

Introduced by: Mayor, Smith  
Substitute Introduced: 08/16/11  
O2011-19-15 (Mayor, Smith) See Original for Prior History  
Shortened Hearing: 09/06/11  
Action: Enacted  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2011-19-15  
(MAYOR/SMITH) SUBSTITUTE**

**AN ORDINANCE APPROPRIATING \$50,000 FROM THE GENERAL FUND FOR  
IMPROVEMENTS TO THE TALL TREE ROAD BRIDGE**

- WHEREAS,** a bridge on Tall Tree Road crossing Stariski Creek has deteriorated to the point that it has become a safety concern for nearby residents, business owners and service providers; and
- WHEREAS,** Anchor Point Fire and Emergency Medical Service Area has indicated it will not take emergency response equipment across the bridge in its current state; and
- WHEREAS,** a representative of Petro Marine Services has indicated it will not make fuel deliveries beyond the bridge until it is improved; and
- WHEREAS,** approximately 35 people depend on the bridge for access to their properties; and
- WHEREAS,** Stariski Creek provides habitat for anadromous fish and other wildlife; and
- WHEREAS,** the condition of the bridge is causing debris from the bridge along with roadway gravel to enter Stariski Creek degrading salmon spawning and rearing habitat; and
- WHEREAS,** protecting anadromous fish habitat is economically important to the Kenai Peninsula Borough; and
- WHEREAS,** the bridge is located within a state section line easement; and
- WHEREAS,** the bridge is not located in a borough dedicated right-of-way or a borough maintained road; and
- WHEREAS,** it appears the bridge was built by a private individual without any involvement either in permitting, design or construction from the borough; and
- WHEREAS,** it is in the best interest of borough residents for the borough to work with any other applicable agencies, entities or groups of residents to resolve the immediate safety concern to protect the life and safety of those that use and depend on the bridge as well as the underlying stream and associated habitat;

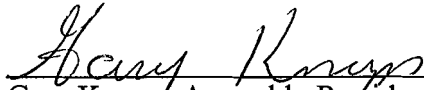
**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That \$50,000 is appropriated from the General Fund, fund balance to account 100.94910.TTREE.43011, nondepartmental, to provide funding to other applicable agencies, entities or groups of residents for improvements to the Tall Tree Bridge on Tall Tree Road.


**SECTION 2.** That the mayor is authorized to execute an agreement and any other documents deemed necessary to expend up to \$50,000 for the improvement of Tall Tree Bridge on Tall Tree Road.

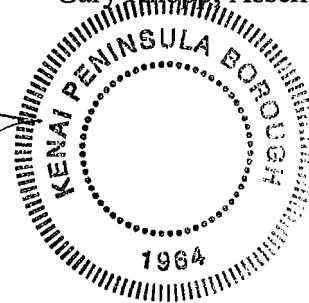
**SECTION 3.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF SEPTEMBER, 2011.**

  
\_\_\_\_\_  
Gary Knopp, Assembly President

ATTEST:

  
\_\_\_\_\_  
Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp  
No: None  
Absent: None