



## Agenda Statement

**File #:** RES 19-0028 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**File created:** 5/13/2019 **In control:** City Council  
**On agenda:** 5/20/2019 **Final action:** 5/20/2019  
**Title:** #19-28 - Granting a Public Utility Easement to Copper Valley Telecom on City Owned Tract F and F2 ASLS 79-116 and Tract B ASCS 98-23

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution #19-XX - CVTC Robe River Easement, 2. CVTC Robe River Subdiv Easement Exhibit 1, 3. CVTC Robe River Subdiv Easement Exhibit 2, 4. Plat #80-11, 5. Plat #99-22, 6. Plat #2000-6

Date	Ver.	Action By	Action	Result
5/20/2019	1	City Council	approved	Pass

### **ITEM TITLE:**

#19-28 - Granting a Public Utility Easement to Copper Valley Telecom on City Owned Tract F and F2 ASLS 79-116 and Tract B ASCS 98-23

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

### **FISCAL NOTES:**

Expenditure Required: N/A  
Unencumbered Balance: N/A  
Funding Source: N/A

### **RECOMMENDATION:**

Approve Resolution #19-28, granting a fifteen-foot-wide utility easement off the Northwest and Northeast Boundary of Robe River Subdivision, on City of Valdez Owned Tract F2 ASLS 79-116, Tract F ASLS 79-116, and Tract B ASCS 98-23, Within T9S R6W Section 12 C.R.M, and T9S R5 W Section 7 C.R.M.

### **SUMMARY STATEMENT:**

The City of Valdez Planning Department received an application for a utility easement from Copper Valley Telecom (CVTC).

The requested easement is 15 feet wide and runs along the Northwest and Northeast boundaries of the Robe River Subdivision as shown in the attached Exhibit 1 and described in the attached Exhibit

2.

This would formally establish an easement where buried conduit has existed for years, and allow CVTC to extend their fiber optic lines to the Northwest corner of the subdivision. The existing conduit is 1 ¼" in diameter, and buried 36" deep. All future utility installations within this easement are to be below ground surface, unless formally authorized by the Planning and Zoning Commission.

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 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)

The Planning and Zoning Commission approved a recommendation to Council in favor of the authorization at their regularly scheduled public meeting on May 9, 2019. If this easement is approved by the City Council, the utility easement will be granted via resolution and the easement document will be recorded to plats #80-11, #99-22, and #2000-6. CVEA will cover all the costs.