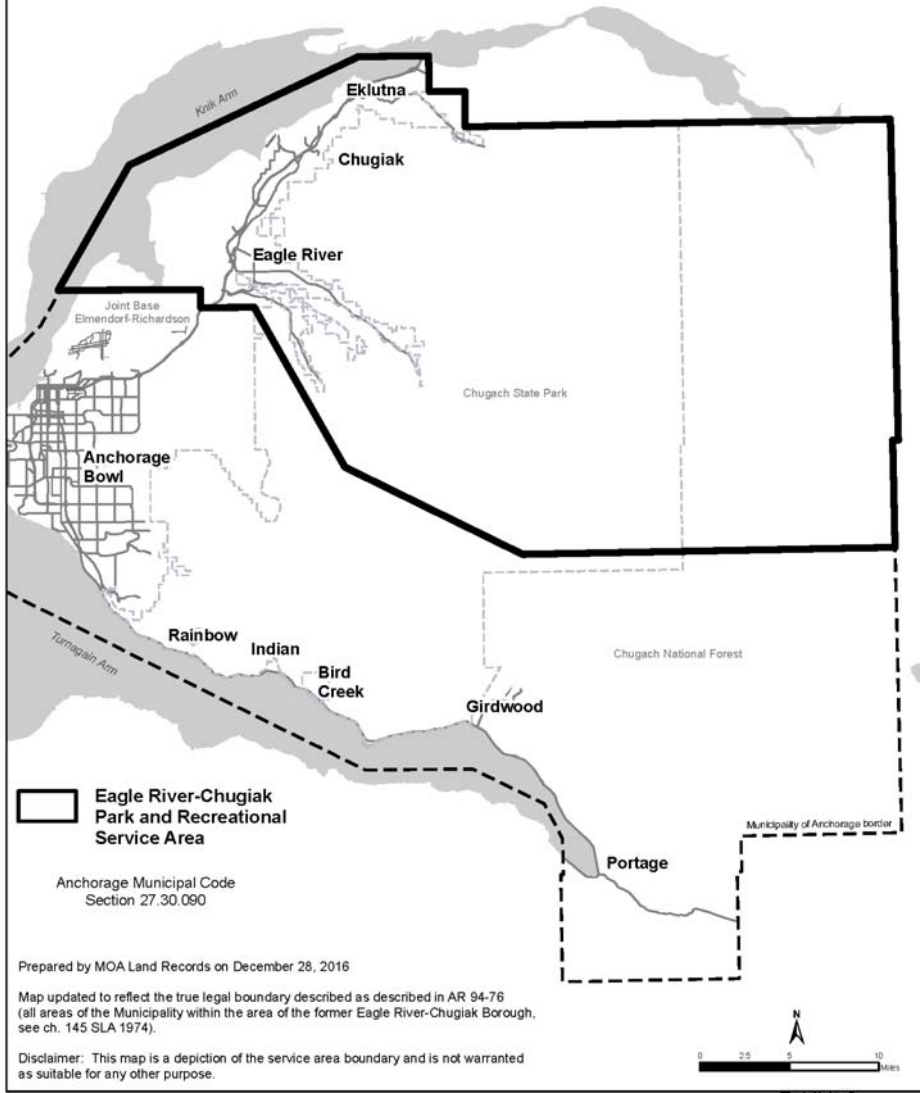
**Section 3.** This ordinance shall become effective immediately upon passage and approval by the Assembly.


PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk



 **Eagle River-Chugiak  
Park and Recreational  
Service Area**

Anchorage Municipal Code  
Section 27.30.090

Prepared by MOA Land Records on December 28, 2016

Map updated to reflect the true legal boundary described as described in AR 94-76  
(all areas of the Municipality within the area of the former Eagle River-Chugiak Borough,  
see ch. 145 SLA 1974).

Disclaimer: This map is a depiction of the service area boundary and is not warranted  
as suitable for any other purpose.



Exhibit C