

Submitted by: Chairman of the Assembly at the  
Request of the AWWU Board  
Prepared by: Anchorage Water & Wastewater Utility  
For reading: November 21, 2006

CLERK'S OFFICE

APPROVED

Date: 12-12-06

ANCHORAGE, ALASKA

AO No. 2006-157

1 AN ORDINANCE AUTHORIZING A LEASE BETWEEN THE MUNICIPALITY AND  
2 DOBSON CELLULAR SYSTEMS, INC. OF GROUND SPACE FOR  
3 TELECOMMUNICATION EQUIPMENT ON MUNICIPAL PROPERTY LEGALLY  
4 DESCRIBED AS ABBOTT ROAD SUBDIVISION, TRACT B (PER PLAT 99-120,  
5 ANCHORAGE RECORDING DISTRICT), COMMONLY REFERRED TO AS THE  
6 WATER RESERVOIR COMPOUND WEST OF SERVICE HIGH SCHOOL  
7

8 WHEREAS, the Municipality of Anchorage owns property described as Abbott Road  
9 Subdivision, Tract B, Section 10, T12N, R3W, S.M. Alaska per Plat 99-120 on file with the  
10 Anchorage Recording District, Third Judicial District, State of Alaska. Land management  
11 authority is designated to the Anchorage Water & Wastewater Utility (AWWU); and  
12

13 WHEREAS, Dobson Cellular Systems, Inc. proposes to co-locate on a community interest  
14 (communications) tower and requests ground space for an equipment pad/equipment at  
15 this location; the location of the pad will be on the south fence line of the property  
16 referenced herein; and  
17

18 WHEREAS, AMC section 25.30.020 states that disposal of Municipal land or interest  
19 therein shall be by ordinance only; and  
20

21 WHEREAS, AMC section 25.30.040 states that, notwithstanding exceptions, all disposals  
22 of municipal land shall be for fair market value of the interest disposed of, and the  
23 municipality may accept in exchange for municipal land any consideration of sufficient  
24 value not prohibited by law; and  
25

26 WHEREAS, at its November 1, 2006 meeting, the AWWU Authority Board supported  
27 Dobson Cellular Systems, Inc.'s request for lease privileges within Municipal/AWWU  
28 property; now therefore,  
29

30 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
31

32 **Section 1.** The Municipality is authorized to lease space ground space at Abbott Road  
33 Subdivision, Tract B, Section 10, T12N, R3W, S.M. Alaska per Plat 99-120 to Dobson  
34 Cellular Systems, Inc. upon the terms and conditions summarized in the Assembly  
35 Memorandum submitted to the Assembly with this ordinance.  
36

37 **Section 2.** The lease shall not exceed five years. The annual lease payment for each  
38 of the five years shall be \$9,900.  
39

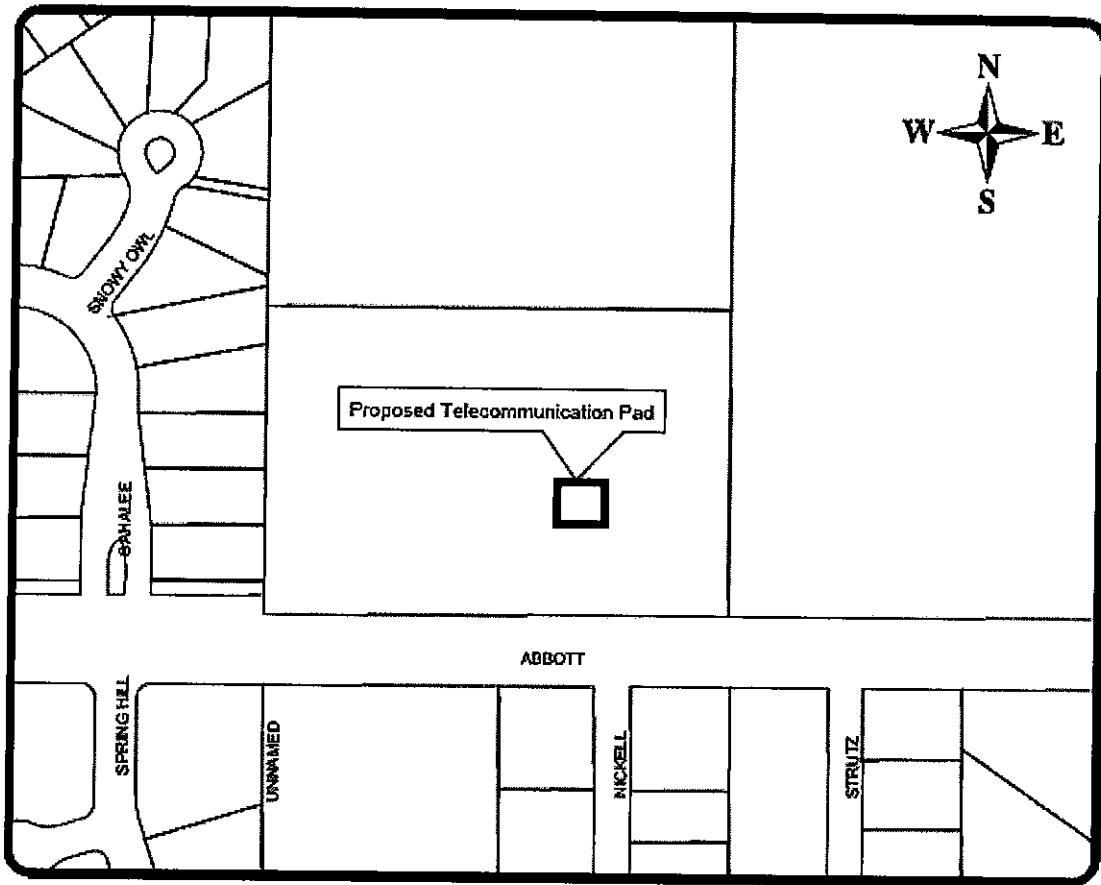
40 **Section 3.** This ordinance shall take effect immediately upon passage and approval by  
41 the Municipal Assembly.

1  
2 PASSED and APPROVED by the Anchorage Municipal Assembly this 12<sup>th</sup> day of  
3 December, 2006.  
4

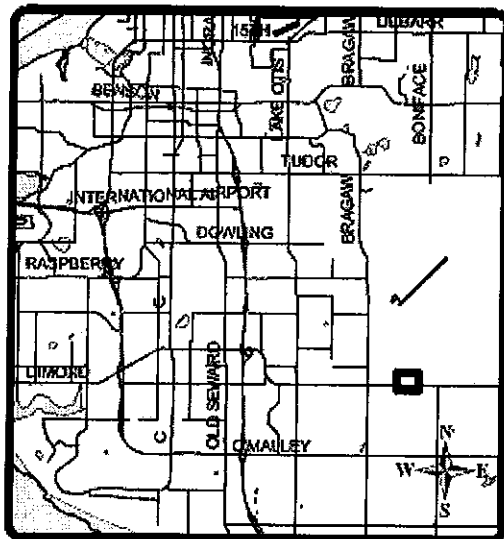
5  
6 *Sam Sullivan*  
7 Chair

8 ATTEST:  
9

10  
11 *Dorinda S. Leem*  
12 Municipal Clerk  
13 *Deputy*



Maps Not-to-Scale



**Abbott Road Subdivision,  
Tract B (Reservoir Site)  
West of Service High School**  
Anchorage Water & Wastewater Utility



Map Created  
by AJU  
09/27/2006

 Project Area

**Municipality of Anchorage**  
Summary of Economic Effects - Utilities

AO 2006-157	<p>Title: An Ordinance Authorizing a Lease Between the Municipality and Dobson Cellular Systems, Inc. of Ground Space for Telecommunication Equipment on Municipal Property Legally Described as Abbott Road Subdivision, Tract B (Per Plat 99-120, Anchorage Recording District), Commonly Referred to as the Water Reservoir Compound West of Service High School</p>
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Sponsor: Mark Premo, General Manager

Preparing Agency:	Anchorage Water & Wastewater Utility	Others Affected:	None
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### CHANGES IN EXPENDITURES AND REVENUES (Thousands of Dollars)

Operating Revenues: (Thousands of Dollars)					
	FY	FY	FY	FY	FY
Total Operating Revenues:					
Operating Expenses:					
Total Operating Expenses:					
Non-Operating Revenues:					
Total Non-Operating Revenues:					
Non-Operating Expenses					
Total Non-Operating Expenses:					
NET INCOME (Regulated)					
Positions: FT/PT/TEMP					

Impact on General Government: ~~YES~~ **NO** (If yes, attach SEE for General Government agency impacted.)

Public Sector Economic Effects: Exemption of \$30,000 limit: Effects are less than \$30,000 in this year and any of the next four years

Private Sector Economic Effects: Exemption of \$30,000 limit: Effects are less than \$30,000 in this year and any of the next four years

If further explanation is necessary, a separate page may be attached.

Prepared By: Don Keefer, Planning Supervisor 564-2717  
(Name, Title) Telephone:

Validated by OMB: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Director, Preparing Agency)



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 840-2006

Meeting Date: November 21, 2006

**From:** Anchorage Water & Wastewater Utility Board of Directors

**Subject:** An Ordinance Authorizing a Lease Between the Municipality and Dobson Cellular Systems, Inc. of Ground Space for Telecommunication Support Equipment on Municipal Property Legally Described as Abbott Road Subdivision, Tract B (Per Plat 99-120, Anchorage Recording District) commonly Referred to as the Water Reservoir Compound West of Service High School

Dobson Cellular Systems, Inc. (Dobson) seeks permissions to lease ground space at Abbott Road Subdivision, Tract B, for installation of ground equipment for its wireless communications network. Dobson proposed to also co-locate equipment on a tower to be erected and owned by Alaska Digitel, LLC at this site.

The attached ordinance seeks authorization for AWWU to enter into a ground lease agreement with Dobson for ground space for its surface pad/equipment facilities.

The ground lease will not exceed five years. The annual lease payment for each of the five years shall be \$9,900. The annual rate is comparable with fees charged by the State of Alaska for land use under similar circumstances.

Dobson has completed all necessary steps required to begin construction to include FAA authorization, Municipal Planning & Zoning Commission approvals, and final design approval.

AWWU supports this lease request. The AWWU Board endorsed this lease opportunity at its regular meeting of November 1, 2006 with stipulations. In addition to usual and customary provisions of easement, the easement shall stipulate:

- 1) If, incident to the construction of a Municipal and/or AWWU project, the Municipality and/or AWWU determines and orders the Dobson facilities must be changed, relocated, or removed, Dobson, successors, and assigns shall change, relocate, or remove such facilities in accordance with the order, within a reasonable time set by the Municipality and/or AWWU in the order at no cost to the MOA and/or AWWU; and
- 2) Specific definition of access rights and respective coordination with AWWU for Dobson, successors, and assigns to enter onto the property for purposes of maintenance and operations of tower facilities and supporting equipment.

**PURSUANT TO AMC 31.10.030.D, THE AWWU BOARD RECOMMENDS APPROVAL OF AN ORDINANCE AUTHORIZING LEASE OF GROUND SPACE TO DOBSON CELLULAR SYSTEMS, INC., ON A PORTION OF TRACT B, ABBOTT ROAD SUBDIVISION.**

Prepared by: Mark Premo, P.E., General Manager, AWWU  
Concur: Robin Ward, Executive Director, Heritage Land Bank  
Respectfully submitted: Calvin E. West, Chair, AWWU Board

**Content Information****Content ID :** 004530**Type:** Ordinance - AO

**Title:** Authorizing a Lease Between the Municipality and Dobson Cellular Systems, Inc. of Ground Space for Telecommunication Support Equipment on Municipal Property Legally Described as Abbott Road Subdivision, Tract B (Service High)

**Author:** gibsonam**Initiating Dept:** AWWU**Review Depts:** AWWU, HLB, Legal**Date Prepared:** 11/2/06 12:01 PM**Director Name:** Mark Premo**Assembly****Meeting Date** 11/21/06**MM/DD/YY:**

**Public Hearing**  
**Date MM/DD/YY:** 12/12/06

M.O.A.  
 2006 NOV 14 PM 2:57  
 CLERKS OFFICE

**Workflow History**

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
AllOrdinanceWorkflow	11/2/06 12:08 PM	Checkin	gibsonam	Public	004530
AllOrdinanceWorkflow	11/2/06 12:46 PM	Reject	premomc	Public	004530
AllOrdinanceWorkflow	11/2/06 12:48 PM	Checkin	gibsonam	Public	004530
AllOrdinanceWorkflow	11/2/06 1:58 PM	Reject	premomc	Public	004530
AllOrdinanceWorkflow	11/2/06 2:01 PM	Checkin	gibsonam	Public	004530
AllOrdinanceWorkflow	11/2/06 2:07 PM	Checkin	gibsonam	Public	004530
AWWU_SubWorkflow	11/2/06 2:27 PM	Approve	premomc	Public	004530
HLB_SubWorkflow	11/14/06 12:45 PM	Approve	wardre	Public	004530
Legal_SubWorkflow	11/14/06 2:44 PM	Approve	fehlenrl	Public	004530