

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2011-31

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT PERMIT FOR UNITED UTILITIES TO INSTALL A FIBER OPTIC CABLE TO PROVIDE HIGH SPEED INTERNET SERVICE TO KANAKANAK HOSPITAL FROM THE TERRA PROJECT MICROWAVE TOWER**

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WHEREAS, the Dillingham Municipal Code 12.08.020 (C) requires the Dillingham Planning Commission to make recommendations to the City Council regarding long term encroachments into city rights-of-way and city property; and

WHEREAS, at its regular meeting March 15, the Dillingham Planning Commission reviewed the proposed long term encroachment application for compliance with DMC chapter 12.08 encroachment permits; and

WHEREAS, United Utilities wishes to install a fiber optic cable in a 17b easement serving the hospital and the FAA Vortac site; and

WHEREAS, this 17b easement has all the uses of a public road according to Interim Conveyance number 1121, as recorded on Book 30 Page 780-786 of the Bristol Bay Recording District; and

WHEREAS, the Bristol Bay Area Health Corporation and United Utilities wish to install the fiber optic cable to provide the hospital with high speed internet service from a microwave tower along the same road; and

WHEREAS, this fiber optic cable will not interfere with any other public utility existing in the road; and

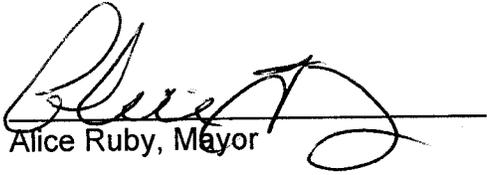
WHEREAS, the City Council is required by DMC 12.08.020 (C) to act upon encroachment permit applications upon receipt and consideration of the recommendation of the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED that the City of Dillingham City Council hereby approves the long term encroachment permit for the fiber optic cable installation in the public road serving the FAA Vortac Site, provided:

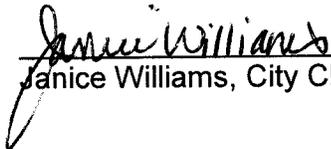
- that the City of Dillingham Administration, Public Works Department and Public Safety Department be notified 48 hours in advance of any work on public lands or in the public rights of way;
- that a new encroachment permit must be obtained before the utilities are moved from this location;
- that United Utilities restore the public land or public right-of-way to its former condition or better after completing the utility installations; and
- that United Utilities provide 2 copies of the as-builts of the installations to the City Planning Department within one month of installing them.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on April 21, 2011.

SEAL:

  
Alice Ruby, Mayor

ATTEST:

  
Janice Williams, City Clerk

