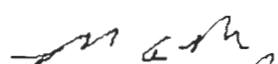
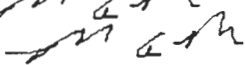


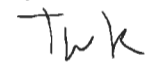
Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor CP
Marcus Mueller, Acting Planning Director 
Marcus Mueller, Land Management Officer 

FROM: Trevor Kauffman, Land Management Agent 

DATE: October 1, 2020

RE: Ordinance 2020-44, Authorizing the Lease of Approximately 2,500 Square Feet of Borough Owned Land to Atlas Tower 1 LLC for the Construction and Maintenance of a Communication Tower Site (Mayor)

Atlas Tower 1, LLC), a Colorado Limited Liability Company, has submitted an application for a negotiated lease of a 2,500 square-foot area owned by the borough and located within SE1/4SE1/4SE/14, Section 16, T. 7N., R. 12W., S.M. Kenai Recording District, Third Judicial District, State of Alaska for construction and maintenance of a communication tower. The parcel is currently vacant. The lease agreement includes the following terms:

- An option term of 1 year in which the lessee may investigate the site and pursue any required authorizations. The lessee may choose to exercise the lease at any time during the option term. Consideration for the option is \$3,500.
- For the lease, there is an initial rental rate of \$1,000 per month that will increase annually by 2.5%.
- An initial term of five years, with the option to renew the lease for four additional five year terms.
- For any sublessees, a revenue share of 33% of sublease rent to KP.B.
- Requirements for a perimeter fence and gate installation around leased area.
- An easement to the tower for 24-hour site access for maintenance and emergency purposes.
- An option for KP.B to place emergency telecommunications equipment on the tower, for use by Central Emergency Services.

This ordinance would authorize the mayor to enter into the lease agreement and sign any other documents necessary to effectuate the agreement. Revenue from the lease would support the borough's Land Trust Fund.

Your consideration of this ordinance is appreciated.