CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2019-18(A)

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT (LTE) PERMIT FOR NUSHAGAK ELECTRIC TO EXTEND THE FIBER OPTIC NETWORK TO RESIDENTS ON WASKEY ROAD

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 received a request to install residential utility services by extending the fiber optic network on Waskey Road; 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, on June 12, 2019, the Dillingham Planning Commission approved the LTE permit application and recommends City Council authorize the long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment Waskey Road:

- That any underground electric infrastructure be buried at least 42" throughout the right of way;
- That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
- That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
- That Nushagak Cooperative provides updated documentation in the form of as-built, documenting the actual location of the utilities within one month following construction.
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PASSED AND ADOPTED by a duly constituted quorum of the Dillingham City Council June 20, 2019.

Alice Ruby, Mayor

[SEAL]

ATTEST:

Lori Goodell, City Clerk