

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2016-56

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT PERMIT FOR NUSHAGAK COOPERATIVES TO INSTALL ELECTRIC SERVICE AT THE DILLINGHAM SMALL BOAT HARBOR

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 Cooperative wishes to install 480 volt electric service at the Boat Harbor to provide power to the Harbor Lease Lots at Southeast portion of U.S. Survey 3643, Lot 2 as well as the adjacent northeast corner of U.S. Survey 3643, Lot 32; and

WHEREAS, there are no objections to the installation as proposed; and

WHEREAS, it is in the public interest to allow this installation; 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

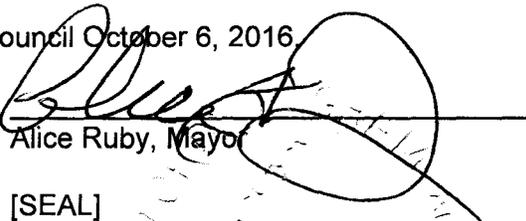
WHEREAS, City of Dillingham staff issued a Short-Term Encroachment Permit to Nushagak Cooperatives on July 14, 2016 to approve power installation at this site; and

WHEREAS, per Resolution 2016-03 the Dillingham Planning Commission recommends approval of this long term encroachment;

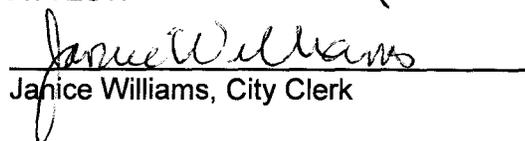
NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment at the Small Boat Harbor with the following conditions:

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

PASSED AND ADOPTED by the Dillingham City Council October 6, 2016


Alice Ruby, Mayor

ATTEST:


Janice Williams, City Clerk

[SEAL]

City of Dillingham Information Memorandum

Agenda of: October 6, 2016

Attachment to:

Ordinance No. _____ / Resolution No. 2016-56

Subject:

A resolution of the Dillingham City Council approving a long term encroachment permit for Nushagak Cooperative to install electric service at the Dillingham Small Boat Harbor

City Manager: Recommend Approval

Signature: Rose Roera

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- PC Resolution No. 2016-03

Summary Statement:

Approved by the Dillingham Planning Commission at their September 14, 2016 meeting.

The encroachment permit is necessary to comply with Dillingham Municipal code:

12.08.010 Definitions. "Encroachments" shall be 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. (Ord. 93-13 § 1 (part), 1993.)

12.08.020 (C) Approval of Long Term Permit. The city manager shall refer any encroachment permit application for a period exceeding one year to the city planning commission. The manager shall submit his recommendations regarding the application to the planning commission. The planning commission shall review the application, and forward a recommendation to the city council. The city council shall act upon the encroachment permit application only upon receipt and consideration of the recommendation of the planning commission. (Ord. 93-13 § 1 (part), 1993.)

Attachment to:
Ordinance No. _____ / Resolution No. 2016-56

Summary Statement continued:

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

RESOLUTION 2016-03
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

**Supporting a long term encroachment permit for Nushagak Cooperatives to
install 480 volt electric service at the Boat Harbor.**

WHEREAS, Nushagak Cooperative wishes to install 480 volt electric service at the Boat Harbor to provide power to the SeaShare freezer van and Nushagak Packing Company; and

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

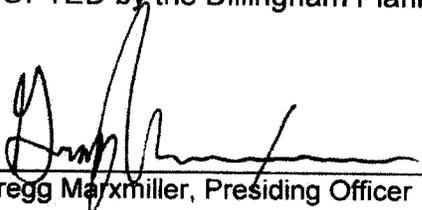
WHEREAS, City of Dillingham staff issued a Short-Term Encroachment Permit to Nushagak Cooperatives on July 14, 2016 to approve power installation at this site; and

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;

THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the City Council approve Long Term Encroachment permit 2016-07 to install power at the Boat Harbor, with the following conditions:

- That prior to construction, at least 24 hours' notice be given to the City's Public Works Director.

ADOPTED by the Dillingham Planning Commission on this 14th day of September, 2016.



Gregg Marxmiller, Presiding Officer



Courtenay Carty, Recorder