

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

Prepared by: Anchorage Water and Wastewater
Utility

For reading: May 20, 2008

CLERK'S OFFICE

APPROVED

Date: 6-10-08 ANCHORAGE, ALASKA

AO No. 2008- 70

1 AN ORDINANCE AUTHORIZING A LEASE, FOR THE CONTINUED USE AND
2 MAINTENANCE OF NETWORK COMMUNICATION FACILITIES, ON A PORTION OF
3 SECTION 7, T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND
4 WASTEWATER UTILITY, A PUBLIC CORPORATE AUTHORITY OF THE
5 MUNICIPALITY OF ANCHORAGE, AND CHUGACH ELECTRIC ASSOCIATION

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 and Wastewater Utility (AWWU) in February of 1983; and

15
16 WHEREAS, Chugach Electric Association (CEA) has previously placed a community interest
17 communication facilities at this location under revocable land use agreements between
18 AWWU and CEA; and

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

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

27
28 WHEREAS, at its May 7, 2008 meeting, the AWWU Authority Board supported CEA's
29 request for lease privileges within MOA-AWWU property; now therefore,

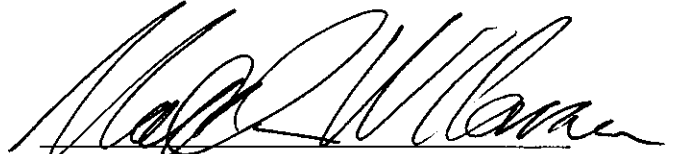
30
31 THE ANCHORAGE ASSEMBLY ORDAINS:

32
33 **Section 1.** AWWU is authorized to lease tower space on a portion of Section 7, T13N,
34 R2W, Lot 9; to CEA, 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 be for a term of ten years with three five year renewal periods,
38 subject to mutual consent of both parties. The annual lease payment for each of the years for
39 the first ten years shall be \$17,520.

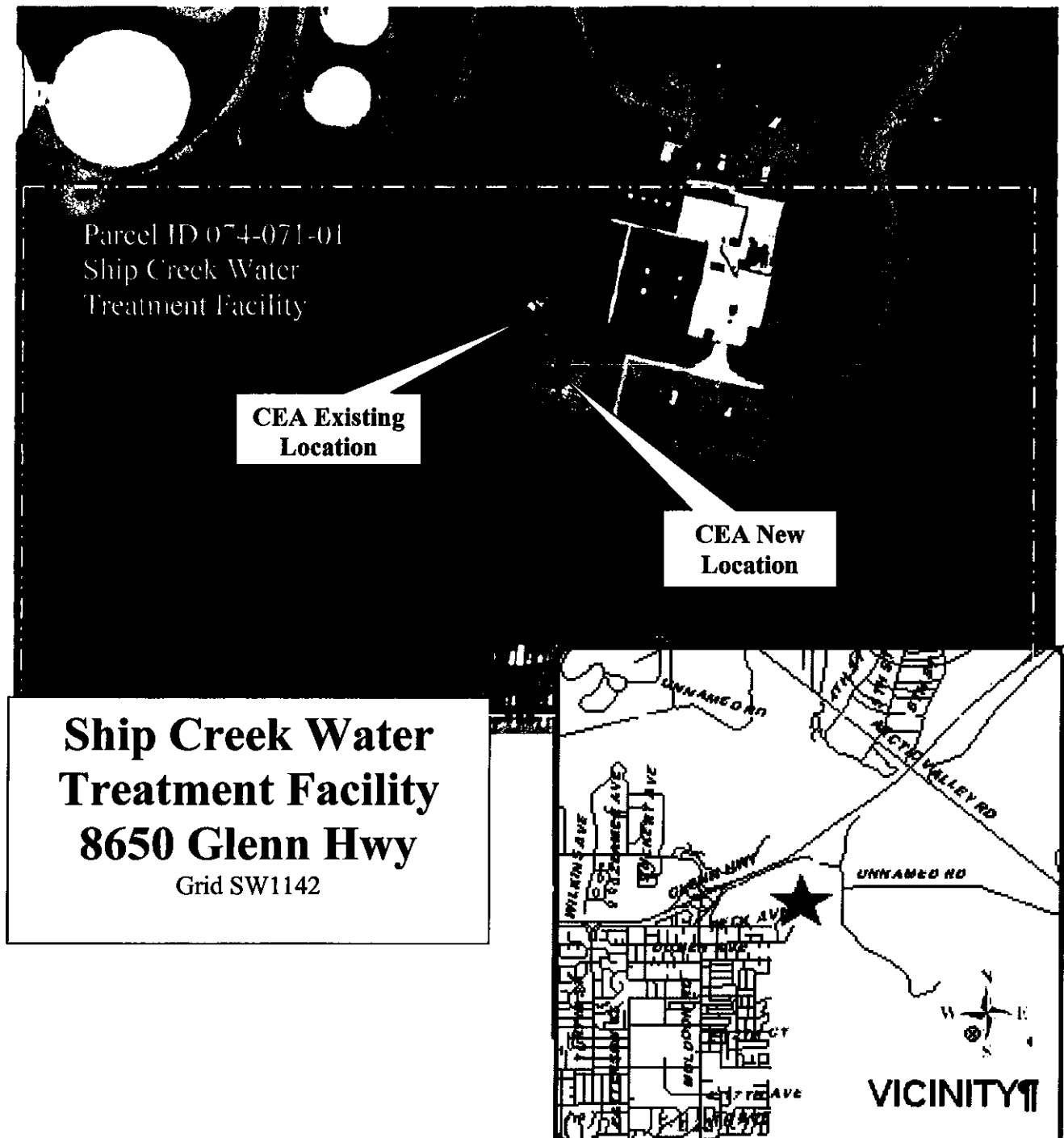
1
2 **Section 3.** This ordinance shall be effective immediately upon passage and approval by the
3 Municipal Assembly.
4

5
6 PASSED and APPROVED by the Anchorage Assembly this 10th day of
7 June, 2008.
8

9
10 
11
12 Chair of the Assembly
13

14
15 ATTEST:
16

17 
18
19 Municipal Clerk



Summary of Economic Effects - Utilities

AO 2008- 70

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

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 348 -2008

Meeting Date: May 20, 2008

1 **From: MAYOR**

2
3 **Subject: An Ordinance Authorizing a Lease, for the continued use and maintenance**
4 **of Network Communication Facilities, on a portion of Section 7, T13N,**
5 **R2W, Lot 9, between Anchorage Water and Wastewater Utility (AWWU) a**
6 **Public Corporate Authority of the Municipality of Anchorage (MOA), and**
7 **Chugach Electric Association (CEA).**
8

9 CEA seeks permission to lease tower space for continued use of its network communication
10 facilities. This equipment was previously permitted and installed by revocable land use permit.
11 In accordance with municipal code, continued permission requires a lease.
12

13 The attached ordinance seeks authorization for AWWU to enter into a lease agreement with
14 CEA for new communication facilities at this site.
15

16 The term of this lease is for (10) ten years with (3) three (5) five-year renewal periods, subject
17 to mutual consent of both parties. The annual lease payment for each of the years for the first
18 (10) ten year period shall be \$17,520. These annual rates are comparable with fees charged by
19 the State of Alaska for land use under similar circumstances.
20

21 CEA shall be responsible for any and all taxes, assessments, licenses and other charges. At the
22 expiration or earlier termination of the lease, Lessee shall remove all Lessee facilities from the
23 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 CONTINUED USE AND MAINTENANCE OF**
29 **NETWORK COMMUNICATION FACILITIES, ON A PORTION OF SECTION 7,**
30 **T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND WASTEWATER**
31 **UTILITY A PUBLIC CORPORATE AUTHORITY OF THE MUNICIPALITY OF**
32 **ANCHORAGE, AND CHUGACH ELECTRIC ASSOCIATION.**
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: 006371**Type:** Ordinance - AO

Title: AN ORDINANCE AUTHORIZING A LEASE, FOR THE CONTINUED USE AND MAINTENANCE OF NETWORK COMMUNICATION FACILITIES, ON A PORTION OF SECTION 7, T13N, R2W, LOT 9, BETWEEN ANCHORAGE WATER AND WASTEWATER UTILITY, A PUBLIC CORPORATE AUTHORITY OF THE MUNICIPALITY OF ANCHORAGE, AND CHUGACH ELECTRIC ASSOCIATION

Author: gibsonam**Initiating Dept:** AWWU**Review Depts:** HLB, ECD**Date Prepared:** 5/8/08 3:36 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 5:20 PM	Exit	Heather Handyside	Public	006371
MuniMgrCoord_SubWorkflow	5/15/08 5:20 PM	Approve	Heather Handyside	Public	006371
MuniManager_SubWorkflow	5/9/08 12:06 PM	Approve	Michael Abbott	Public	006371
Legal_SubWorkflow	5/9/08 12:05 PM	Approve	Dean Gates	Public	006371
OMB_SubWorkflow	5/9/08 9:01 AM	Approve	Regina Alatero	Public	006371
ECD_SubWorkflow	5/8/08 4:29 PM	Approve	Lisa Villareal	Public	006371
HLB_SubWorkflow	5/8/08 4:25 PM	Approve	Tammy Oswald	Public	006371
AWWU_SubWorkflow	5/8/08 3:50 PM	Approve	Mark Premo	Public	006371
AllOrdinanceWorkflow	5/8/08 3:37 PM	Checkin	Alyssa Gibson	Public	006371



CONSENT AGENDA - INTRODUCTION