

CLERK'S OFFICE

APPROVED

4-26-11

Date: _____

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Heritage Land Bank
For reading: April 12, 2011

**ANCHORAGE, ALASKA
AO No. 2011-53**

**AN ORDINANCE AMENDING ANCHORAGE ORDINANCE 2010-67 TO REVISE
THE TERM OF EASEMENT FOR A CHUGACH ELECTRIC ASSOCIATION
FACILITY IN GIRDWOOD.**

WHEREAS, on October 12, 2010, the Assembly approved Assembly Ordinance (AO) 2010-67 for a disposal of a small non-exclusive easement to provide electricity to an AWWU facility at the Girdwood Phase IIB Water Transmission Main; and

WHEREAS, the associated Assembly Memorandum, AM514-2010 specified a 20-year term with a 10-year extension; and

WHEREAS, Chugach Electric Association (CEA) requires an easement in perpetuity for the permanent electrical facility; and,

WHEREAS, the subdivision plat will soon be recorded, institutionalizing an easement in perpetuity; now therefore,


THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The proposed easement for CEA to provide electrical service to an AWWU facility benefits the Municipality, and the Assembly finds the easement to be without substantial value to the Municipality.


Section 2. The Assembly finds it is in the best interest of the Municipality to amend AO 2010-67 to revise the term of the easement from a specific number of years to an easement in perpetuity. The remainder of the ordinance is not affected by this action, and shall remain in full force and effect.

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

PASSED AND APPROVED by the Anchorage Municipal Assembly this 26th day of April, 2011.


Chair of the Assembly

ATTEST:


Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2011-53 Title: **AN ORDINANCE AMENDING ANCHORAGE ORDINANCE 2010-67 TO REVISE THE TERM OF EASEMENT FOR A CHUGACH ELECTRIC ASSOCIATION FACILITY IN GIRDWOOD.**

Sponsor: MAYOR
 Preparing Agency: Heritage Land Bank, Real Estate Department
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

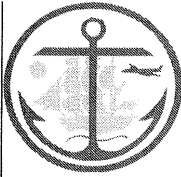
	FY11	FY12	FY13	FY14	FY15
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COST	0	0	0	0	0
6000 IGCs	0	0	0	0	0
FUNCTION COST:	0	0	0	0	0
REVENUES:	0	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS: FT/PT and Temp.	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS: Positive effect of providing power to future subdivision.

PRIVATE SECTOR ECONOMIC EFFECTS: This action benefits AWWU's Girdwood Phase IIB Water Transmission Main project by providing power to the facility.

Prepared by: **Alison L. Smith**
 Land Manager, Real Estate Department

Telephone: **343-7531**



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 227-2011

Meeting Date: April 12, 2011

1
2 **From: MAYOR**

3
4 **Subject: AN ORDINANCE AMENDING ANCHORAGE ORDINANCE 2010-67**
5 **TO REVISE THE TERM OF EASEMENT FOR A CHUGACH**
6 **ELECTRIC ASSOCIATION FACILITY IN GIRDWOOD.**
7

8 This ordinance amends AO 2010-67 to authorize an easement in perpetuity for an
9 electrical facility. The easement is part of a future recorded plat, creating a
10 perpetual easement. Chugach Electric Association requests AO 2010-67 be
11 amended to revise the easement to eliminate an easement with a specific term of
12 years and instead authorize an easement in perpetuity for its permanent electrical
13 facility.
14

15 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
16 **AMENDING ANCHORAGE ORDINANCE 2010-67 TO REVISE THE TERM OF**
17 **EASEMENT FOR A CHUGACH ELECTRIC ASSOCIATION FACILITY IN**
18 **GIRDWOOD.**
19

20
21 Prepared by: Alison L. Smith, Land Manager, Real Estate Department
22 Approved by: Tammy Oswald, Acting Director, Real Estate Department
23 Concur: Dennis A. Wheeler, Municipal Attorney
24 Concur: George J. Vakalis, Municipal Manager
25 Respectfully submitted: Daniel A. Sullivan, Mayor
26
27

28 Appendices:
29 Appendix A—AO 2010-67

Submitted by: Chair of the Assembly at the Request of the Mayor
Prepared by: Heritage Land Bank
For reading: September 28, 2010

CLERK'S OFFICE

APPROVED

Date: 10-12-10 ANCHORAGE, ALASKA
AO No. 2010-67

AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR INSTALLATION OF ELECTRICAL SERVICE AND RELATED FACILITIES.

WHEREAS, the Heritage Land Bank (HLB) was established to...“manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan. The Heritage Land Bank shall acquire, inventory, manage, withdraw, transfer and dispose of municipal land which has not been dedicated or transferred to a specific municipal agency for one or more municipal uses.” (AMC section 25.40.010); and

WHEREAS, “The disposal responsibility of the Heritage Land Bank is, at the direction of the mayor and Assembly, to convey from municipal ownership Heritage Land Bank land or interests in land which is not needed for specific public facilities or purposes. Each disposal shall be in the municipal interest, and based at or above appraised fair market value or for other equivalent municipal values or objectives, under the procedures specified in AMC Section 25.40.025.” (AMC section 25.40.010 E.); and

WHEREAS, HLB Parcel 6-016 is currently a vacant residential and open space parcel; and

WHEREAS, HLB posted the property and conducted public notice and review by all potentially interested Municipal agencies to establish that easement issuance for the electrical service is appropriate and in the best interest of the Municipality; and

WHEREAS, on August 12, 2010, the Heritage Land Bank Advisory Commission (HLBAC) unanimously approved HLBAC Resolution 2010-04 recommending the Assembly approve disposal of a non-exclusive easement; and

WHEREAS, the subject easement was requested by Anchorage Water & Wastewater Utility for electrical service to its facility, to benefit the Municipality of Anchorage, so there is no charge for the easement to CEA; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The proposed easement for CEA to provide electrical service to an AWWU facility benefits the Municipality, and the Assembly finds the easement to be without substantial value to the Municipality.

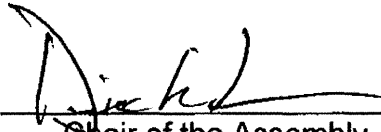
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1 **Section 2.** The Assembly finds it is in the best interest of the Municipality and the
2 public to dispose of this easement under terms and conditions set forth in the
3 Assembly Memorandum and, notwithstanding any contrary provision of the
4 Anchorage Municipal Code, hereby waives the requirements in Chapter 25.40
5 requiring an appraisal and fee.

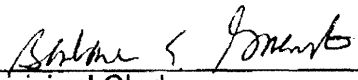
6
7 **Section 3.** Pursuant to AMC 25.40.025, the disposal to CEA of a non-exclusive
8 electrical easement across HLB Parcel 6-016, and further identified by an as-built
9 survey to be attached to the easement document, is hereby approved.

10
11 **Section 4.** This ordinance shall be effective immediately upon passage and
12 approval by the Assembly.

13
14 PASSED AND APPROVED by the Anchorage Municipal Assembly this 12th day of
15 October, 2010.

16
17
18 
19 _____
20 Chair of the Assembly

21 ATTEST:

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23 
24 _____
25 Municipal Clerk
26

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO 2010-67 AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE UTILITY EASEMENT TO CHUGACH ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR INSTALLATION OF AN ELECTRICAL SERVICE AND RELATED FACILITIES.

Sponsor: **MAYOR**
 Preparing Agency: Heritage Land Bank
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY10	FY11	FY12	FY13	FY14
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COST	0	0	0	0	0
6000 IGCs	0	0	0	0	0
FUNCTION COST:	0	0	0	0	0
REVENUES:	0	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS: FT/PT and Temp.	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

Allow for construction/installation of electrical service to AWWU for pressure relief valve in new Girdwood Phase IIB Water Transmission Main.

PRIVATE SECTOR ECONOMIC EFFECTS:

None.

Prepared by: **William M. Mehner**
 Director, Heritage Land Bank

Telephone: **343-7537**



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 514-2010

Meeting Date: September 28, 2010

1
2 **From:** MAYOR

3
4 **Subject:** AN ORDINANCE AUTHORIZING A NON-EXCLUSIVE ELECTRICAL
5 EASEMENT TO CHUGACH ELECTRIC ASSOCIATION ACROSS
6 HLB PARCEL 6-016 FOR INSTALLATION OF ELECTRICAL
7 SERVICE AND RELATED FACILITIES.
8

9 This ordinance authorizes the Heritage Land Bank (HLB) to grant disposal of a non-
10 exclusive electrical easement 1,000 square feet in size to Chugach Electric
11 Association (CEA). The easement is associated with the Holtan Hills Subdivision in
12 the upper Girdwood Valley. The subject parcel is mostly vacant except for the
13 platted, unconstructed subdivision and is legally described as HLB Parcel 6-016,
14 TID 075-031-32 (Map - Appendix A). The easement is approximately 20 feet by 50
15 feet, and was requested by the Anchorage Water & Wastewater Utility for the
16 benefit of the Municipality.
17

18 The purpose of the disposal is to create an easement for electrical service to a
19 pressure reducing valve vault being installed in the Anchorage Water and
20 Wastewater Utility (AWWU) Girdwood Phase IIB Water Transmission Main Project.
21 The easement term is twenty years with an option to extend another ten years, and
22 is being issued now to allow CEA access while the transmission main is being
23 constructed prior to recordation of the Holtan Hills Subdivision plat. Once the plat is
24 recorded, the easement will be established as a dedicated easement. Due to the
25 necessity for electricity for the AWWU project, no easement fee is being charged.
26 An as-built survey is required from CEA within six months of installation of the
27 service.
28

29 **Public Process.** The HLB conducted an agency review and received no objection
30 from other municipal agencies for disposal of the subject property. The HLB posted
31 notice of public hearing on the property on July 28, 2010. The public hearing was
32 advertised in the Anchorage Daily News July 25, August 1 and 8, 2010.
33 Neighborhood community councils were informed of the project and had no
34 comments. The HLB Advisory Commission (HLBAC) held a public hearing on
35 August 12, 2010 and approved HLBAC Resolution No. 2010-04 (Appendix B).
36

37 **Recommendation.** HLB staff considers the proposed easement of the
38 approximately 1,000 square feet within the parcel to be an appropriate use of HLB
39 land. The proposed use is compatible with the Holtan Hills Preliminary Plat,
40 Girdwood Area Plan and the Crow Creek Neighborhood Land Use Plan. The

1 HLBAC found the disposal of the non-exclusive utility easement to CEA is in the
2 best interest of the MOA and recommends Assembly approval for this easement.

3

4 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
5 **AUTHORIZING A NON-EXCLUSIVE ELECTRICAL EASEMENT TO CHUGACH**
6 **ELECTRIC ASSOCIATION ACROSS HLB PARCEL 6-016 FOR INSTALLATION**
7 **OF ELECTRICAL SERVICE AND RELATED FACILITIES.**

8

9

10 Prepared by: Alison L. Smith, Land Manager, Heritage Land Bank
11 Approved by: William M. Mehner, Exec. Director, Heritage Land Bank
12 Concur: Dennis A. Wheeler, Municipal Attorney
13 Concur: George J. Vakalis, Municipal Manager
14 Respectfully submitted: Daniel A. Sullivan, Mayor

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17 Appendices:

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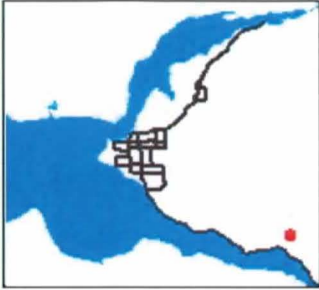
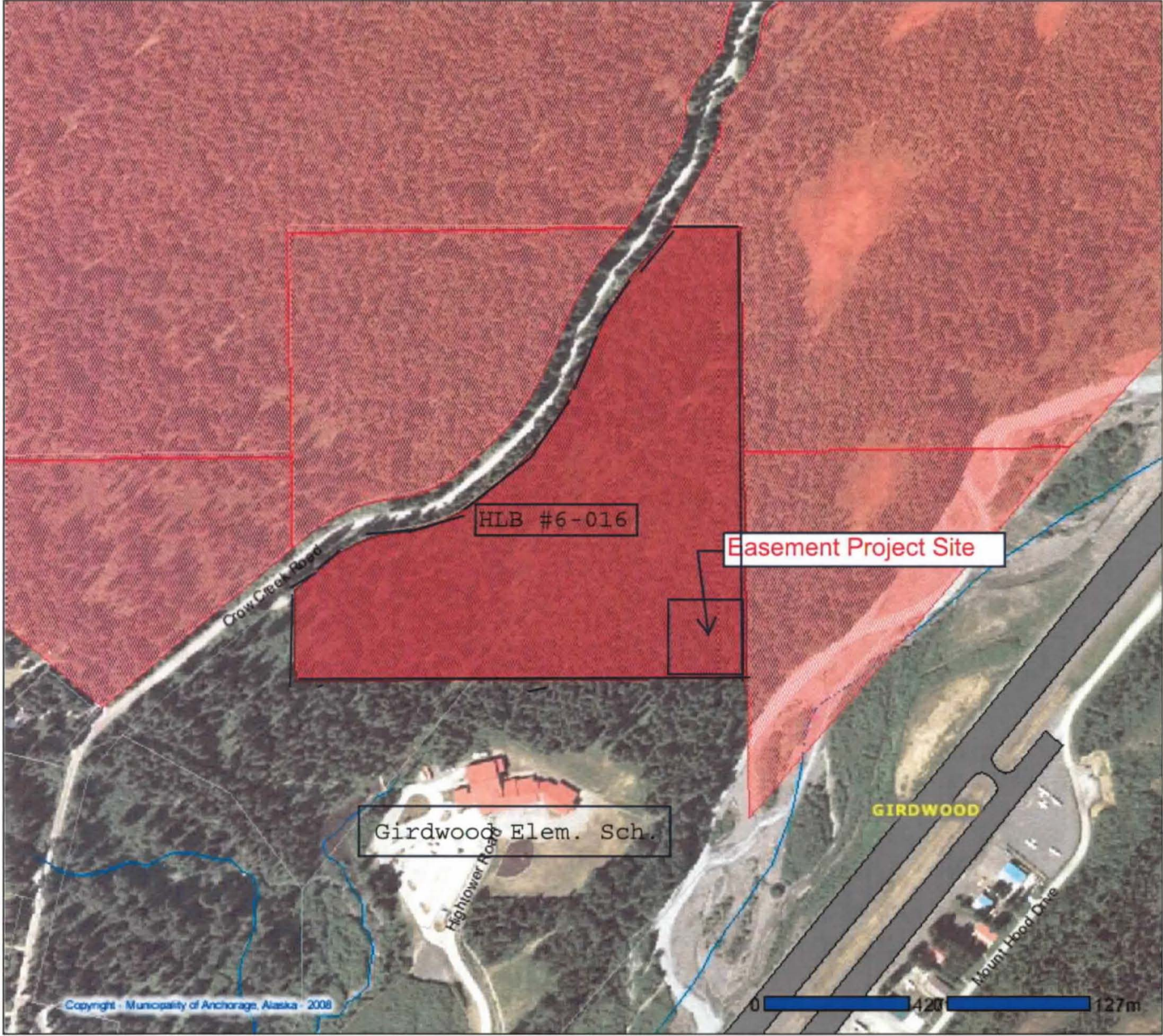
Appendix A—Site Map

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Appendix B—HLB Advisory Commission Resolution No. 2010-04

APPENDIX A: Area Map

Project Site: HLB Parcel #6-016 CEA Easement



APPENDIX B

MUNICIPALITY OF ANCHORAGE HERITAGE LAND BANK ADVISORY COMMISSION

RESOLUTION No. 2010-04

A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION (HLBAC) RECOMMENDING ASSEMBLY APPROVAL OF DISPOSAL OF HLB LANDS VIA EASEMENT TO CHUGACH ELECTRIC ASSOCIATION FOR PROVIDING ELECTRICAL SERVICE TO AN ANCHORAGE WATER AND WASTEWATER UTILITY FACILITY IN THE GIRWOOD VALLEY.

WHEREAS, the Heritage Land Bank (HLB) was established to... "Manage uncommitted municipal land and the Heritage Land Bank Fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan" (AMC 25.40.010); and

WHEREAS, AMC 25.40.025.A states, "The Heritage Land Bank Advisory Commission shall hold a public hearing, with public notice as specified in this chapter, prior to making a recommendation to the Mayor and Assembly regarding the disposal of Heritage Land Bank land or an interest in land."; and

WHEREAS, HLB Parcel #6-010 is legally described as Tract B, Girdwood Elementary School Subdivision, (TID 075-031-32), located in the upper Girdwood Valley; and

WHEREAS, the requested easement on the subject parcel is 1000 square feet in size; and

WHEREAS, the disposal of this easement is in the best interest of the Municipality; and

WHEREAS, HLB posted the property and conducted public notice and an agency review by all potentially interested Municipal agencies to establish no objections to the easement encumbrance,

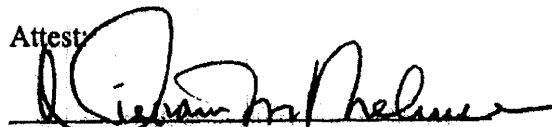
NOW, THEREFORE, THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDS ASSEMBLY APPROVAL OF DISPOSAL OF HLB LANDS VIA EASEMENT TO CHUGACH ELECTRIC ASSOCIATION FOR PROVIDING ELECTRICAL SERVICE TO AN ANCHORAGE WATER AND WASTEWATER UTILITY FACILITY IN THE GIRWOOD VALLEY.

PASSED AND APPROVED on this, the 12th day of August, 2010.

Approved:


Ray Hickel, Chair
Heritage Land Bank Advisory Commission

Attest:


William M. Mehner, Executive Director
Heritage Land Bank

Content ID: 010091

Type: Ordinance - AO

AN ORDINANCE AMENDING ANCHORAGE ORDINANCE 2010-67 TO

Title: REVISE THE TERM OF EASEMENT FOR A CHUGACH ELECTRIC ASSOCIATION FACILITY IN GIRDWOOD.

Author: vanhornlr

Initiating Dept: Real_Estate

Description: Amendment to Girdwood Util. Easement

Keywords: Easement amendment

Date Prepared: 4/6/11 12:03 PM

Director Name: Tammy R. Oswald

Assembly Meeting Date: 4/12/11

Public Hearing Date: 4/26/11

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	4/8/11 10:36 AM	Exit	Joy Maglaqui	Public	010091
MuniManager_SubWorkflow	4/8/11 10:36 AM	Approve	Joy Maglaqui	Public	010091
Legal_SubWorkflow	4/7/11 12:55 PM	Approve	Deitra Ennis	Public	010091
Finance_SubWorkflow	4/7/11 12:00 PM	Approve	Lucinda Mahoney	Public	010091
OMB_SubWorkflow	4/6/11 4:31 PM	Approve	Cheryl Frasca	Public	010091
Real_Estate_SubWorkflow	4/6/11 12:07 PM	Approve	Tammy Oswald	Public	010091
AllOrdinanceWorkflow	4/6/11 12:06 PM	Checkin	Lynn Roderick Van Horn	Public	010091