1 CITY OF HOMER 2 **HOMER, ALASKA** 3 City Manager/Port Director 4 **RESOLUTION 19-032** 5 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, 6 7 AUTHORIZING THE CITY MANAGER TO WIDEN A PUBLIC UTILITY 8 EASEMENT ON THE HOMER SPIT AND AUTHORIZING THE CITY 9 MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH ALASKA COMMUNICATION SYSTEMS (ACS) FOR ACCESS TO 10 FIBER OPTIC CABLE AND MULLIKIN SURVEYS FOR A NEW SURVEY. 11 12 13 WHEREAS, A field survey error resulted in ACS installing a portion of the infrastructure for their fiber optic cable serving the United States Coast Guard outside the existing public 14 utility easement and onto public property without permission from the City; and 15 16 17 WHEREAS, The portion of the City property that is outside the current easement is property that would not otherwise be used for a permanent structure or in any way negatively 18 impacted by the expansion of a public utility easement; and 19 20 WHEREAS, It is in the best interest of the City to expand the public easement for the 21 installation of future infrastructure as the current easement has limited space due to existing 22 installations and the slope of the harbor; and 23 24 25 WHEREAS, In recognition of the effort on behalf of the City to expand the public utility easement, ACS will provide the City of Homer with installation support and access to 26 approximately 5,300 linear feet of fiber optic cable on the west side of the Harbormaster's 27 office, including five access ramps, the Load and Launch ramp, and in the vicinity of Fish Dock 28 Road at no cost; and 29 30 WHEREAS, Mullikin Surveys will provide the City with a survey and legal description for 31 the newly widened easement at no cost; and 32 33 WHEREAS, The City of Homer Advisory Port and Harbor Commission reviewed and 34 unanimously approved the proposal at their April 18, 2019 meeting. 35 36 NOW, THEREFORE BE IT RESOLVED, The City Manager is hereby authorized to widen the 37 public utility easement on the Homer Spit for Lots 12 through 16 of Plat 89-15 as recorded at 38 the Homer Recording District. 39 40 41 BE IT FURTHER RESOLVED, the City Manager is authorized to enter into a memorandum of agreement with ACS to provide access to fiber optic internet on the west side of the Homer 42

Harbor at no cost.

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PASSED AND ADOPTED by the Homer City Council this 13th day of May, 2019 CITY OF HOMER KEN CASTNER, MAYOR ATTEST: MELISSA JACOBSEN, MMC, CITY CLERK Fiscal note: N/A