

Summary and Update on the Xunaaa Borough

City Council Work Session

November 3, 2025

For the benefit of new council members and a refresher for others, here is a summary of the steps taken in the past twelve months. This is intended as informational only. Questions regarding the process are welcomed but we will not be discussing the city's position, concerns, or strategies going forward.

* November 12, 2024 - The Local Boundary Commission (LBC) held a decisional meeting and voted in favor of adopting the City of Hoonah's petition to form a non-unified Home Rule Xunaa Borough as presented to the Local Boundary Commission. The commissioners seemed to overlook the LBC staff report that recommended that the LBC not adopt the petition as presented, as well as an abundance of public comment in opposition.

*The final written decision as well as a dissent brief presented by Commissioner Wood and Commissioner Walker were presented at a December meeting.

*We engaged attorney Megan Costello to work with us on filing for reconsideration in a combined effort with Elfin Cove. Megan did an outstanding job in presenting our case. In addition to ours, the City of Tenakee Springs, the City of Pelican and the Gustavus Visitors Association all filed requests for reconsideration.

* February 18, 2025 - A final decisional meeting was held in which the LBC reconsidered two of the standards, Boundaries and Best interests of the state, and ultimately voted to uphold the original decision to grant the petition for the Xunaa Borough. At this point we had no further options for appeal to the LBC.

* The City Council met twice in executive session with attorney Megan Costello to discuss litigation strategies to pursue legal options. A decision was made to direct our attorney to file an administrative appeal to the Alaska Superior Court of the LBC's decision to grant the petition dissolving the City of Hoonah and forming the Xunaa Borough. Tenakee Springs, Pelican and Elfin Cove all made the same determination and the attorneys for all four communities are collaborating on the brief. Gustavus and Elfin Cove continue to share one attorney and to split costs as applicable.

* April 18, 2025 - A Statement of Points on Appeal Brief and a Motion to Stay were filed in Superior Court. The Points on Appeal lists 47 points that are being further fleshed out in the

final brief. The Motion to Stay asked the court to prohibit the Local Boundary Commission from submitting the petition to the voters pending the duration of this judicial appeal.

*Alaska Superior Court granted the motion to stay the Local Boundary Commission's decision approving the formation of the Xunaa Borough, which meant that the LBC couldn't take further steps toward the formation of the Xunaa Borough while the appeal is pending, including the election that had been scheduled for July for Hoonah voters.

*Since July, there has been a series of extensions to due dates and attorney action has been on hold while court records were completed and we are still waiting for a due date to be issued. Once we have a new due date, we will have 30 days to file our brief, the LBC and Hoonah will get to each file a responsive brief, and then the communities will file a reply brief. Then there will be oral argument. After that, the Court has up to six months to make a decision. We will have an opportunity to review the briefs prior to filing and to make comments if we wish.

*For further information on the petition itself, public comment and the city's opposition comments, and records from the LBC's meetings, please visit the LBC website:

<https://www.commerce.alaska.gov/web/dcra/LocalBoundaryCommission/CurrentandPastPetitions/2023CityofHoonahPetition.aspx>

Superior Court Records are not as easily obtained on-line but are all public record. I can forward those to anyone who is interested.