

Introduced by: Mayor, Smith
Date: 08/16/11
Shortened Hearing: 09/06/11
Action: Amended by Substitute
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-15**

**AN ORDINANCE APPROPRIATING \$50,000 DOLLARS FROM THE ROAD SERVICE
AREA OPERATING 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 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
- WHEREAS,** due to the immediate threat and short construction season there is not time for the RSA Board to make a recommendation regarding the expenditure of RSA funds;

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

SECTION 1. That \$50,000 is appropriated from the RSA operating fund, fund balance to account 236.33950.00000.43011, contract services to provided funding to the Kenai Watershed Forum 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 the \$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 * DAY OF * 2011.

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

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