

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Real Estate Department
For Reading: October 24, 2023

**ANCHORAGE, ALASKA
AO NO. 2023-112**

1 **AN ORDINANCE AUTHORIZING THE DISPOSAL BY PERPETUAL, NON-**
2 **EXCLUSIVE TELECOMMUNICATION AND ELECTRICAL EASEMENTS TO**
3 **CHUGACH ELECTRIC ASSOCIATION, INC. ON PORTIONS WITHIN TEN**
4 **MUNICIPAL PARCELS, LEGALLY DESCRIBED AS SEC 36 T13N R3W (PID 007-**
5 **321-01, 007-331-01, 007-341-01, 007-371-01, 007-381-01); SEC 1 T12N R3W (PID**
6 **014-561-01, 014-591-01, 014-601-01, 014-631-01); SEC 12 T12N R3W (PID 014-**
7 **641-01).**

8
9 **WHEREAS**, the Municipality of Anchorage (MOA) proposes to grant to Chugach
10 Electric Association, Inc. (CEA) perpetual, non-exclusive telecommunication and
11 electrical (T&E) easements on municipal property, legally described as portions
12 within Section 36 T13N R3W, Sections 1 and 12 T12N R3W; and

13
14 **WHEREAS**, this action is necessary to provide the recorded legal authority for the
15 continued maintenance, operation, and reinstallation of upgraded equipment,
16 safety, and access for the existing main transmission line licensed by the Federal
17 Energy Regulatory Commission; and

18
19 **WHEREAS**, the proposed perpetual, non-exclusive T&E easements will comprise a
20 total of approximately 34.2 acres within the dedicated Far North Bicentennial Park;
21 and

22
23 **WHEREAS**, disposals of an interest in dedicated parkland require a majority vote of
24 the people (AMC 25.30.020D). However, there are existing right-of-way licenses
25 granted by the Bureau of Land Management to CEA, in accordance with the Federal
26 Power Act of 1920 and subsequent related Acts and amendments. Therefore, it is
27 not considered an additional disposal of an interest requiring a majority vote; and

28
29 **WHEREAS**, except where required by law, disposals of municipal property by
30 easement have certain conditions, including a value of \$50,000 or less and a finding
31 by the Assembly to be without substantial value for the term of the agreement (AMC
32 25.30.020B-C). The Administration recognizes the value of the property is
33 substantial. However, the availability of reliable electricity to the citizens of
34 Anchorage is vital; and

35
36 **WHEREAS**, in acknowledgment there is no additional disposal, it is also proposed
37 that public noticing and posting provisions regarding municipal land disposal
38 requiring voter approval be waived (AMC 25.30.025); and

39

1 **WHEREAS**, following notice, the Parks & Recreation Commission held a public
2 hearing and passed Resolution 2022-02 stating non-objection; now, therefore,
3

4 **THE ANCHORAGE ASSEMBLY ORDAINS:**

5
6 **Section 1.** Notwithstanding the provisions of AMC 25.30.020B-D and 25.30.025,
7 the Assembly finds that this disposal of an interest of dedicated parkland in
8 conjunction with existing licensure does not require a majority vote, nor a finding of
9 without substantial value or additional public noticing and posting.

10
11 **Section 2.** The MOA is hereby authorized to grant perpetual, non-exclusive T&E
12 easements to CEA on municipal property, legally described as portions within SEC
13 36 T13N R3W (PID 007-321-01, 007-331-01, 007-341-01, 007-371-01, 007-381-
14 01); SEC 1 T12N R3W (PID 014-561-01, 014-591-01, 014-601-01, 014-631-01);
15 SEC 12 T12N R3W (PID 014-641-01).
16

17 **Section 3.** This Ordinance shall become effective immediately upon passage and
18 approval by the Anchorage Assembly.
19

20 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
21 _____, 2023.
22
23
24
25

26 _____
Chair

27 ATTEST:
28
29
30

31 _____
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2023-112

Title: **AN ORDINANCE AUTHORIZING THE DISPOSAL BY PERPETUAL, NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH ELECTRIC ASSOCIATION, INC. ON PORTIONS WITHIN TEN MUNICIPAL PARCELS, LEGALLY DESCRIBED AS AS SEC 36 T13N R3W (PID 007-321-01, 007-331-01, 007-341-01, 007-371-01, 007-381-01); SEC 1 T12N R3W (PID 014-561-01, 014-591-01, 014-601-01, 014-631-01); SEC 12 T12N R3W (PID 014-641-01).**

Sponsor: **MAYOR**
 Preparing Agency: Real Estate Department
 Others Impacted: Parks and Recreation, Public Works ROW Acquisition

CHANGES IN EXPENDITURES AND REVENUES:					
(In Thousands of Dollars)					
	FY23	FY24	FY25	FY26	FY27
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor	-	-	-	-	-
3900 Contributions					
4000 Debt Service		-	-	-	-
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:	\$ 240	\$ -	\$ -	\$ -	\$ -
CAPITAL:	\$ -				
POSITIONS: FT/PT and Temp					

PUBLIC SECTOR ECONOMIC EFFECTS:

The proposed disposals of an interest in municipal lands are for the continued operation of the Chugach Electric Association, Inc. (CEA) main transmission line to provide critical electricity for the Municipality of Anchorage (MOA).

PRIVATE SECTOR ECONOMIC EFFECTS:

The proposed disposals of an interest in municipal lands are for the continued operation of the CEA main transmission line to provide critical electricity for MOA.

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

AM No. 802-2023

Meeting Date: October 24, 2023

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AUTHORIZING THE DISPOSAL BY PERPETUAL,**
4 **NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH**
5 **ELECTRIC ASSOCIATION, INC. ON PORTIONS WITHIN TEN**
6 **MUNICIPAL PARCELS, LEGALLY DESCRIBED AS SEC 36 T13N**
7 **R3W (PID 007-321-01, 007-331-01, 007-341-01, 007-371-01, 007-381-**
8 **01); SEC 1 T12N R3W (PID 014-561-01, 014-591-01, 014-601-01,**
9 **014-631-01); SEC 12 T12N R3W (PID 014-641-01).**

10
11 This Ordinance authorizes the Municipality of Anchorage (MOA) to grant to
12 Chugach Electric Association, Inc. (CEA) perpetual, non-exclusive
13 telecommunication and electrical (T&E) easements on municipal property, legally
14 described as portions within Section 36 T13N R3W, Sections 1 and 12 T12N R3W.

15
16 MOA received Municipal Entitlement Act lands that were subject to a CEA-owned
17 and maintained transmission line. CEA's original authority for the transmission line
18 location was issued under a 1957 Federal Power Commission license. That license
19 expired and a new license was issued under the Federal Energy Regulatory
20 Commission license. During that licensing process, CEA was directed to acquire
21 T&E easements to operate the transmission line.

22
23 CEA is seeking T&E easements crossing ten municipal parcels within the dedicated
24 Far North Bicentennial Park with an approximate area of 34.2 acres, or 15,038
25 linear feet (Exhibit A).

26
27 Disposal of an interest in dedicated parkland requires a majority vote of the citizens
28 of MOA (AMC 25.30.025). However, there are existing right-of-way licenses
29 granted by the Bureau of Land Management that predate municipal ownership.
30 Therefore, it is not considered an additional disposal of an interest requiring a
31 majority vote. Considering this determination, MOA is seeking to waive those
32 provisions for public notice and posting for the associated proposition.

33
34 Disposals by easement have certain conditions, including a value of \$50,000 or
35 less and a finding by the Assembly to be without substantial value. The
36 Administration recognizes the value of the property is substantial. However, the
37 availability of reliable electricity is critical for the operations of MOA and its citizens.
38

1 On April 14, 2022, following notice, the Parks and Recreation Commission held a
2 public hearing and approved Resolution 2022-02 not objecting to the perpetual,
3 non-exclusive T&E easements to CEA (Exhibit B).
4

5
6 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
7

8 Prepared by: Real Estate Department
9 Approved by: Tiffany Briggs, Real Estate Director
10 Concur: Lance Wilber, OECD Executive Director
11 Concur: Marilyn Banzhaf, OMB Deputy Director
12 Concur: Alden Thern, Acting CFO
13 Concur: Anne Helzer, Municipal Attorney
14 Concur: Kent Kohlhase, P.E., Municipal Manager
15 Respectfully submitted: Dave Bronson, Mayor
16

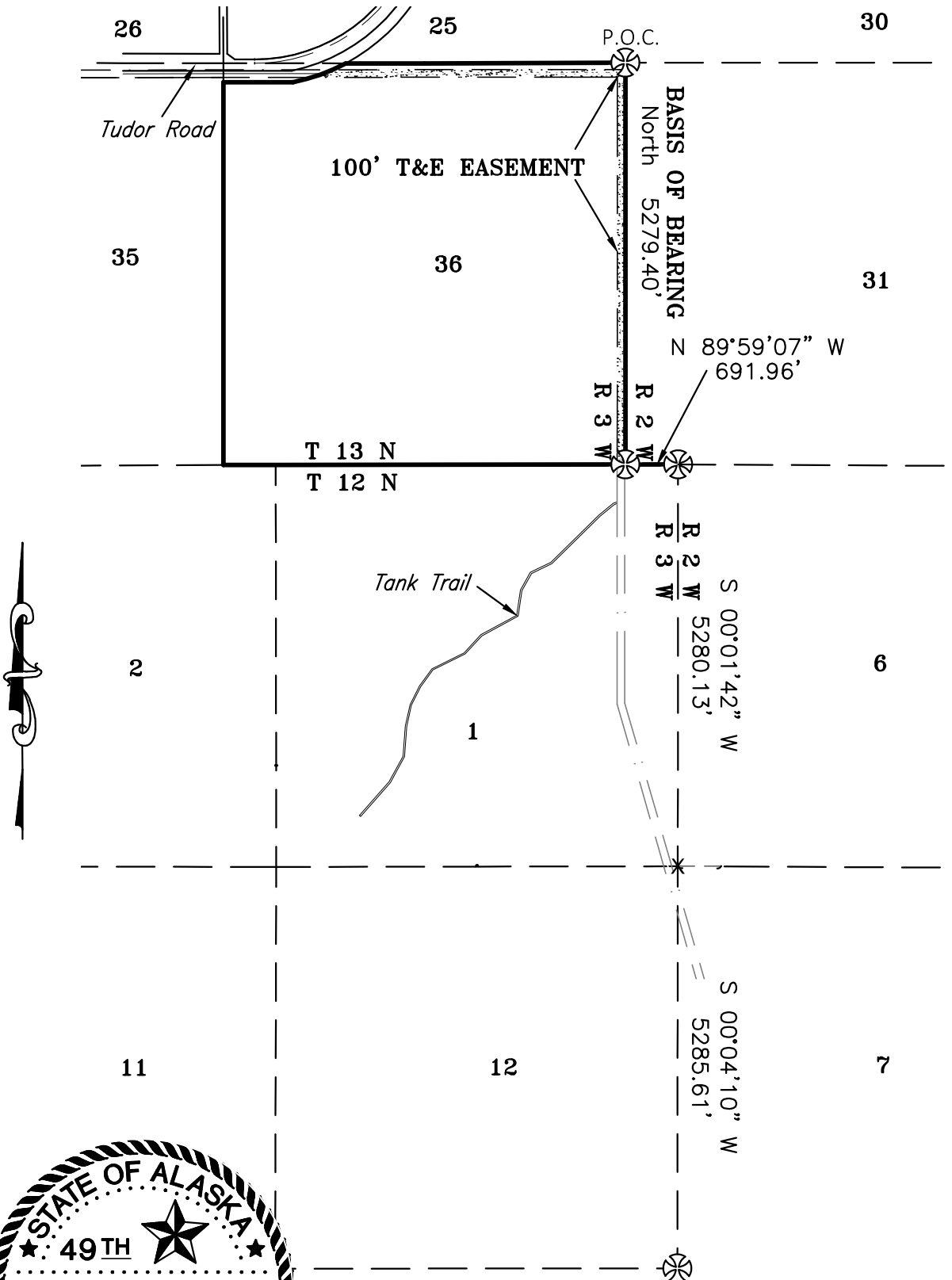
17 Appendix A: T&E Easement maps

18 Appendix B: Parks and Recreation Commission Resolution 2022-02




Exhibit A

NOTE

1. The centerline of this 100' wide T&E easement was computed from survey ties made in the field to the existing facilities.



LEGEND

-  FOUND BLM MONUMENT
-  COMPUTED - NOTHING SET
-  POINT OF COMMENCEMENT

TOTAL EASEMENT AREA = 20.796 Acres

EXHIBIT B

AS-BUILT SURVEY OF THE 115kV OVERHEAD POWERLINE SITUATED WITHIN SECTION 36, T. 13 N., R. 3 W., SEWARD MERIDIAN, ALASKA



Farpoint Land Services, LLC
 SURVEYING, MAPPING, LAND PLANNING, GIS
 1131 E. 76th Ave., Suite 101 Anchorage, Alaska 99518
 FarpointAK.com • (907) 522-7770 • survey@farpointak.com

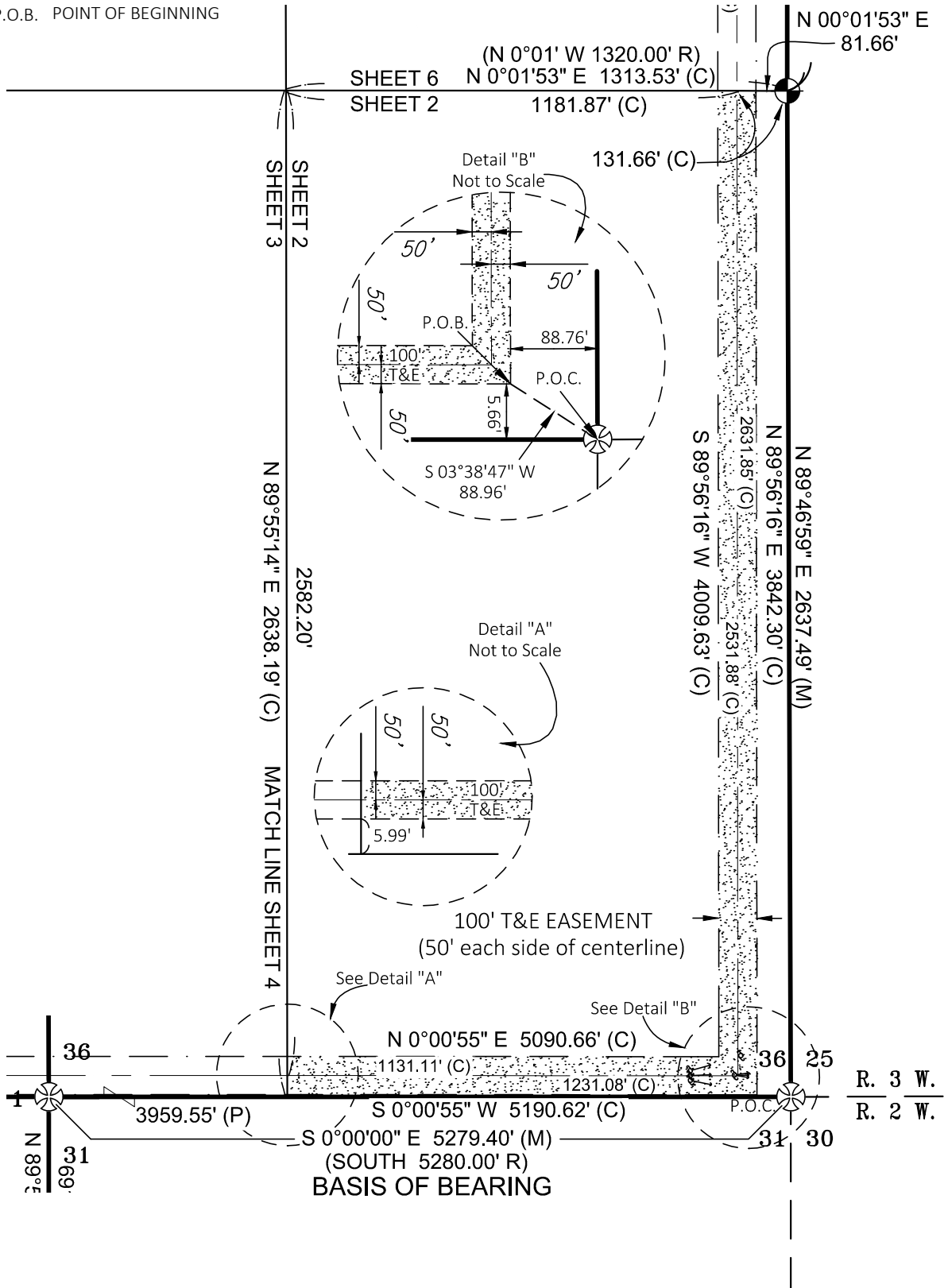
ANCHORAGE RECORDING DISTRICT
 THIRD JUDICIAL DISTRICT, STATE OF ALASKA

DATE: Aug. 1, 2022	SCALE: 1"=2000'	SHEET: 3 OF 8	WO #: 13053	AECL #: 1469
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Exhibit A

LEGEND

-  FOUND BLM MONUMENT
-  FOUND MONUMENT
- (R) RECORD T. 13 N., R. 3 W., S.M., APPROVED SEPT. 24, 1917
- (P) PROPORTIONED
- (M) MEASURED
- (C) COMPUTED
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



FAR NORTH BICENTENIAL PARK:
Sec. 36

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE

SITUATED WITHIN SECTION 36,
T. 13 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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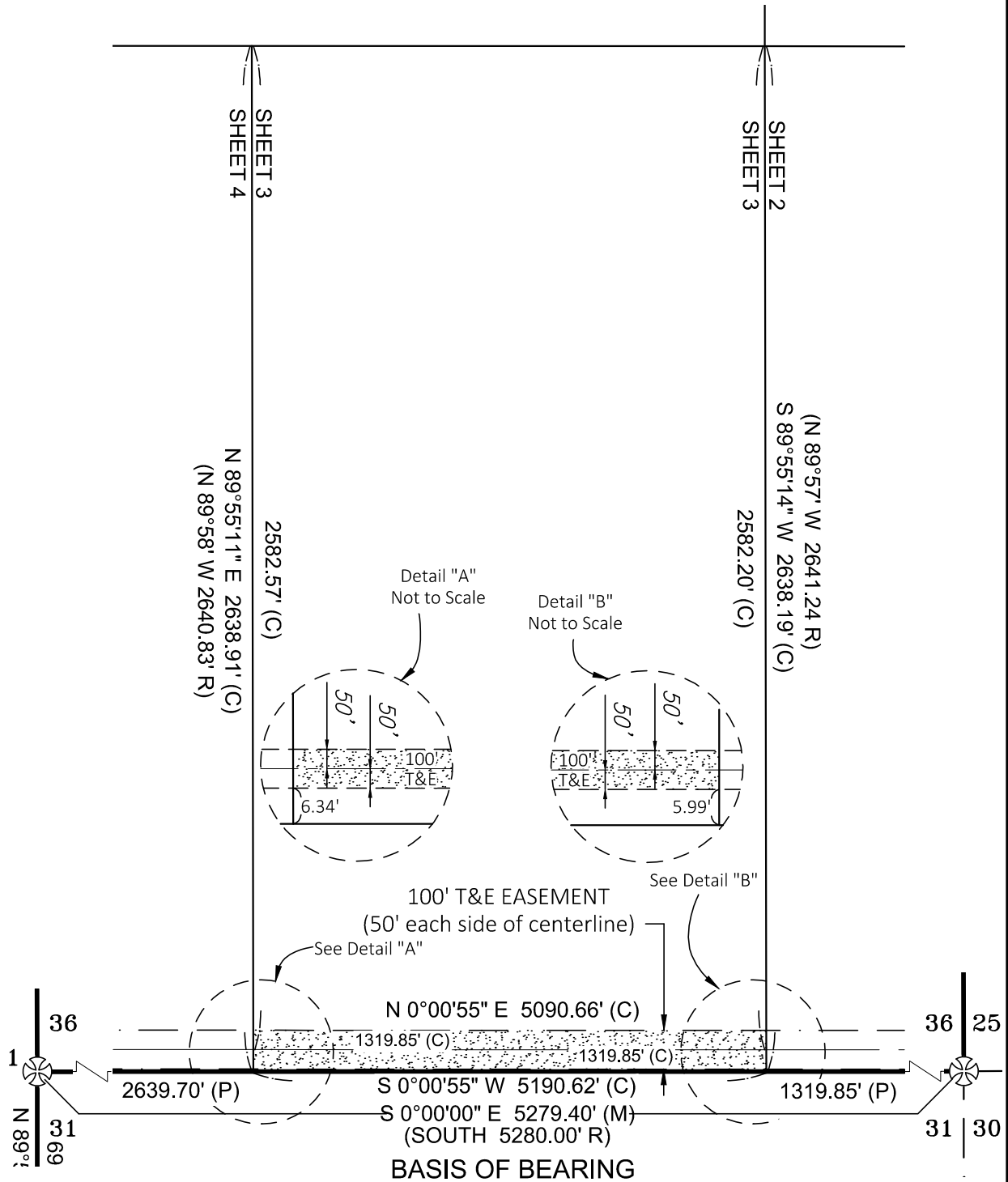
DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	4 OF 8	13053	1469

Exhibit A



LEGEND

-  FOUND BLM MONUMENT
- (R) RECORD T. 13 N., R. 3 W., S.M., APPROVED SEPT. 24, 1917
- (M) MEASURED
- (P) PROPORTIONED
- (C) COMPUTED



FAR NORTH BICENTENIAL PARK
Sec. 36

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE

SITUATED WITHIN SECTION 36,
T. 13 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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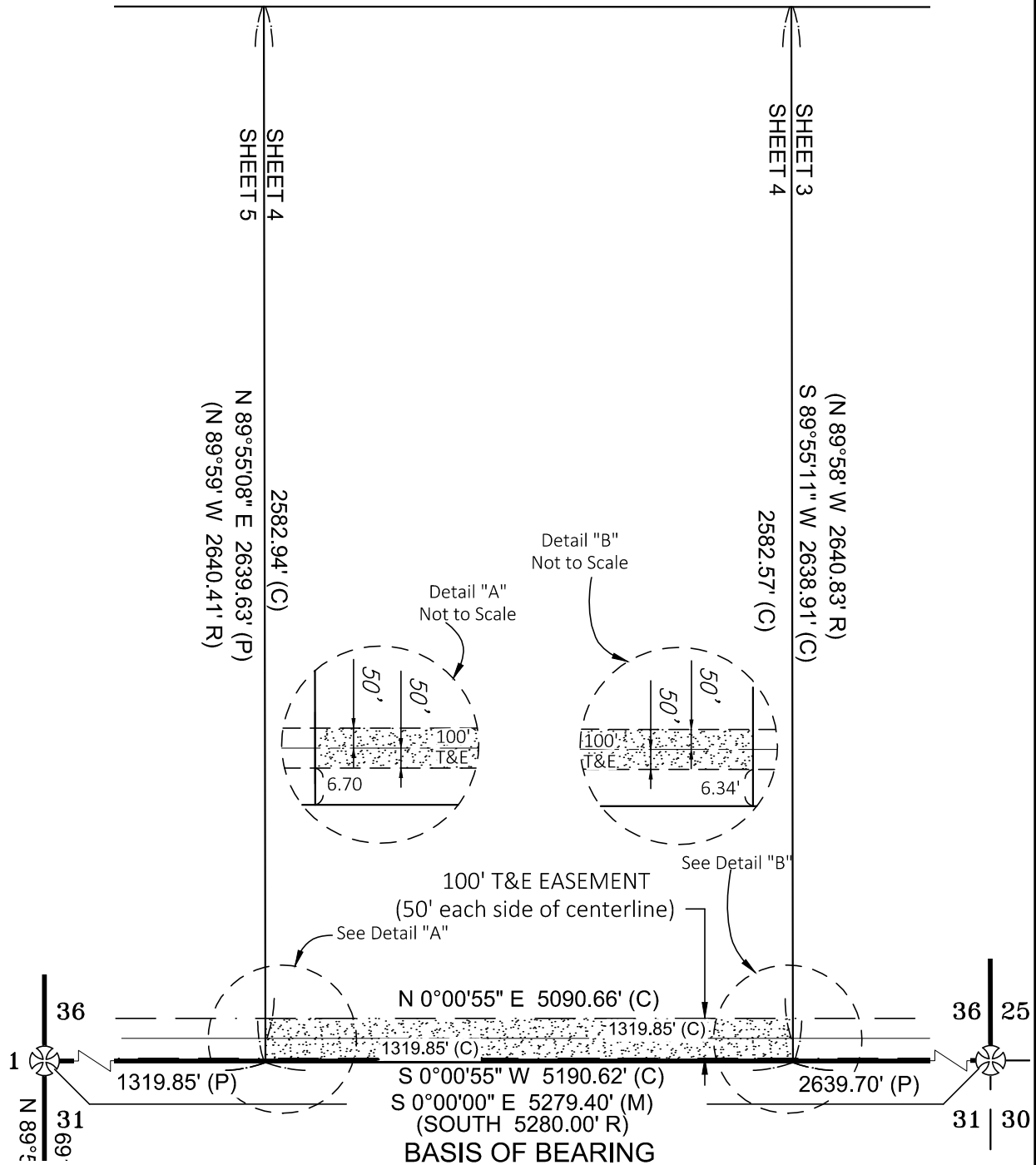
DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	5 OF 8	13053	1469

Exhibit A



LEGEND

-  FOUND BLM MONUMENT
- (R) RECORD T. 13 N., R. 3 W., S.M., APPROVED SEPT. 24, 1917
- (M) MEASURED
- (P) PROPORTIONED
- (C) COMPUTED



FAR NORTH BICENTENIAL PARK:
Sec. 36

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE
SITUATED WITHIN SECTION 36,
T. 13 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

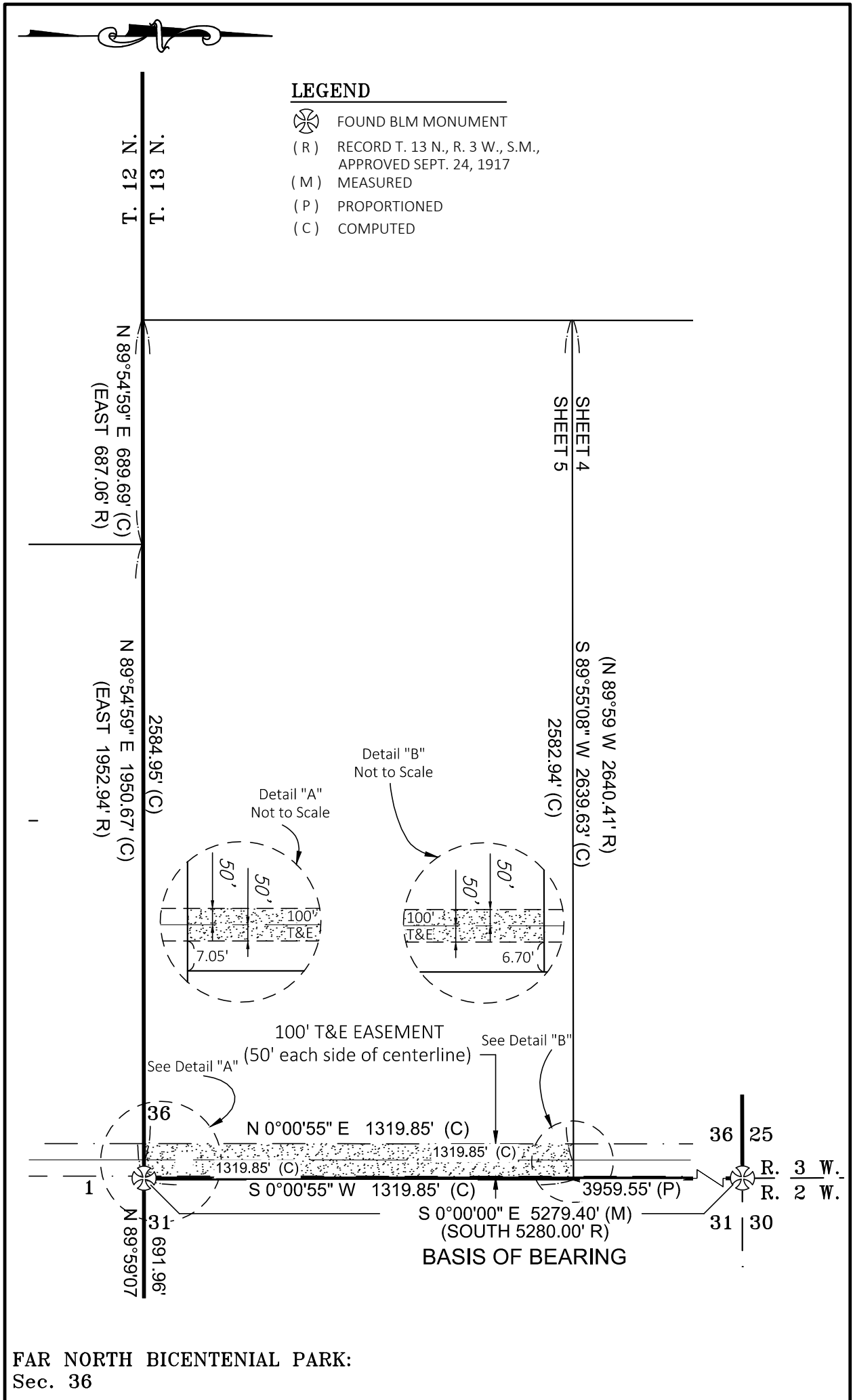
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DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	6 OF 8	13053	1469

Exhibit A



**AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE**
SITUATED WITHIN SECTION 36,
T. 13 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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DATE: Aug. 1, 2022	SCALE: 1"=400'	SHEET: 7 OF 8	WO #: 13053	AECL #: 1469
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Exhibit A

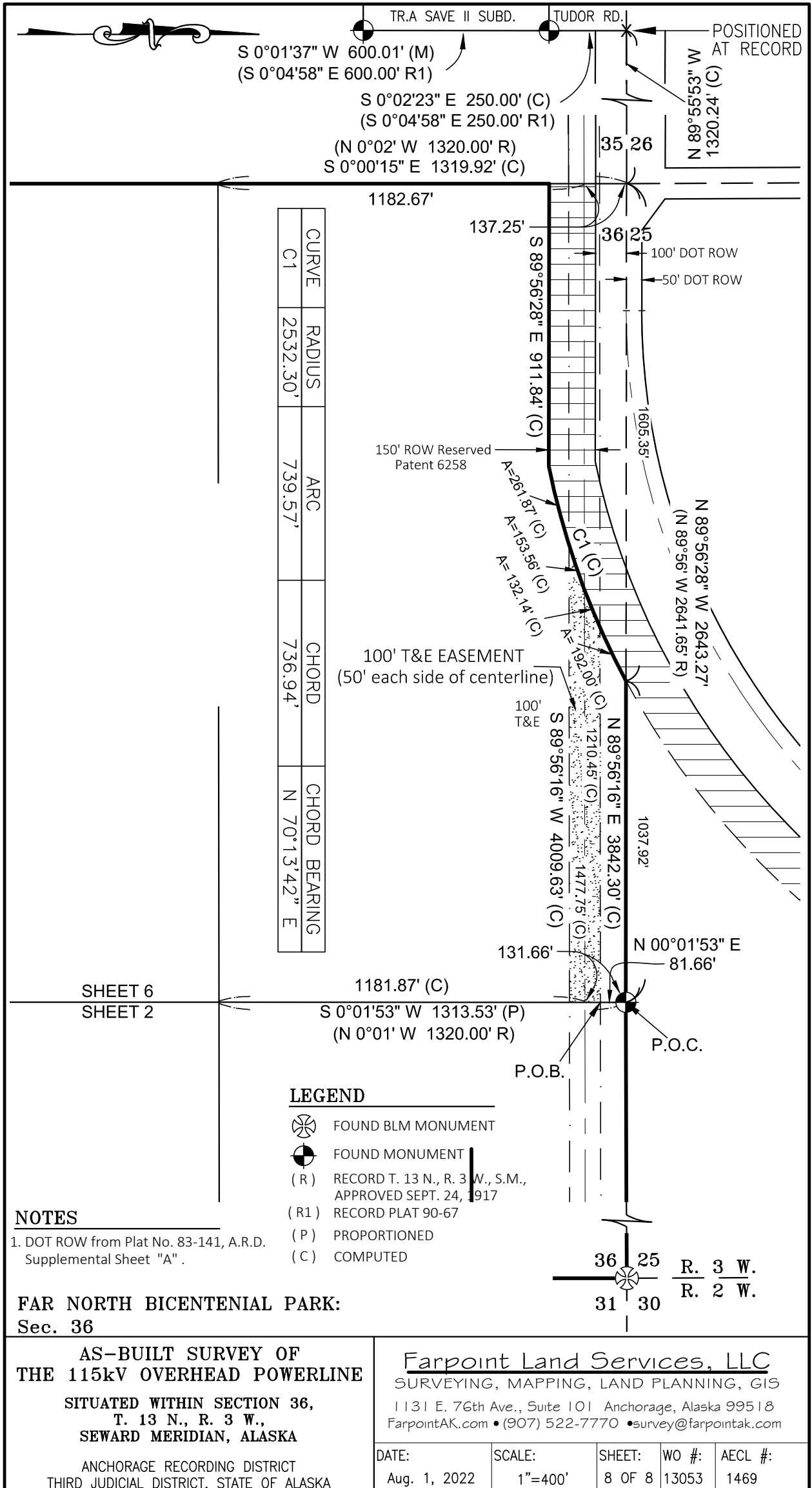
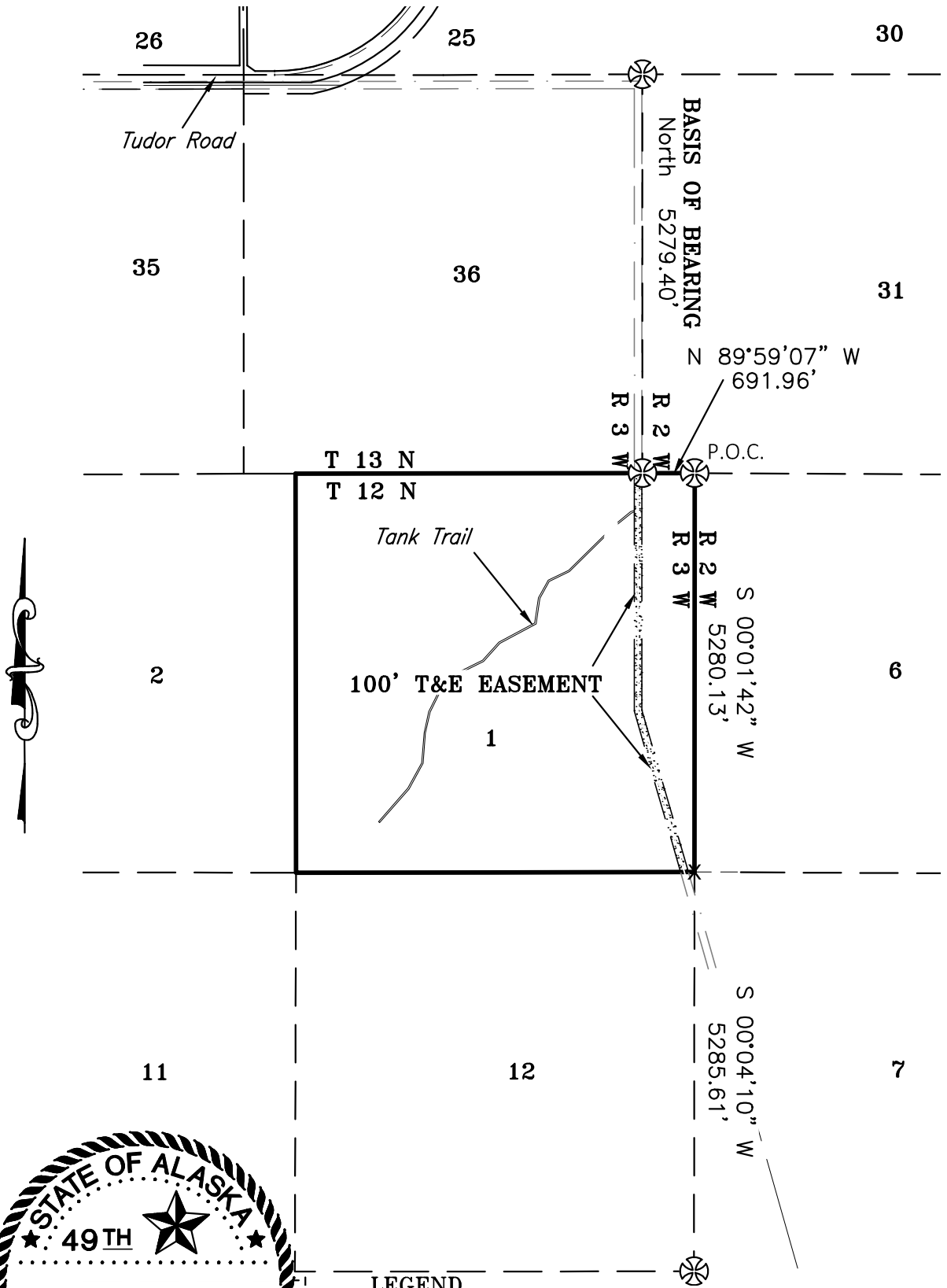


Exhibit A

NOTE

1. The centerline of this 100' wide T&E easement was computed from survey ties made in the field to the existing facilities.



LEGEND

- FOUND BLM MONUMENT
- (X) COMPUTED - NOTHING SET

EXHIBIT B

TOTAL EASEMENT AREA =
12.321 Acres

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE

SITUATED WITHIN SECTION 1,
T. 12 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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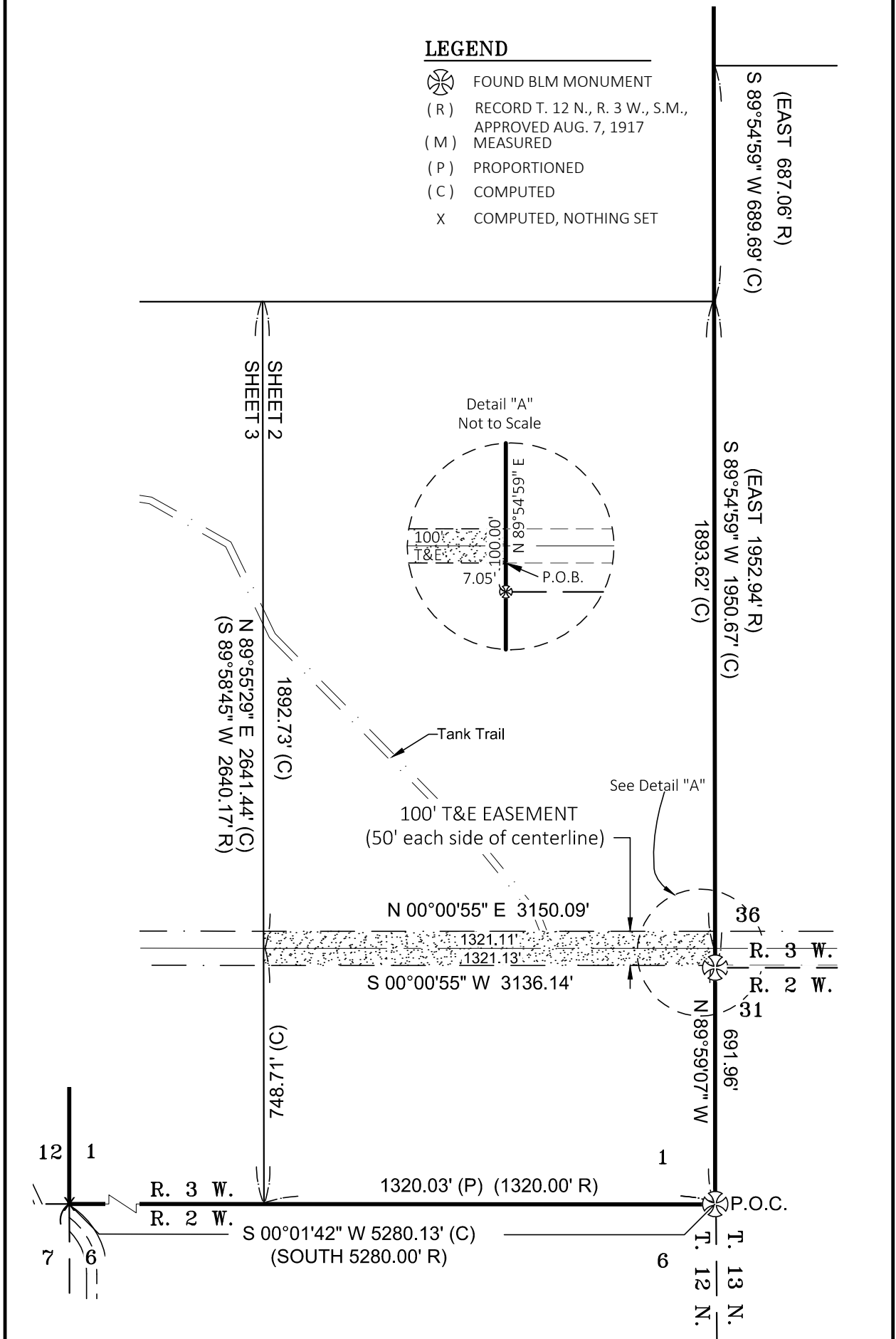
DATE: Aug. 1, 2022	SCALE: 1"=2000'	SHEET: 3 OF 7	WO #: 13053	AECL #: 1469
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Exhibit A



LEGEND

- FOUND BLM MONUMENT
- (R) RECORD T. 12 N., R. 3 W., S.M., APPROVED AUG. 7, 1917
- (M) MEASURED
- (P) PROPORTIONED
- (C) COMPUTED
- X COMPUTED, NOTHING SET



FAR NORTH BICENTENIAL PARK:
Sec. 1

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE
SITUATED WITHIN SECTION 1,
T. 12 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

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ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

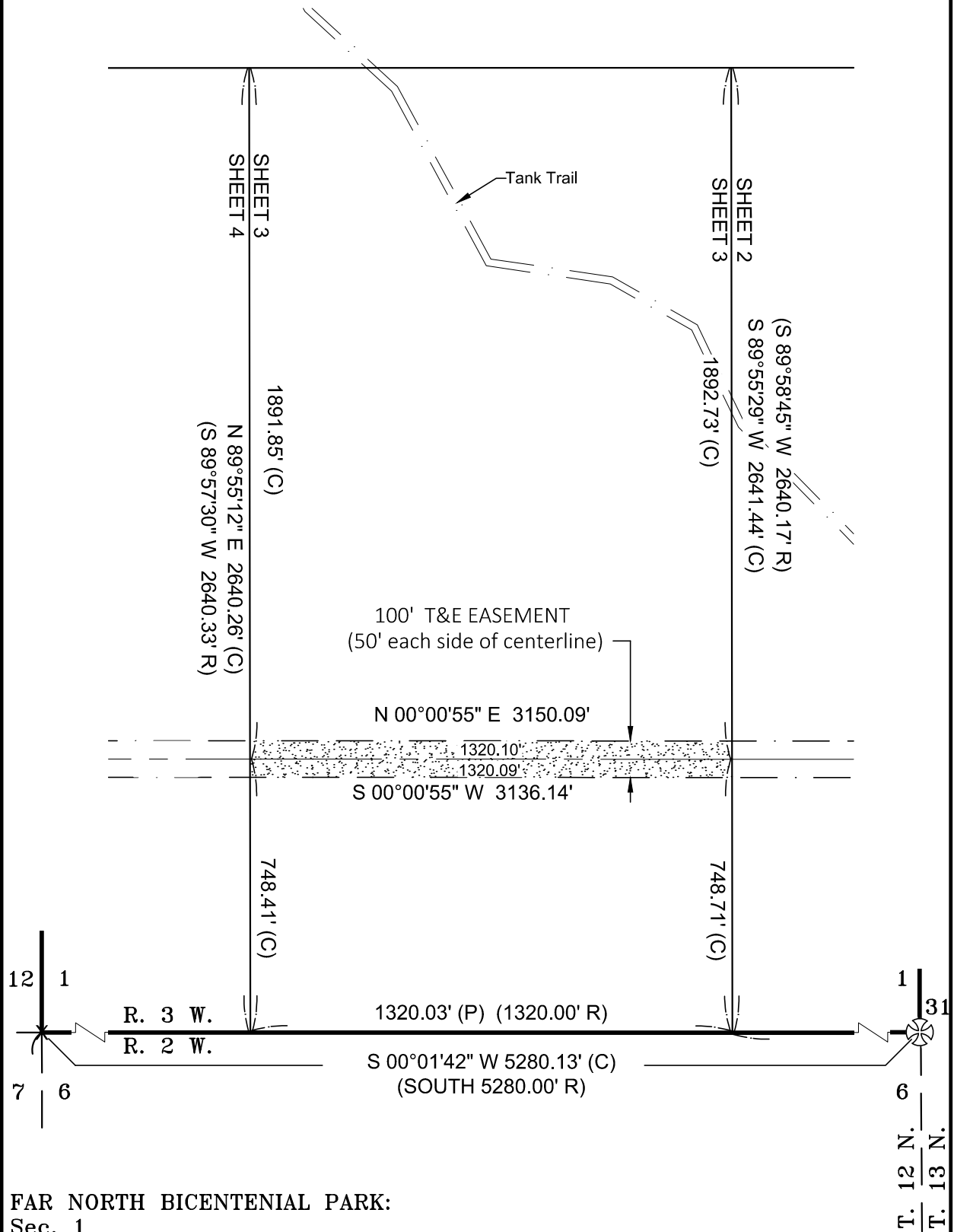
DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	4 OF 7	13053	1469

Exhibit A



LEGEND

-  FOUND BLM MONUMENT
- (R) RECORD T. 12 N., R. 3 W., S.M., APPROVED AUG. 7, 1917
- (M) MEASURED
- (P) PROPORTIONED
- (C) COMPUTED
- X COMPUTED, NOTHING SET



FAR NORTH BICENTENIAL PARK:
Sec. 1

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE
SITUATED WITHIN SECTION 1,
T. 12 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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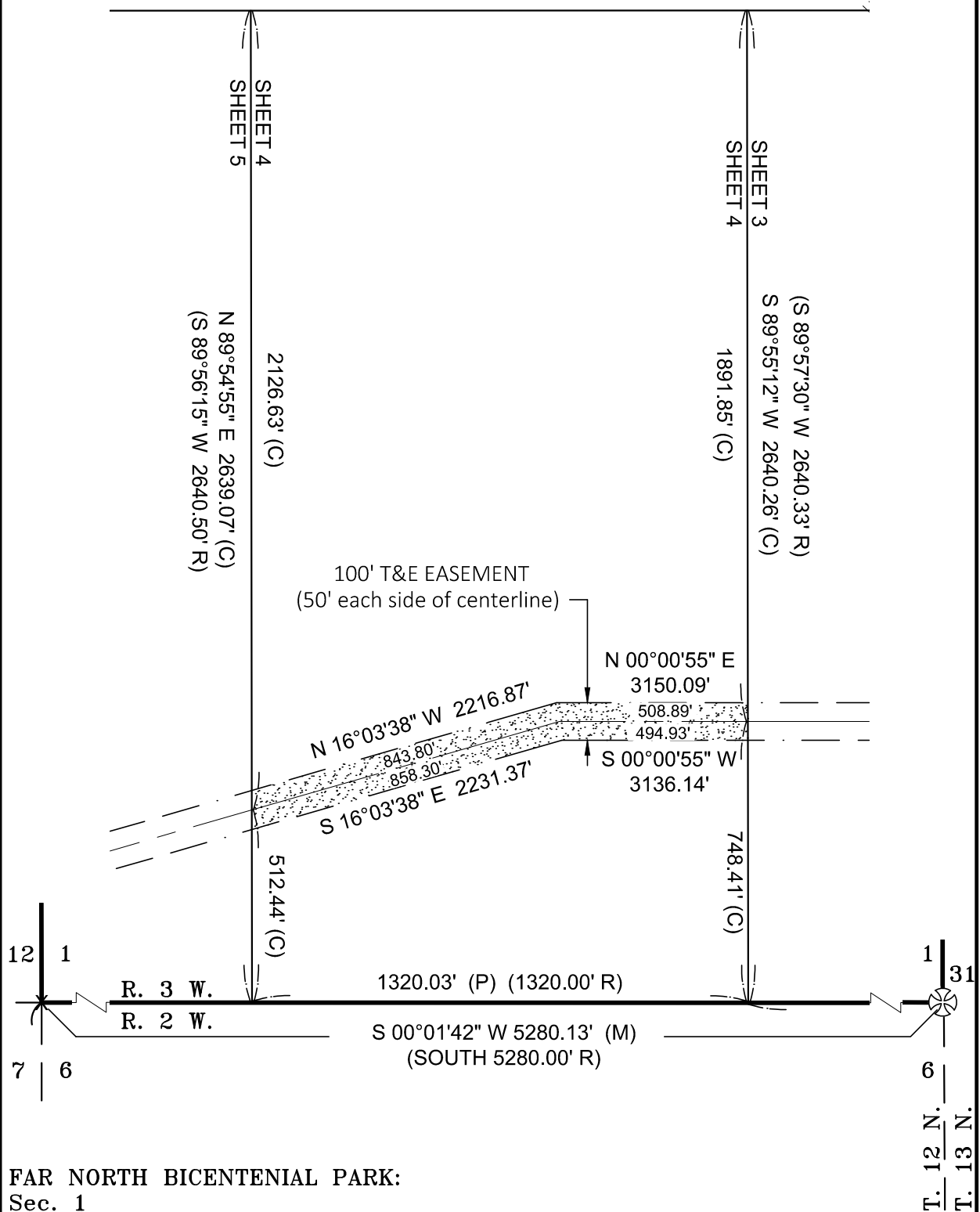
DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	5 OF 7	13053	1469

Exhibit A



LEGEND

-  FOUND BLM MONUMENT
- (R) RECORD T. 12 N., R. 3 W., S.M.,
APPROVED AUG. 7, 1917
- (M) MEASURED
- (P) PROPORTIONED
- (C) COMPUTED
- X COMPUTED, NOTHING SET



FAR NORTH BICENTENIAL PARK:
Sec. 1

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE
SITUATED WITHIN SECTION 1,
T. 12 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	6 OF 7	13053	1469

Exhibit A

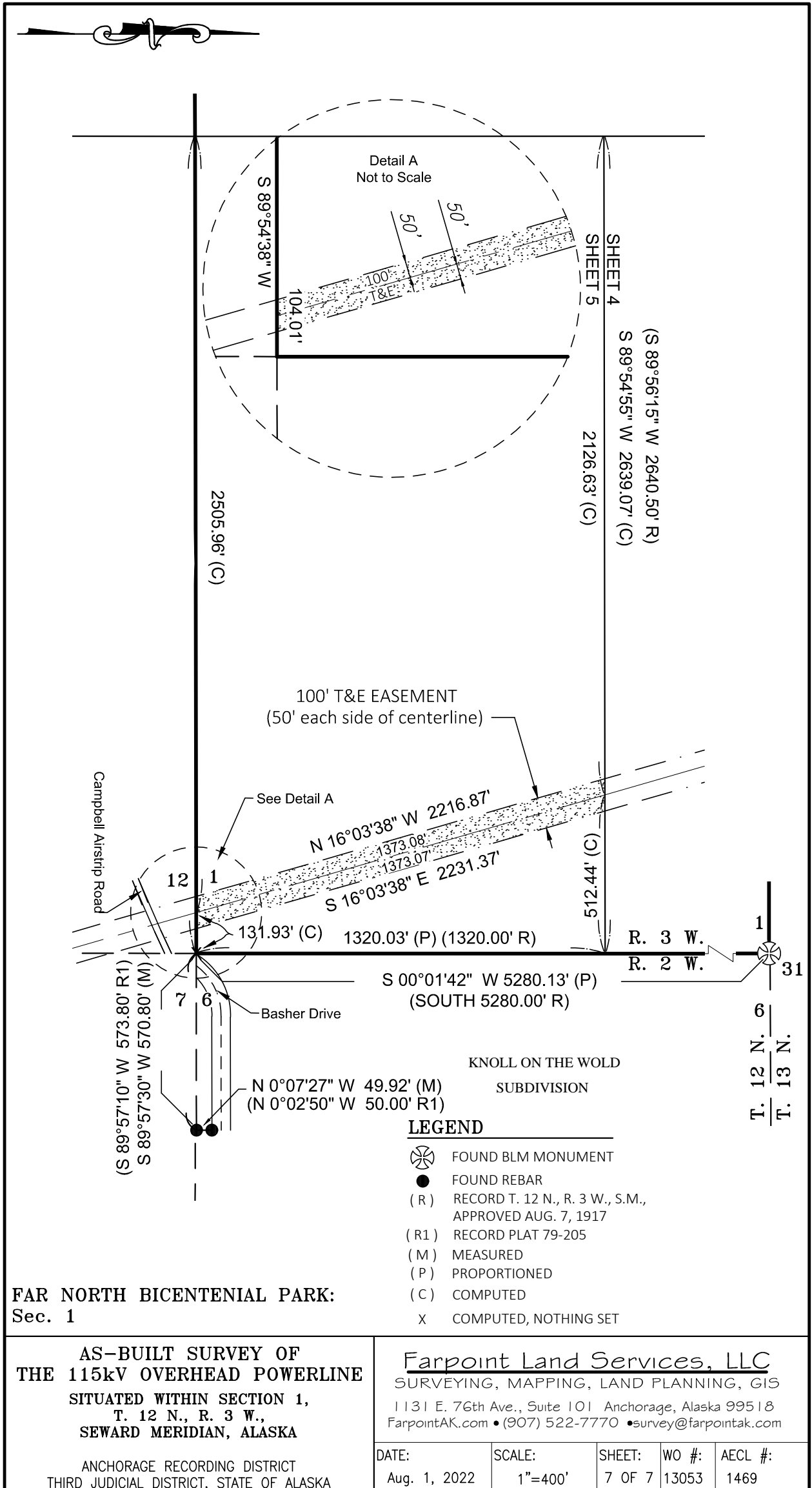
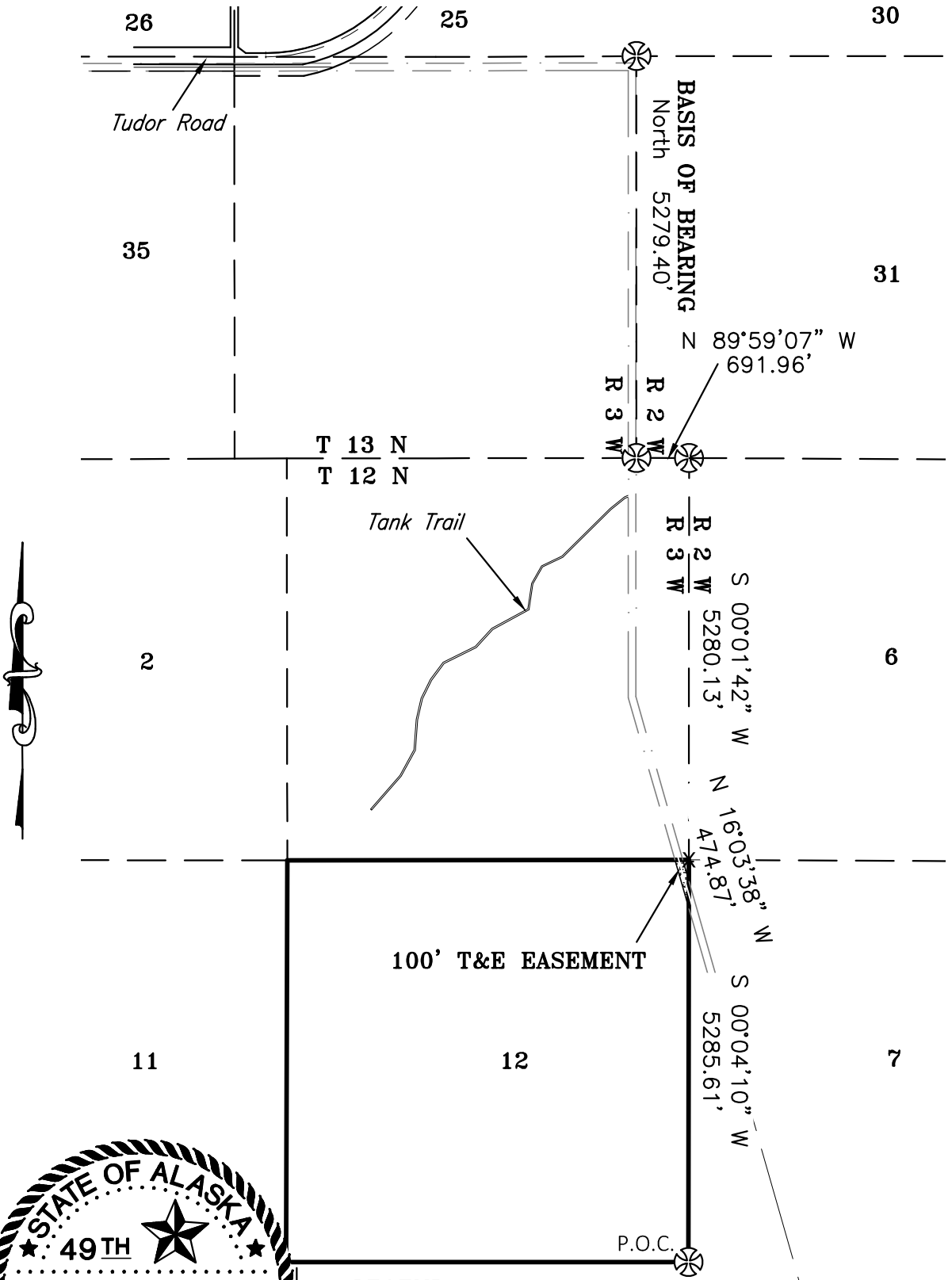


Exhibit A

NOTE

1. The centerline of this 100' wide T&E easement was computed from survey ties made in the field to the existing facilities.



LEGEND

- (Symbol: circle with cross) FOUND BLM MONUMENT
- (X) COMPUTED - NOTHING SET

EXHIBIT B

TOTAL EASEMENT AREA = 1.090 Acres

AS-BUILT SURVEY OF THE 115kV OVERHEAD POWERLINE

SITUATED WITHIN SECTION 12, T. 12 N., R. 3 W., SEWARD MERIDIAN, ALASKA

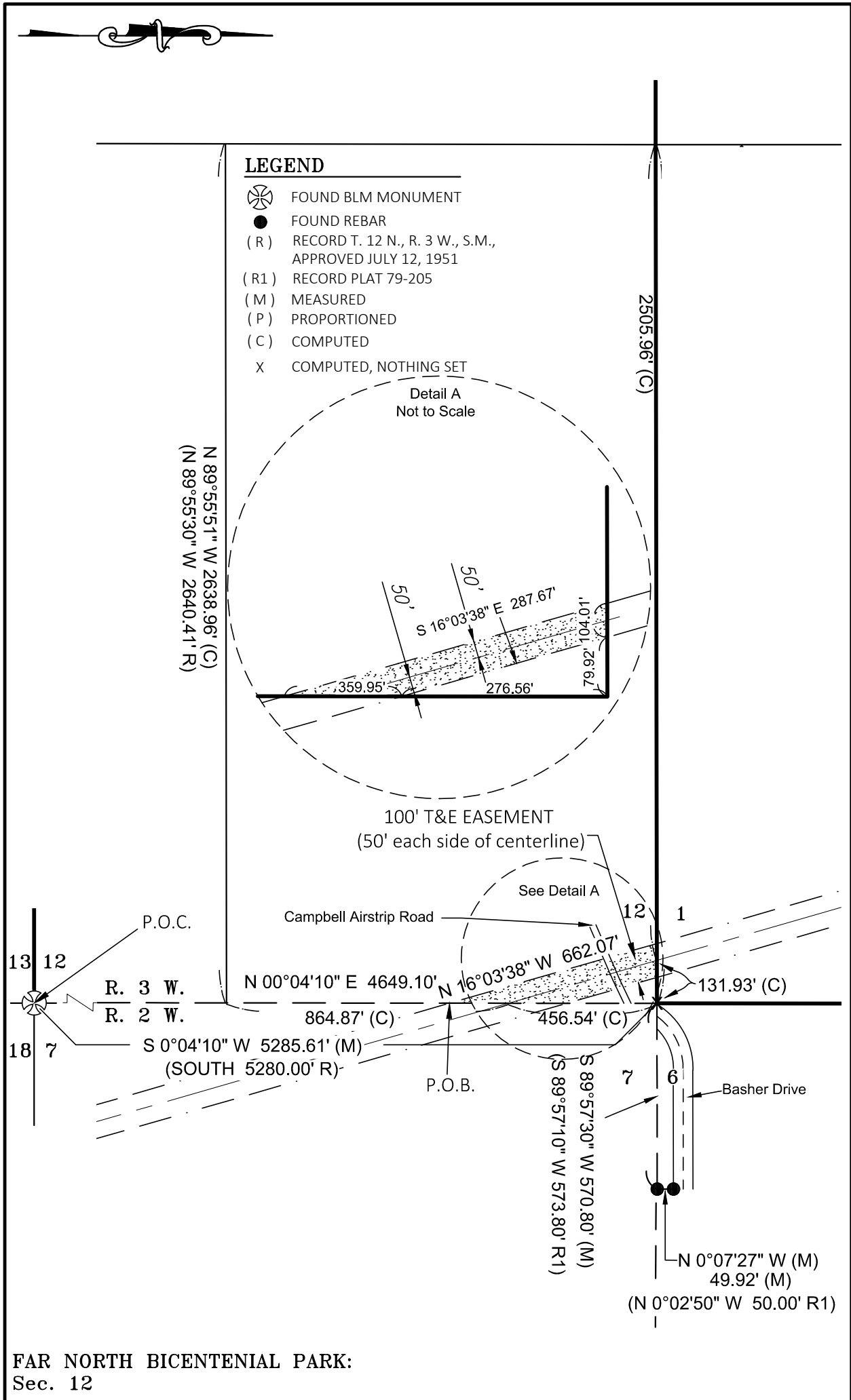
ANCHORAGE RECORDING DISTRICT
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DATE: Aug. 1, 2022	SCALE: 1"=2000'	SHEET: 3 OF 4	WO #: 13053	AECL #: 1469
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Exhibit A



FAR NORTH BICENTENIAL PARK:
Sec. 12

AS-BUILT SURVEY OF
THE 115kV OVERHEAD POWERLINE
SITUATED WITHIN SECTION 12,
T. 12 N., R. 3 W.,
SEWARD MERIDIAN, ALASKA

ANCHORAGE RECORDING DISTRICT
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

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DATE:	SCALE:	SHEET:	WO #:	AECL #:
Aug. 1, 2022	1"=400'	4 OF 4	13053	1469



Exhibit B

Municipality of Anchorage, Alaska Parks & Recreation Commission

632 W. 6th Avenue, Suite 630
P.O. Box 196650
Anchorage, AK 99519



RESOLUTION NO. 2022-02

REQUEST FOR UTILITY EASEMENT AT FAR NORTH BICENTENNIAL PARK FOR ELECTRICAL TRANSMISSION LINE FACILITIES

WHEREAS, the Anchorage Parks and Recreation Commission serves in an advisory capacity to both the Mayor and the Assembly; and

WHEREAS, the Anchorage Parks and Recreation Commission has the responsibility and duty to provide for the long term vision of our park system by ensuring that a balance of parks, natural resources, and recreation facilities provides for the health, welfare, and safety of all residents of the Anchorage Bowl; and

WHEREAS, Chugach Electric Association desires to continue to maintain electric utility transmission through Far North Bicentennial Park to serve portions of the Anchorage region; and

WHEREAS, the overhead lines and related facilities have been in place to transmit hydroelectric power since the late 1950s and remain by renewable federal license; and

WHEREAS, Chugach Electric Association desires to obtain an easement of similar extent to supersede the corresponding license area for long-term maintenance of the facilities; and

WHEREAS, the area of the proposed easement was conveyed to the Municipality of Anchorage in 1981 and dedicated for public park purposes in 1984; and

WHEREAS, the subject transmission lines appear to be a recognized utility in the 1985 Far North Bicentennial Park Master Plan; and

WHEREAS, the public has used the area for park and recreation purposes since at least the time of Municipal ownership and the Municipality desires that the area be open to the public for park and recreation use consistent with reasonable safety standards and applicable plans and policies; and

WHEREAS, the public has established trails in the area which trails along with other potential park and recreation improvements the Municipality desires to further maintain and improve for the long-term benefit of the public; now, therefore,

BE IT RESOLVED, that the Anchorage Parks and Recreation Commission would not object to the granting of a non-exclusive easement to Chugach Electric Association, generally as shown on the attached diagrams, for maintenance and operation of existing electrical utility facilities, subject to the following conditions:

1. Any legal issues shall be resolved, and any conveyance shall be subject to other terms necessary in the interest of the MOA.
2. CEA shall pay MOA fair market value compensation for the interest conveyed, with the funds to be for use by MOA Parks and Recreation Dept.

Exhibit B

3. Except in emergencies, CEA or its agents shall not unreasonably impair public access to and use of the area for park and recreation purposes. Temporary closures for CEA's necessary maintenance shall be considered reasonable.
4. CEA shall assure that operation and maintenance of its equipment do not create hazards for the public in the easement, and shall exercise reasonable care to avoid unnecessary damage to Parks & Recreation facilities.
5. The MOA may construct, maintain, and improve trails and other reasonable facilities including landscaping, for public access, recreation, and visual enhancement. MOA shall make reasonable efforts to coordinate future improvements with CEA so as to minimize potential conflict with CEA operations and maintenance. The MOA shall not build permanent structures or install substantial landscaping in the area without written approval from CEA.
6. Parks & Recreation agrees to be responsible for regular repairs and maintenance of park and public trail improvements within the easement. CEA may assist with re-seeding or re-grading within the easement adjacent to such improvements following routine CEA maintenance activities.
7. Should towers or other above-ground equipment be added, or need replacement or substantial repair or alteration, in providing such addition, replacement, or substantial repair or alteration CEA shall incorporate alternative designs or significant design features to mitigate adverse visual impact and enhance the aesthetic quality of the park, and shall not increase the "footprint" of facilities on the affected park area. Such equipment shall be designed by qualified design professionals to meet the visual/aesthetic objectives as well as structural and other technical requirements for such facilities. Equipment design shall be made in consultation with MOA Parks and Recreation Department and may include public review.

PASSED AND APPROVED by the Anchorage Parks and Recreation Commission this 14th day of April, 2022.



Chair
Parks and Recreation Commission

ATTEST:



Josh Durand, Director
Parks & Recreation Department