



## Agenda Statement

**File #:** 17-0402 **Version:** 1  
**Type:** New Business **Status:** Passed  
**File created:** 7/7/2017 **In control:** Planning and Zoning Commission  
**On agenda:** 7/12/2017 **Final action:** 7/12/2017  
**Title:** Approve a Recommendation to City Council to Grant a Public Utility Easement to GCI Cable INC, Located on City of Valdez Property within section 30, T8S, R6W, C.R.M., AK. The Trenching and Subsequent Laying of Cable/Conduit will be Located 10'-12' East of the Edge of the Existing Recreational Trail.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. GCI Easement Draft2 7 4 2017 (3)

Date	Ver.	Action By	Action	Result
7/12/2017	1	Planning and Zoning Commission	approved	Pass

### **ITEM TITLE:**

Approve a Recommendation to City Council to Grant a Public Utility Easement to GCI Cable INC, Located on City of Valdez Property within section 30, T8S, R6W, C.R.M., AK. The Trenching and Subsequent Laying of Cable/Conduit will be Located 10'-12' East of the Edge of the Existing Recreational Trail.

**SUBMITTED BY:** Paul Nylund - Senior Planner/GIS Technician

### **FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A.

Funding Source: N/A

### **RECOMMENDATION:**

Approve a Public Utility Easement to GCI Cable INC, located on City of Valdez Property within section 30, T8S, R6W, C.R.M., AK. The trenching and subsequent laying of cable/conduit will be located 10'-12' East of the edge of the existing recreational trail.

The granting of this easement will be contingent upon:

A recorded as-built survey that clearly delineates the new easements at the expense of GCI.

Any damage done to the trail or dike structure will be repaired to preexisting conditions at the expense of GCI.

An approved site visit from the City's Parks Maintenance Supervisor upon project completion.

### **SUMMARY STATEMENT:**

GCI Cable Inc, is requesting a utility easement located on City of Valdez Property within section 30, T8S, R6W, C.R.M., AK., for the purpose of connecting the Telecommunications tower on the hill behind the City water tower, to an existing pedestal located near the end of W. Hanagita St..

See the map of proposed easements attached. The approved path of the trenching and subsequent laying of cable/conduit will be 12'-14' East from the proposed route on the attached drawing dated 7/4/2017 from Colver Surveying. The original proposal from GCI requested that the centerline of the easement be located on the existing trail bed, 2' from the edge. Community Development staff determined that the proposed route was on top of a dike structure which is designed to protect the subdivision from flooding of Mineral Creek, and that any trenching or other disturbance of the ground should be off of the dike/trail, and on the landward side of it.

This authorization is consistent with VMC Section 13.5. Public Utility Franchises. The city may grant a franchise to any person for the use of the streets, alleys, bridges, easements and other public places of the city for the furnishing of any public utility service to the city and its inhabitants.

The City has the authority to establish such an easement as stated by VMC 16.24.070 Dedication-Utility easements. Which states: "The platting authority may require the dedication of utility easements when a utility company or the city demonstrates a specific need for them."

This action is consistent with the City of Valdez Comprehensive Development plan, which states: "The (Community and Economic Development) Department is responsible for the orderly and efficient growth and development of the City's socioeconomic and physical systems." (Valdez Comprehensive Development Plan, pg. 33)

If the Planning and Zoning Commission approves this recommendation to Council, and Council votes in favor of the authorization, the Utility Easements will be granted via Resolution and the Easements will be documented by a recorded as-built survey for which GCI will cover all the costs.