

CLERK'S OFFICE

APPROVED

Date: _____

8-29-06

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Real Estate Services on behalf
of Parks & Recreation Dept

For Reading: August 15, 2006

ANCHORAGE, ALASKA

AO NO. 2006- 122

1 AN ORDINANCE AUTHORIZING THE MUNICIPALITY OF ANCHORAGE TO GRANT A
2 REVOCABLE USE PERMIT TO ALASKA DIGITEL, LLC, FOR TELECOMMUNICATION
3 EQUIPMENT IN KINCAID PARK.

4
5 **WHEREAS**, Alaska DigiTel LLC requested a revocable use permit to install a
6 transmission antenna and a GPS antenna on a light pole, plus auxiliary equipment, in
7 Kincaid Park, upon the terms and conditions described in the accompanying Assembly
8 Memorandum; and
9

10 **WHEREAS**, granting the revocable use permit provides benefits to the Municipality as
11 well as users of the park and residents in the surrounding neighborhoods by enhancing
12 the Municipality's E-911 system and wireless communications in the area with minimal
13 impact to the park; and
14

15 **WHEREAS**, on February 9, 2006, the Parks and Recreation Commission approved
16 placement of a transmission antenna and a GPS antenna, plus auxiliary equipment, on
17 a light pole in Kincaid Park; and
18

19 **WHEREAS**, the granting of the permit requires a finding by the Assembly of no
20 substantial value to the Municipality; now, therefore,
21

22 **THE ANCHORAGE ASSEMBLY ORDAINS:**
23

24 **Section 1.** The granting of a revocable use permit to Alaska DigiTel LLC is without
25 substantial value to the Municipality.
26

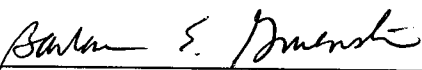
27 **Section 2.** The Municipality is authorized to grant a revocable use permit to Alaska
28 DigiTel LLC on the terms and conditions, and for uses described, in the accompanying
29 Assembly Memorandum.
30

31 **Section 3.** This ordinance shall take effect immediately upon passage and approval.
32

33 PASSED AND APPROVED by the Anchorage Municipal Assembly this 29th day of
34 August, 2006.
35

36
37 
38 _____
Chair

39 ATTEST:

40 
41 _____
42 Municipal Clerk
43

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2006- 122 Title: AN ORDINANCE AUTHORIZING THE MUNICIPALITY OF ANCHORAGE TO GRANT A REVOCABLE USE PERMIT TO ALASKA DIGITEL LLC FOR TELECOMMUNICATION EQUIPMENT IN KINCAID PARK.

Sponsor: Mayor
Preparing Agency: Real Estate Services
Others Impacted: Parks & Recreation Department

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY06	FY07	FY08	FY09	FY10
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					

TOTAL DIRECT COSTS:

6000 IGCs

FUNCTION COST:

REVENUES:	2.4	7.2*	7.2*	7.2*	7.2*
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CAPITAL:

POSITIONS: FT/PT and Temp.

PUBLIC SECTOR ECONOMIC EFFECTS:

Revenue will be \$600/mo (\$7,200/yr.), with effective begin date of September 1, 2006

*Additional revenue in future years is dependent upon written agreement by both parties to extend permit.

PRIVATE SECTOR ECONOMIC EFFECTS:

No significant economic impact to private sector.

Prepared by: Robin E. Ward

Telephone: 343-4337



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 593 -2006

Meeting Date: August 15, 2006

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AUTHORIZING THE MUNICIPALITY OF**
4 **ANCHORAGE TO GRANT A REVOCABLE USE PERMIT TO**
5 **ALASKA DIGITEL, LLC, FOR TELECOMMUNICATION**
6 **EQUIPMENT IN KINCAID PARK.**
7
8

9 Alaska DigiTel LLC (hereinafter Permittee) requested permission to install an
10 antenna and auxiliary equipment to provide cellular phone service in Kincaid Park.
11 The antenna will be mounted on a light pole near the Outdoor Center, east of the
12 'Waxing Bunker' and near the main road (see map, **Appendix A**). The main
13 purposes for installing the telecommunication equipment are to supplement and
14 enhance the Municipality's E-911 system (GPS antenna), and to provide improved
15 wireless communication service within a one-mile radius of the antenna.
16

17 On February 9, 2006, the Parks and Recreation Commission approved
18 Memorandum PRC #2006-005 (**Appendix B**), for a one-year permit with Alaska
19 DigiTel, LLC. Under the current fee schedule adopted by the Parks and Recreation
20 Commission, the municipality will collect fair market value for use of the site.
21

22 In order for the permit to be granted, and the equipment installed on dedicated park
23 land, the Assembly must find the permit to be without substantial value to the
24 Municipality. The Permittee agrees to pay fair market value, by way of a monthly
25 fee, for placement of its' equipment on an existing light pole; in exchange, the
26 Municipality, users of the park, and the residential areas in proximity to the park
27 benefit in terms of safety, connectivity, and convenience, as well as enhancement
28 of the Municipality's E-911 system. There is minimal impact to the park, the
29 Permittee is required to carry appropriate insurance coverage, per the Municipality's
30 Risk Manager, and indemnifies the Municipality as to the equipment. In addition,
31 the Permittee is responsible for all costs and expenses of installation and removal,
32 only non-permanent improvements are authorized, and the permit may be revoked
33 without cause by the Municipality on 30 days written notice, triggering a
34 requirement to remove all equipment from the park.
35

36 The terms and conditions of the permit are as follows:
37

38 Permittee: Alaska DigiTel LLC
39

1 Fee: \$600.00 per month, not to exceed \$7,200.00 for the initial one year
2 term.

3
4 Term: One year; upon mutual consent of the parties, the permit may be
5 renewed for up to five additional one-year periods, with the fee
6 adjusted prior to each renewal to current market value.

7
8 Termination: Municipality may terminate without cause with 30 days written notice;
9 Permittee must remove all equipment and repair, if necessary.

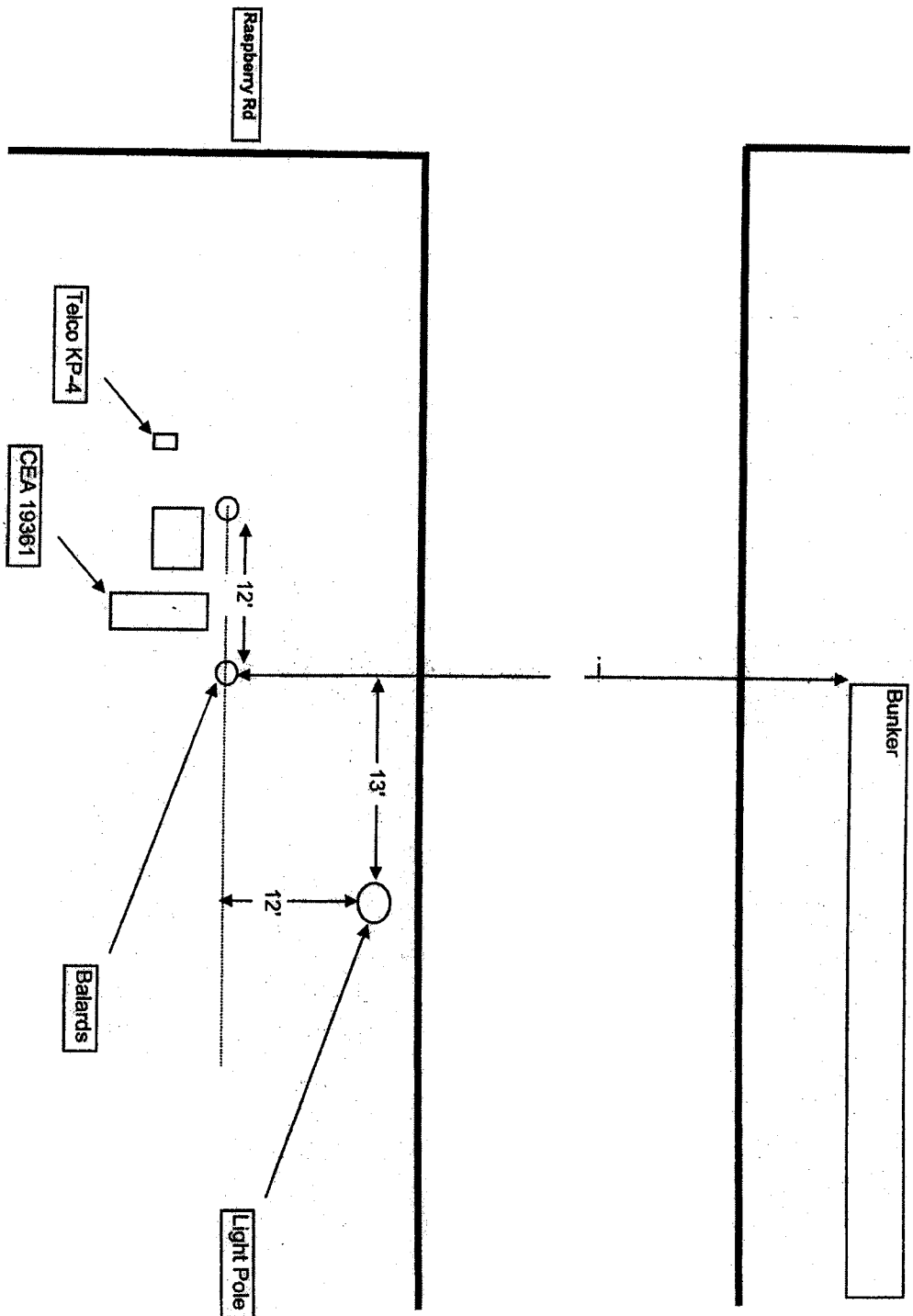
10
11 **THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE**
12 **AUTHORIZING THE MUNICIPALITY OF ANCHORAGE TO GRANT A**
13 **REVOCABLE USE PERMIT TO ALASKA DIGITEL LLC FOR**
14 **TELECOMMUNICATION EQUIPMENT IN KINCAID PARK.**

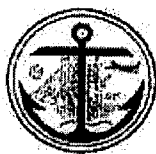
15
16
17 Prepared by: Robin E. Ward, Executive Director
18 Heritage Land Bank & Real Estate Services
19 Concur: Mary Jane Michael, Executive Director
20 Economic & Community Development
21 Concur: Frederick H. Boness, Municipal Attorney
22 Concur: Denis C. LeBlanc, Municipal Manager
23 Respectfully submitted: Mark Begich, Mayor

24
25
26
27 **Appendix A:** Map – Kincaid Park, location of light pole
28 **Appendix B:** Parks & Rec Commission Resolution #2006-005

29
30 G:\matlopen matters\Alaska Digitel - LUP @ Kincaid\Rev AM.DOC

Appendix A





MUNICIPALITY OF ANCHORAGE
PARKS & RECREATION DEPARTMENT

MEMORANDUM
PRC #2006-005



DATE: February 9, 2006
TO: Parks and Recreation Commission
FROM: Tom Korosei, Park Planner
SUBJECT: Proposed Telecommunications Antenna in Kincaid Park

Proposal

The Alaska DigiTel company is requesting permission to install an antenna and auxiliary equipment for cellular telephone service at Kincaid Park. The proposed site for the equipment is east of the "Waxing Bunker," which is located near the Outdoor Center and main parking lot, near the main park road. The equipment is intended to provide improved wireless communication service in the park, specifically in an area within a one-half- to one-mile radius of the antenna.

The antenna would be mounted on an existing light pole. Auxiliary equipment, including electric meter, would be mounted on new support structures nearby. A vicinity map and photograph with photosimulation of the proposed equipment are attached.

The permit would be temporary/revocable permit for a term of less than one year and subject to other conditions. (As advised by the Municipal Attorney's office in this particular case, authorizations for a term of one year or more would be subject to certain municipal charter and code restrictions.) Renewal or extension of the permit would be subject to further staff review, at a minimum, and may be prohibited by law.

Kincaid Park staff has indicated that improved wireless communication would potentially improve safety and convenience for park users as well as staff in Kincaid Park, in particular in emergency situations when ground lines are inaccessible. Parks and Recreation staff believes that, with conditions noted below to mitigate potential visual impact, the granting of this permit would not significantly diminish the potential use of the park, nor would use of the permit have material impact on the long-term appearance of the park.

Requested Action

Parks and Recreation requests Commission concurrence regarding issuance of the subject permit. The permit may be issued upon resolving the following conditions:

- 1 The permittee shall revise project plans to the satisfaction of Parks and Recreation staff to mitigate visual impact.
2. A permit document shall be prepared for signature by the Municipality and the permittee, containing other terms in the interest of the Municipality including terms pertaining to site restoration, and shall be subject to review by the Municipal Attorney.
3. The permittee shall pay applicable fees in accordance with code and current fee schedule, including fair market value or reasonable periodic rate on basis determined by the Municipality.
4. The permittee shall be responsible for obtaining any and all other required permits for the proposed project.

Cc: Phil Hickerson, Alaska DigiTel
Scott O'Brien, MOA Park District Manager
Michael Swensen, MOA Facility Maintenance Foreman
Tammy Oswald, MOA Real Estate Services

Content Information

Content ID : 003906

Type: Ordinance - AO

Title: Telecommunication Antenna Permit in Kincaid Park

Author: mooredy

Initiating Dept: HLB

Review Depts: ParksRec

Description: Grant a revocable use permit to Alaska Digitel, LLC for a telecommunication antenna in Kincaid Park.

Keywords: Alaska Digitel, LLC, telecommunication antenna in Kincaid Park

Date Prepared: 4/18/06 2:02 PM

Director Name: Robin Ward

Assembly Meeting Date
MM/DD/YY: 8/15/06Public Hearing Date
MM/DD/YY: 8/29/06M.O.A.
2006 AUG 11 AM 8:23
CLERK'S OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	4/18/06 2:06 PM	Checkin	mooredy	Public	003906
HLB_SubWorkflow	4/19/06 2:02 PM	Approve	wardre	Public	003906
AllOrdinanceWorkflow	4/19/06 2:07 PM	Reject	barkleyva	Public	003906
AllOrdinanceWorkflow	4/20/06 9:40 AM	Checkin	mooredy	Public	003906
HLB_SubWorkflow	4/20/06 10:06 AM	Approve	wardre	Public	003906
ECD_SubWorkflow	4/20/06 10:15 AM	Approve	barkleyva	Public	003906
ParksRec_SubWorkflow	4/20/06 2:34 PM	Approve	stanley-harrisel	Public	003906
AllOrdinanceWorkflow	4/24/06 5:32 PM	Reject	mitsonjl	Public	003906
AllOrdinanceWorkflow	5/8/06 2:05 PM	Checkin	mooredy	Public	003906
HLB_SubWorkflow	5/8/06 3:47 PM	Approve	wardre	Public	003906
ECD_SubWorkflow	5/10/06 10:33 AM	Approve	thomasm	Public	003906
ParksRec_SubWorkflow	5/10/06 11:39 AM	Approve	dillonrj	Public	003906
OMB_SubWorkflow	5/11/06 8:10 AM	Approve	mitsonjl	Public	003906
AllOrdinanceWorkflow	7/13/06 3:51 PM	Reject	fehlenrl	Public	003906
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HLB_SubWorkflow	8/3/06 3:09 PM	Approve	wardre	Public	003906
ECD_SubWorkflow	8/3/06 3:50 PM	Approve	thomasm	Public	003906
ParksRec_SubWorkflow	8/4/06 11:24 AM	Approve	stanley-harrisel	Public	003906
AllOrdinanceWorkflow	8/4/06 4:46 PM	Reject	mitsonjl	Public	003906
AllOrdinanceWorkflow	8/8/06 11:47 AM	Checkin	mooredy	Public	003906
HLB_SubWorkflow	8/8/06 12:39 PM	Approve	wardre	Public	003906
ECD_SubWorkflow	8/8/06 1:23 PM	Approve	thomasm	Public	003906
ParksRec_SubWorkflow	8/8/06 2:16 PM	Approve	stanley-harrisel	Public	003906
OMB_SubWorkflow	8/9/06 9:21 AM	Approve	mitsonjl	Public	003906
Legal_SubWorkflow	8/9/06 9:29 AM	Approve	fehlenrl	Public	003906
MuniMgrCoord_SubWorkflow	8/10/06 12:36 PM	Approve	abbottmk	Public	003906
MuniManager_SubWorkflow	8/10/06 12:36 PM	Approve	abbottmk	Public	003906

Addendum -

CONSENT AGENDA - INTRODUCTION