

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2016-04

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM PERMIT FOR NUSHAGAK COOPERATIVES TO BURY A COMMUNICATION CONDUCTOR IN ORDER TO REMOVE THE HARBOR SPUR ROAD CROSSING**

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way, or other property dedicated to a public use; and

WHEREAS, Nushagak Cooperatives wishes to bury a communication conductor in order to remove the Harbor Spur Road crossing; and

WHEREAS, the provision of utilities is considered a long term encroachment in the public right of way; and

WHEREAS, the proposed encroachment was reviewed by the City's Public Works Director with no opposition or further requirements; and

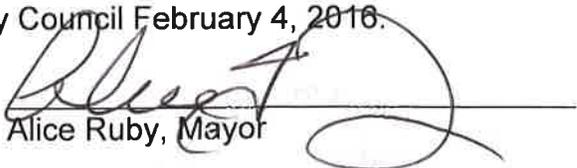
WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way, or other property dedicated to a public use for longer than one year; and

WHEREAS, the application for the encroachment permit was filed with the City on November 17, 2015, and was approved by the Planning Commission at their December 16, 2015 meeting;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council:

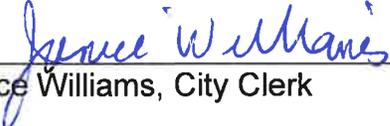
1. Approves the long term encroachment to bury the communication conductor in order to remove the Harbor Spur Road crossing; and
2. Accepts the conditions as laid out in Planning Commission Resolution No. 2015-15.

PASSED and ADOPTED by the Dillingham City Council February 4, 2016.

  
Alice Ruby, Mayor

ATTEST:

[SEAL]

  
Janice Williams, City Clerk

**City of Dillingham Information Memorandum**

Agenda of: February 4, 2016

Attachment to:

Ordinance No. \_\_\_\_\_ / Resolution No. 2016-04

**Subject:**

A Long Term Encroachment permit for Nushagak Cooperatives to bury a communication conductor in order to remove the Harbor Spur Road crossing

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City Manager: Recommend Approval

Signature: \_\_\_\_\_



Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

- PC Resolution No. 2015-1<sup>65</sup>

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**Summary Statement:**

Nushagak Cooperatives wishes to bury a communication conductor in order to remove the Harbor Spur Road crossing.

This long term encroachment application was reviewed by Public Works and recommended for approval by the Planning Commission, December 16, 2015.

Attachment to:  
Ordinance No. \_\_\_\_\_ / Resolution No. 2016-04 \_\_\_\_\_

**Summary Statement continued:**

Route to	Department Head	Date
	Finance Director	
X	Public Works	
X	City Clerk	

DILLINGHAM PLANNING COMMISSION

PC RESOLUTION 2015-15

**RECOMMENDING APPROVAL OF A LONG TERM ENCROACHMENT PERMIT FOR NUSHAGAK COOPERATIVES TO BURY A COMMUNICATION CONDUCTOR IN ORDER TO REMOVE THE HARBOR SPUR ROAD CROSSING**

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WHEREAS, Nushagak Cooperative wishes to bury communication conductor in order to remove the Harbor Spur Road crossing; and

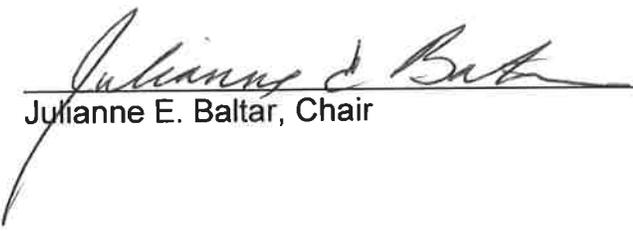
WHEREAS, there is no objection to the burial as proposed; and

WHEREAS, the Dillingham Planning Commission is required to make a recommendation to the city council for long term encroachments and for excavation and construction in city rights-of-way and city property per DMC 12.08.020 (C) and DMC 12.08.070;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the City Council approve Long Term Encroachment permit 2015-09 to bury communication conductor in order to remove the Harbor Spur Road crossing, with the following conditions:

- That one form of location information be provided after the installation, whether an as-built or GPS coordinates;
- That the road be returned to its original condition and compaction,
- That prior to working in the street, at least 48 hours' notice be given to the City of Dillingham Administration, Public Works, and Public Safety departments.

ADOPTED by the Dillingham Planning Commission December 16, 2015.

  
Julianne E. Baltar, Chair

ATTEST:

  
City Staff