

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

Date: 6-6-08 ANCHORAGE, ALASKA

AO No. 2008- 69

1 AN ORDINANCE AUTHORIZING A LEASE, FOR THE USE AND MAINTENANCE OF
2 ADVANCED WIRELESS NETWORK COMMUNICATION FACILITIES, ON A PORTION
3 OF SECTION 10, T12N, R3W, TRACT B ABBOTT ROAD SUBDIVISION BETWEEN
4 ANCHORAGE WATER AND WASTEWATER UTILITY, A PUBLIC CORPORATE
5 AUTHORITY OF THE MUNICIPALITY OF ANCHORAGE, AND AT&T ALASCOM

6
7 WHEREAS, the Municipality of Anchorage owns property described as Section 10, T12N,
8 R3W, Tract B, Abbott Road Subdivision; 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 March of 2000; 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,

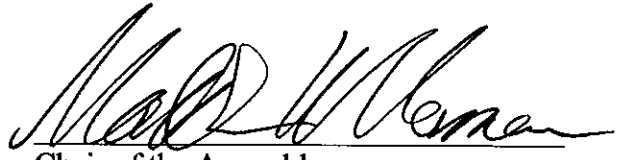
26
27 THE ANCHORAGE ASSEMBLY ORDAINS:

28
29 **Section 1.** AWWU is authorized to lease ground space on a portion of Section 10, T12N,
30 R3W, Tract B; 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 \$13,200.

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

4
5 PASSED and APPROVED by the Anchorage Assembly this 10th day of
6 June, 2008.
7

8
9
10 
11 Chair of the Assembly
12

13
14 ATTEST:
15

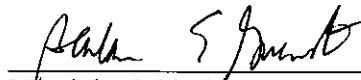
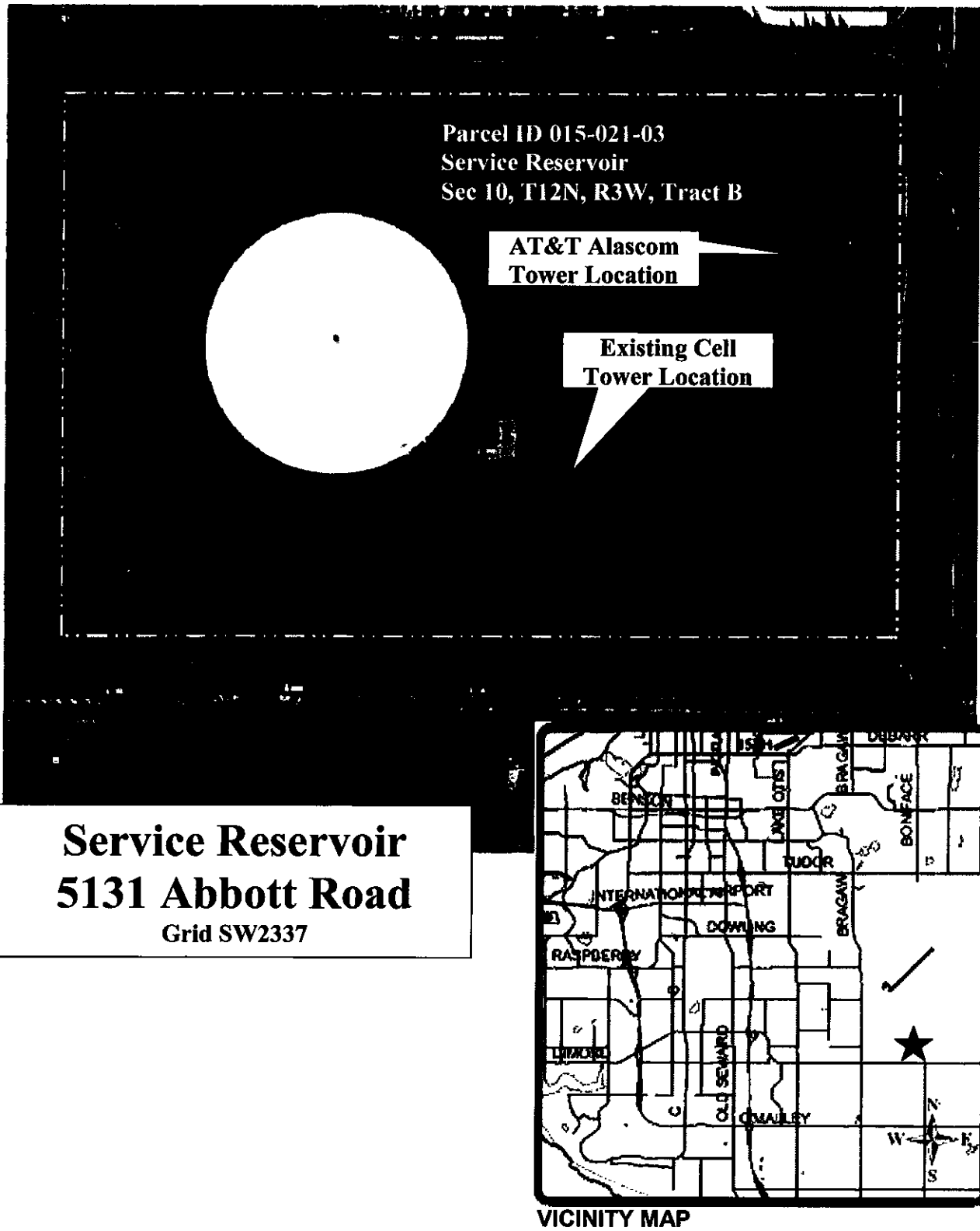
16 
17
18 Municipal Clerk

Exhibit A



Municipality of Anchorage
Summary of Economic Effects - Utilities

AO 2008- 69 **An Ordinance Authorizing a Lease, for the use and maintenance of Advanced Wireless Network Communication Facilities, on a portion of Section 10, T12N, R3W, Tract B, Abbott Road Subdivision 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 2008	FY 2009	FY 2010	FY 2011	FY 2012
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 564-2721
(Name, Title) Telephone:

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 347-2008

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 10, T12N, R3W, Tract B, Abbott Road Subdivision, between**
6 **Anchorage Water and Wastewater Utility (AWWU) a Public Corporate**
7 **Authority of the Municipality of Anchorage (MOA), and AT&T Alascom.**
8

9 AT&T Alascom seeks permission to place an (80) eighty foot monopole tower and supporting
10 facilities at the Service Reservoir site, Tract B of the Abbott Road Subdivision. This AT&T
11 Alascom infrastructure will be used for an advanced wireless communications network known as
12 WiMax. WiMax will offer citizens of Anchorage a mobile, high-speed broadband alternative.
13

14 The attached ordinance seeks authorization for AWWU to enter into a ground lease agreement
15 with AT&T Alascom for ground space for new communication facilities at this site.
16

17 The term of this lease is for (5) five years with (3) three (5) five-year renewal periods, subject
18 to mutual consent of both parties. The annual lease payment for each of the years for the first
19 five year period shall be \$13,200. These annual rates are comparable with fees charged by the
20 State of Alaska for land use under similar circumstances.
21

22 AT&T Alascom shall be responsible for any and all utilities, taxes, assessments, license and
23 other charges. At the expiration or earlier termination of the lease, Lessee shall remove all
24 Lessee facilities from the premises at Lessee's sole cost.
25

26 At its regular meeting of May 7, 2008, the AWWU Board of Directors endorsed this lease.
27

28 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
29 **AUTHORIZING A LEASE, FOR THE USE AND MAINTENANCE OF ADVANCED**
30 **WIRELESS NETWORK COMMUNICATION FACILITIES, ON A PORTION OF**
31 **SECTION 10, T12N, R3W, TRACT B, ABBOTT ROAD SUBDIVISION, BETWEEN**
32 **ANCHORAGE WATER AND WASTEWATER UTILITY A PUBLIC CORPORATE**
33 **AUTHORITY OF THE MUNICIPALITY OF ANCHORAGE AND AT&T ALASCOM.**
34

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

Content ID: 006372

Type: Ordinance - AO

Title: AN ORDINANCE AUTHORIZING A LEASE, FOR THE USE AND MAINTENANCE OF ADVANCED WIRELESS NETWORK COMMUNICATION FACILITIES, ON A PORTION OF SECTION 10, T12N, R3W, TRACT B ABBOTT ROAD SUBDIVISION 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 3:41 PM

Director Name: Mark Premo

Assembly Meeting Date: 5/20/08

Public Hearing Date: 6/10/08

5/15/08 5:21 PM
5/15/08 5:21 PM
5/9/08 12:06 PM
5/9/08 12:06 PM
5/9/08 9:29 AM
5/8/08 4:29 PM
5/8/08 4:27 PM
5/8/08 3:51 PM
5/8/08 3:42 PM

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	5/15/08 5:21 PM	Exit	Heather Handyside	Public	006372
MuniMgrCoord_SubWorkflow	5/15/08 5:21 PM	Approve	Heather Handyside	Public	006372
MuniManager_SubWorkflow	5/9/08 12:06 PM	Approve	Michael Abbott	Public	006372
Legal_SubWorkflow	5/9/08 12:06 PM	Approve	Dean Gates	Public	006372
OMB_SubWorkflow	5/9/08 9:29 AM	Approve	Regina Alatero	Public	006372
ECD_SubWorkflow	5/8/08 4:29 PM	Approve	Lisa Villareal	Public	006372
HLB_SubWorkflow	5/8/08 4:27 PM	Approve	Tammy Oswald	Public	006372
AWWU_SubWorkflow	5/8/08 3:51 PM	Approve	Mark Premo	Public	006372
AllOrdinanceWorkflow	5/8/08 3:42 PM	Checkin	Alyssa Gibson	Public	006372

A. Gibson - CONSENT AGENDA - INTRODUCTION