

Introduced by: Mayor
Date: 10/08/91
Hearing: 12/03/91
Postponed to: 12/17/91
Action: Defeated
Vote: Unanimous

KENAI PENINSULA BOROUGH
ORDINANCE 91-49

**AN ORDINANCE PROVIDING AN EXEMPTION FROM KPB CHAPTER 14.06
"ROAD STANDARDS" TO ALLOW ACCEPTANCE OF THAT PORTION OF THE
EXISTING EXIT GLACIER ROAD LYING BETWEEN THE SEWARD HIGHWAY
AND MILEPOST 1.6 OF THE EXISTING ROAD ONTO THE BOROUGH ROAD
MAINTENANCE SYSTEM**

WHEREAS, the Federal Highway Administration (FHWA) working in concert with the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) has completed design work for construction and upgrade of the Exit Glacier Road near Seward, Alaska; and

WHEREAS, FHWA and DOT&PF are now prepared to initiate the construction phase of the project which will have a total cost of approximately \$6 million; and

WHEREAS, Federal funding of the project requires a matching local share to be contributed by State and local governments which in this case equals approximately \$3 million; and

WHEREAS, the State of Alaska has agreed to fund the entire local share without contribution by the Kenai Peninsula Borough provided that the Borough accept responsibility to continue maintenance on the initial 1.6 miles of the existing road which will be bypassed by the new construction; and

WHEREAS, KPB Chapter 14.06 sets out "Road Standards" which must be met in order to accept a new road onto the Borough's road maintenance system, which standards are not met by the existing Exit Glacier Road; and

WHEREAS, it is the decision of the Borough Assembly that it is in the Borough's best interest to waive those road standard requirements for application to the first 1.6 mile segment of Exit Glacier Road and to accept maintenance responsibility for that road in order that the \$6 million Exit Glacier Road construction project may be undertaken through Federal and State funding;

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

Section 1. That notwithstanding the requirements of KPB Chapter 14.06, which sets construction standards to be met by roads for acceptance onto the Borough's road maintenance system, the existing roadway lying between the Seward Highway and Milepost 1.6 of the existing Exit Glacier Road is hereby granted an exception from the KPB Chapter 14.06 road construction standards and is hereby accepted onto the Borough's road maintenance system.

Section 2. That this ordinance shall take effect upon the Borough's receipt of documentation of the FHWA's and/or DOT&PF's acceptance of final completion of the Exit Glacier Road construction project.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 1991.

Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk