

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

Prepared by: Anchorage Water & Wastewater
Utility

For reading: May 20, 2008

CLERK'S OFFICE

APPROVED

ANCHORAGE, ALASKA

Date: 6-10-08 AO No. 2008- 68

1 AN ORDINANCE AUTHORIZING A LEASE, FOR THE USE AND MAINTENANCE OF
2 ADVANCED WIRELESS NETWORK COMMUNICATION FACILITIES, ON A PORTION
3 OF SECTION 7, T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND
4 WASTEWATER UTILITY, A PUBLIC CORPORATE AUTHORITY OF THE
5 MUNICIPALITY OF ANCHORAGE, AND AT&T ALASCOM
6

7 WHEREAS, the Municipality of Anchorage owns property described as Section 7, T13N,
8 R2W, Lot 9, Ship Creek Water Treatment Facility; and
9

10 WHEREAS, AMC section 25.10.050 states that the Mayor may in writing designate any
11 municipal agency as the managing authority of a specific parcel of municipal property; and
12

13 WHEREAS, Land management authority for this property was designated to Anchorage Water
14 & Wastewater Utility (AWWU) in February of 1983; and
15

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

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

24 WHEREAS, at its May 7, 2008 meeting, the AWWU Authority Board supported AT&T
25 Alascom's request for lease privileges within MOA-AWWU property; now therefore,
26

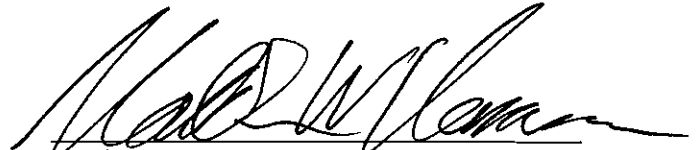
27 THE ANCHORAGE ASSEMBLY ORDAINS:
28

29 **Section 1.** AWWU is authorized to lease ground space on a portion of Section 7, T13N,
30 R2W, Lot 9; to AT&T Alascom, upon the terms and conditions summarized in the Assembly
31 Memorandum submitted to the Assembly with this ordinance.
32

33 **Section 2.** The lease shall be for a term of five years with three five year renewal periods,
34 subject to mutual consent of both parties. The annual lease payment for each of the years for
35 the first five years shall be \$12,900.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Municipal Assembly.

PASSED and APPROVED by the Anchorage Assembly this 10th day of June, 2008.


Chair of the Assembly

ATTEST:

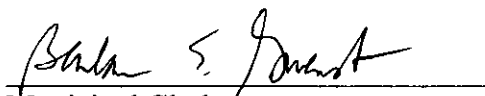
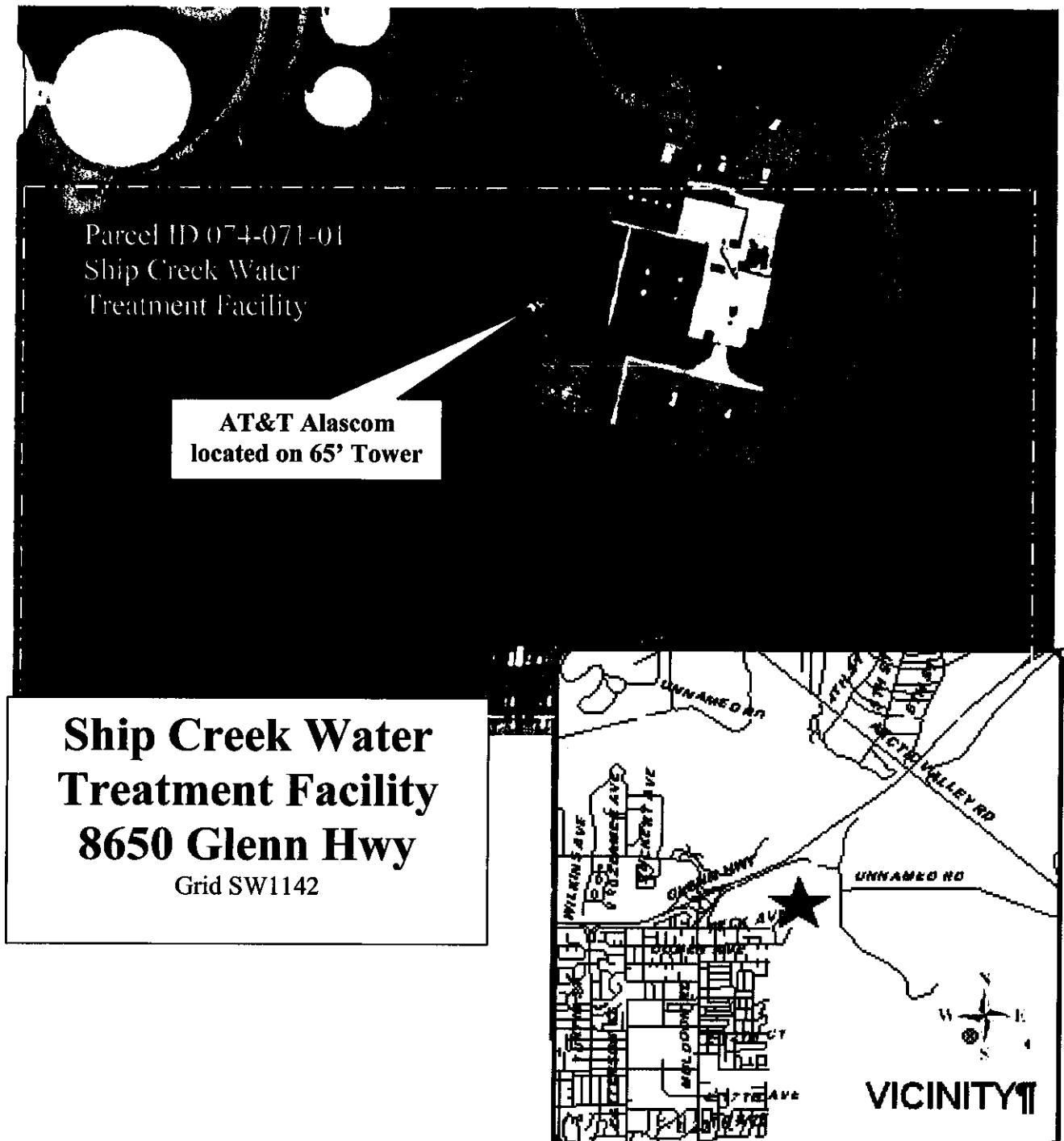

Municipal Clerk

Exhibit A



Municipality of Anchorage

Summary of Economic Effects - Utilities

AO 2008- 68

Title: An Ordinance Authorizing a Lease, for the use and maintenance of Advanced Wireless Network Communications Facilities, on a portion of Section 7, T13N, R2W, Lot 9, Ship Creek Water Treatment Facility between AWWU and AT&T Alascom.

Sponsor:

Mark Premo, General Manager

Preparing Agency:

Anchorage Water & Wastewater Utility

Others Affected:

None

CHANGES IN EXPENDITURES AND REVENUES (Thousands of Dollars)

Operating Revenues:	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Total Operating Revenues:					
Operating Expenses:					
Total Operating Expenses:					
Non-Operating Revenues:					
Total Non-Operating Revenues:					
Non-Operating Expenses					
Total Non-Operating Expenses:					
NET INCOME					
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: Paul Hatcher, Real Estate Coordinator
(Name, Title)

564-2721
Telephone:

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 346-2008

Meeting Date: May 20, 2008

1 **From:** **MAYOR**

2
3 **Subject:** **An Ordinance Authorizing a Lease, for the use and maintenance of**
4 **Advanced Wireless Network Communication Facilities, on a portion of**
5 **Section 7, T13N, R2W, Lot 9, between Anchorage Water and Wastewater**
6 **Utility (AWWU) a Public Corporate Authority of the Municipality of**
7 **Anchorage (MOA), and AT&T Alascom**
8

9 AT&T Alascom seeks permission to lease ground space at this location for use of an advanced
10 wireless network communication facilities network known as WiMax. WiMax will offer citizens of
11 Anchorage a mobile, high-speed broadband alternative.
12

13 The attached ordinance seeks authorization for AWWU to enter into a ground lease agreement
14 with AT&T Alascom for ground space for new communication facilities at this site.
15

16 The term of this lease is for (5) five years with (3) five-year renewal periods, subject to mutual
17 consent of both parties. The annual lease payment for each of the years for the first five year
18 period shall be \$12,900. These annual rates are comparable with fees charged by the State of
19 Alaska for land use under similar circumstances.
20

21 AT&T Alascom shall be responsible for any and all utilities, taxes, assessments, license and other
22 charges. At the expiration or earlier termination of the lease, Lessee shall remove all Lessee
23 facilities from the premises at Lessee's sole cost.
24

25 At its regular meeting of May 7, 2008, the AWWU Board of Directors endorsed this lease.
26

27 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
28 **AUTHORIZING A LEASE FOR THE USE AND MAINTENANCE OF ADVANCED**
29 **WIRELESS NETWORK COMMUNICATION FACILITIES, ON A PORTION OF**
30 **SECTION 7, T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND**
31 **WASTEWATER UTILITY, A PUBLIC CORPORATE AUTHORITY OF THE**
32 **MUNICIPALITY OF ANCHORAGE, AND AT&T ALASCOM**
33

34 Prepared by: Anchorage Water and Wastewater Utility
35 Recommended by: Mark Premo, P.E., General Manager, AWWU
36 Concur: William M. Mehner, Executive Director, Heritage Land Bank
37 Concur: Mary Jane Michael, Executive Director,
38 Office of Economic and Community Development
39 Concur: James N. Reeves, Municipal Attorney
40 Concur: Michael K. Abbott, Municipal Manager
41 Respectfully submitted: Mark Begich, Mayor

Content ID: 006373**Type:** Ordinance - AO

AN ORDINANCE AUTHORIZING A LEASE, FOR THE USE AND MAINTENANCE OF ADVANCED WIRELESS NETWORK COMMUNICATION FACILITIES, ON A

Title: PORTION OF SECTION 7, T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND WASTEWATER UTILITY, A PUBLIC CORPORATE AUTHORITY OF THE MUNICIPALITY OF ANCHORAGE, AND AT&T ALASCOM**Author:** gibsonam**Initiating Dept:** AWWU**Review Depts:** HLB, ECD**Date Prepared:** 5/8/08 3:47 PM**Director Name:** Mark Premo**Assembly Meeting Date:** 5/20/08**Public Hearing Date:** 6/10/08

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	5/15/08 5:21 PM	Exit	Heather Handyside	Public	006373
MuniMgrCoord_SubWorkflow	5/15/08 5:21 PM	Approve	Heather Handyside	Public	006373
MuniManager_SubWorkflow	5/9/08 12:21 PM	Approve	Michael Abbott	Public	006373
Legal_SubWorkflow	5/9/08 12:09 PM	Approve	Dean Gates	Public	006373
OMB_SubWorkflow	5/9/08 9:34 AM	Approve	Regina Alatervo	Public	006373
ECD_SubWorkflow	5/8/08 4:30 PM	Approve	Lisa Villareal	Public	006373
HLB_SubWorkflow	5/8/08 4:29 PM	Approve	Tammy Oswald	Public	006373
AWWU_SubWorkflow	5/8/08 3:51 PM	Approve	Mark Premo	Public	006373
AllOrdinanceWorkflow	5/8/08 3:48 PM	Checkin	Alyssa Gibson	Public	006373



CONSENT AGENDA - INTRODUCTION