



## Kenai City Council - Regular Meeting

December 18, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[www.kenai.city](http://www.kenai.city)

**\*\*Telephonic/Virtual Information on Page 3\*\***

### Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

#### B. SCHEDULED ADMINISTRATIVE REPORTS

#### C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

#### D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### E. PUBLIC HEARINGS

1. **Ordinance No. 3445-2024** - Decreasing Estimated Revenues and Appropriation in the Kenai City Municipal Roadway Improvement Capital Project Funds to Transfer Residual Balance from Completed Projects Back to Their Original Funding Sources, and Increasing Estimated Revenues and Appropriation in the Kenai City Water & Sewer, Public Safety, and Airport Improvements Capital Project Funds to Fully Fund Projects Approved in the FY2025 Budget. (Administration)
2. **Resolution No. 2024-52** - Reinstating a Player Registration Fee for the City of Kenai City League Basketball to Support More Games During the Season. (Administration)
3. **Resolution No. 2024-53** - Approving Extensions and Amendments to Two Agreements with the State of Alaska Division of Forestry and Fire Protection. (Administration)

#### F. MINUTES

1. \*Regular Meeting of December 4, 2024. (City Clerk)

#### G. UNFINISHED BUSINESS

#### H. NEW BUSINESS

1. \***Action/Approval** - Bills to be Ratified. (Administration)

- [2.](#) **\*Action/Approval** - Non-Objection to Renewal of a Beverage Dispensary Tourism Liquor License for Schilling Alaska, LLC DBA Uptown Motel/Louie's - License No. 1859. (City Clerk)
- [3.](#) **\*Action/Approval** - Non-Objection to the Renewal of a Marijuana Product Manufacturing Facility License and a Standard Marijuana Cultivation License for Red Run Cannabis Cultivators, LLC., DBA: Red Run Cannabis Cultivators, LLC. - License No.'s 19372 and 10052; and a Retail Marijuana Store License for Red Run Cannabis Company, LLC., DBA: Red Run Cannabis Company, LLC. – License No. 10056. (City Clerk)
- [4.](#) **\*Action/Approval** - Special Use Permit to Echo Lake Meats for Use of 20 Square Feet of Terminal Space at the Kenai Municipal Airport. (Administration)
- [5.](#) **\*Ordinance No. 3446-2024** - Accepting and Appropriating a Grant from the Alaska Food Coalition to the Kenai Senior Center. (Administration).
- [6.](#) **Action/Approval** - Approving a Certificate of Acceptance Notice for Kee's Turn Subdivision. (Administration)
- [7.](#) **Discussion/Approval** - Scheduling a Joint Work Session with the Kenaitze Indian Tribe. (Administration)

#### **I. COMMISSION REPORTS**

- [1.](#) Council on Aging Commission
- [2.](#) Airport Commission
- [3.](#) Harbor Commission
- [4.](#) Parks and Recreation Commission
- [5.](#) Planning and Zoning Commission
- [6.](#) Beautification Commission

#### **J. REPORT OF THE MAYOR**

#### **K. ADMINISTRATION REPORTS**

- [1.](#) City Manager
- [2.](#) City Attorney
- [3.](#) City Clerk

#### **L. ADDITIONAL PUBLIC COMMENTS**

- [1.](#) Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
- [2.](#) Council Comments

#### **M. EXECUTIVE SESSION**

#### **N. PENDING ITEMS**

#### **O. ADJOURNMENT**

#### **P. INFORMATION ITEMS**

- [1.](#) CIRCAC Director's Report

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Registration is required to join the meeting remotely through Zoom.** Please use the following link to register:

[https://us02web.zoom.us/meeting/register/tZMlde6ppzMqH9XOmky\\_X6zWJB4sCHPvGwnt](https://us02web.zoom.us/meeting/register/tZMlde6ppzMqH9XOmky_X6zWJB4sCHPvGwnt)



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3445-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATION IN THE KENAI CITY MUNICIPAL ROADWAY IMPROVEMENT CAPITAL PROJECT FUNDS TO TRANSFER RESIDUAL BALANCE FROM A COMPLETED PROJECT BACK TO IT'S ORIGINAL FUNDING SOURCE, AND INCREASING ESTIMATED REVENUES AND APPROPRIATION IN THE GENERAL, AIRPORT, AND WATER AND SEWER FUNDS AND THE WATER & SEWER, PUBLIC SAFETY, AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS TO FULLY FUND PROJECTS APPROVED IN THE FY2025 BUDGET.

WHEREAS, \$77,739.07 remains in Municipal Roadway Improvements Capital Project Funds from completed capital projects for N. Willow street; and,

WHEREAS, transfer of the residual \$77,739.07 to the General Fund, the fund from which the funds originated will allow future appropriation of the funds for operations or future capital projects and is in the best interest of the city; and,

WHEREAS, the FY2025 Budget estimated residual balances that did not materialize to the level projected and these projected residual balances were a component of FY25 Capital Project Funding; and,

WHEREAS, the Water & Sewer Capital Fund estimated a residual amount of \$39,610 of which only \$9,610.65 materialized; and,

WHEREAS, \$29,999.35 is needed to fully fund the Capital project for the Broad Street Lift Station; and,

WHEREAS, the Public Safety Capital Fund estimated a residual amount of \$54,337 of which only \$44,968.85 materialized; and,

WHEREAS, \$9,368.15 is needed to fully fund the Capital project for the Emergency Services Facility Assessment; and,

WHEREAS, the Airport Improvements Capital Fund estimated a residual amount of \$299,808 of which only \$290,563.68 materialized; and,

WHEREAS, \$9,244.32 is needed to fully fund the Capital project for the purchase of a new Aircraft Rescue Fire Fighting Vehicle; and,

WHEREAS, transfer of funds to fully fund these capital projects is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the estimated revenues and appropriations be increased as follows:

Municipal Roadway Improvements Capital Project Fund:

Increase Estimated Revenues-  
Appropriation of Fund Balance

\$77,739.07

Increase Appropriations – Transfer to General Fund	<u>\$77,739.07</u>
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**Section 2.** That the estimated revenues and appropriations be increased as follows:

Water & Sewer Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,610.65</u>
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Increase Appropriations – Transfer to Water & Sewer Capital Project Fund	<u>\$9,610.65</u>
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Water & Sewer Capital Project Fund:

Increase Estimated Revenues – Transfer from Water & Sewer Fund	<u>\$9,610.65</u>
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Increase Appropriations – Broad Street Lift Station Capital Project	<u>\$9,610.65</u>
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**Section 3.** That the estimated revenues and appropriations be increased as follows:

General Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,368.15</u>
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Increase Appropriations – Transfer to Public Safety Capital Project Fund	<u>\$9,368.15</u>
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Public Safety Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$9,368.15</u>
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Increase Appropriations – Emergency Services Facility Assessment Capital Project	<u>\$9,368.15</u>
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**Section 4.** That the estimated revenues and appropriations be increased as follows:

Airport Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$9,244.32</u>
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Increase Appropriations – Transfer to Airport Improvements Capital Project Fund	<u>\$9,244.32</u>
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Airport Improvements Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Fund	<u>\$9,244.32</u>
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Increase Appropriations – ARFF Vehicle Capital Project	<u>\$9,244.32</u>
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**Section 5.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 6.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18<sup>TH</sup> DAY OF DECEMBER, 2024.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_



Introduced:	December 4, 2024
Enacted:	December 18, 2024
Effective:	December 18, 2024



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Dave Swarner, Finance Officer

**DATE:** November 25, 2024

**SUBJECT:** **Ordinance 3445-2024 Capital Project Fund Balance Transfers**

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The purpose of this memo is to recommend the enactment of Ordinance 3445-2024 that will transfer the remaining balance from a completed project back to the original funding source and transfer funds to capital projects for amounts that were projected during budget that did not materialize. These transfers will allow the residual funds to be appropriated for operations or new capital projects in the future and fully fund current year capital projects.

In total \$77,739.07 will be returned to the General Fund from the Municipal Roadway Improvement Capital Project Fund after completion of the N. Willow street capital project.

During the FY2025 budget process there were a few capital projects that were projected to have residual balances that had additional expenditures resulting in less funds available for other projects.

- The Water & Sewer Capital Project Fund projected a residual amount of \$39,610 of which only \$9,610.65 materialized leaving a difference of \$29,999.35 to be appropriated from the Water & Sewer Fund for the Broad Street Lift Station capital project.
- The Public Safety Capital Project Fund projected a residual amount of \$54,337 of which only \$44,968.85 materialized leaving a difference of \$9,368.15 to be appropriated from the General Fund for the Emergency Services Facility Assessment capital project.
- The Airport Improvements Capital Project Fund projected a residual amount of \$299,808 of which only \$290,563.68 materialized leaving a difference of \$9,244.32 to be appropriated from the Airport Fund for the ARFF Vehicle capital project.

With the enactment of Ordinance 3445-2024, funds will be returned to their original funding source related to the N. Willow Street project, where they will reside in fund balance until the passage of future ordinances appropriating the funds for operations or other capital projects. And the projects that were expected to be partially funded by projected budget savings that did not materialize will be fully funded.

Your support for the enactment of Ordinance 3445-2024 is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2024-52**

A RESOLUTION REINSTATING A PLAYER REGISTRATION FEE FOR THE CITY OF KENAI CITY LEAGUE BASKETBALL TO SUPPORT MORE GAMES DURING THE SEASON.

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WHEREAS, the City of Kenai City League Basketball has historically charged a player registration fee; and,

WHEREAS, the removal of the player registration fee has shifted the financial burden primarily onto team fees, limiting the league's offerings; and,

WHEREAS, the absence of a player registration fee has reduced individual accountability, leading to a lack of player commitment, which in turn has caused teams to fold or drop out of the league; and,

WHEREAS, at the City League coach and players meeting, participants expressed a desire for more games during the season, which would increase the operating costs of the league; and,

WHEREAS, reintroducing a player registration fee would help cover these increasing costs, ensuring the league can meet the demand for more games while maintaining financial sustainability; and,

WHEREAS, a player registration fee reinforces individual accountability and signals a player's commitment to participating, thereby reducing dropouts and ensuring teams are composed of dedicated players.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** That a player registration fee of \$50.00 will be added to the FY25 Fee Schedule and will be charged to each patron who participates in City League Basketball:

## **Parks and Recreation Fees**

<b>Multipurpose Facility</b>	
hourly rate (reservation)	\$165.00
<b>Kenai Recreation Center</b>	
<b>Weights/Cardio/Sauna</b> - includes weight/cardio room, shower, sauna and gym. (When using the weight room, must be 16 or older unless accompanied by a guardian)	
Day Pass: Adults	\$5.00
Day Pass: College Students, Veterans & Seniors (55 and older)	\$2.50
High School Students and younger	FREE
10 visit punch card: Adults	\$40.00
10 visit punch card: College Students, Veterans & Seniors (55 and older)	\$20.00
Monthly Pass: Adults	\$50.00
Monthly Pass: College Student, Veterans & Senior (55 and older)	\$25.00
City League Basketball (per team)	\$325.00
<u>City League Basketball Player Registration (per player)</u>	<u>\$50</u>

Annual Locker Rental	\$120.00
<b>Racquetball &amp; Wallyball Court Rentals</b> - per hour and includes showers for participants.	
Adult Racquetball or Wallyball	\$15.00
Racquetball or Wallyball Punch Card (10 hours all ages)	\$120.00
<b>Facility Rental</b> - per hour	
Gym	\$50.00
1/2 Gym	\$25.00
<b>Parks/Gazebos/Gardens</b>	
Picnic Shelter	
8:00 am - 3:00 pm	\$20.00
4:00 pm - 11:00 pm	\$20.00
Gazebo	
8:00 am - 3:00 pm	\$25.00
4:00 pm - 11:00 pm	\$25.00
Community Garden Plot (each)	\$20.00
Adopt-A-Bench (Maintenance included.) Bench, freight, and installation at actual cost.	Actual Cost
<b>Personal Use Fishery</b>	
Personal Use Fishery Day Use Parking	
5 am to Midnight (vehicle or up to two atv's)	\$22.05
Personal Use Fishery Overnight Parking	
Before noon of the first day to noon of the second day (vehicle or up to two atv's and one tent)	\$60.64
After noon of the first day to noon of the second day (vehicle or up to two atv's and one tent)	\$49.61
Personal Use Fishery Camping (one tent)	\$27.56
Personal Use Fishery Vehicle Drop Off (vehicle or up to two atv's per day)	\$11.03

**Section 2.** That this Resolution takes effect immediately upon passage

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18<sup>TH</sup> DAY OF DECEMBER, 2024.

ATTEST:

Brian Gabriel Sr., Mayor

Michelle M. Saner, MMC, City Clerk



# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tyler Best, Parks and Recreation Director

**DATE:** December 9, 2024

**SUBJECT:** Resolution 2024-52 – Player Registration Fee

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This memo supports reinstating player registration fees for City League Basketball. During the first preseason player and coach meeting, the league participants expressed a desire for more games. Adding more games means that the league's operating costs will rise, and either team fees would have to be increased or another fee would have to be added to cover these additional costs. Reinstating player registration fees was selected as the best option to cover the cost.

Historically, the league has charged a player registration fee. The removal of the fee shifted the financial burden primarily onto team fees. The absence of a registration fee has also reduced individual accountability, resulting in player dropouts and, in some cases, team dissolution. Reinstating the player registration fee would help cover these increased costs, ensuring the league can meet participant requests while maintaining financial sustainability. Moreover, the fee would reinforce player accountability and commitment, fostering a more stable and reliable team environment.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2024-53**

A RESOLUTION APPROVING EXTENSIONS AND AMENDMENTS TO TWO AGREEMENTS WITH THE STATE OF ALASKA DIVISION OF FORESTRY AND FIRE PROTECTION.

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WHEREAS, the City executed two agreements with State Division of Forestry and Fire Protection to support spruce bark beetle mitigation, hazard fuel reduction and urban interface mitigation of hazard fuels; and,

WHEREAS, the funds for these two agreements have not been fully expended and extensions are needed as the Agreements expire December 31, 2024 and there is still work to; and,

WHEREAS, amendments to the Agreements will expand the scope of allowable work; and,

WHEREAS, extending and amending the two Agreements are in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** That the City Council approves the two attached amendments and authorizes the City Manager to execute them on behalf of the City.

**Section 2.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18<sup>TH</sup> DAY OF DECEMBER, 2024.

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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

AMENDMENT NO. 1  
TO  
MEMORANDUM OF AGREEMENT  
BETWEEN  
DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY & FIRE PROTECTION  
AND  
THE CITY OF KENAI

TO SUPPORT URBAN INTERFACE MITIGATION OF HAZARD FUELS ON CITY PROPERTIES (FOREST DRIVE)

**PURPOSE OF AMENDMENT NO. 1**

This Amendment No. 1 (Amendment) is the first amendment to the Memorandum of Agreement (MOA) between the State of Alaska, Department of Natural Resources, Division of Forestry & Fire Protection (DOF); and the City of Kenai (City) to Support Urban Interface Mitigation of Hazard Fuels on City Properties (Forest Drive), dated August 29, 2022, and effective on November 3, 2022 under a supplemental Master Agreement MA 10 230000042-01. The purpose of this Amendment is to extend the expiration date of the MOA until December 31, 2025, extend the due date for the final report, and expand the allowable treatment acreage.

Funds authorized by the MOA were not exhausted during the completion of the original scope of work and a balance of the original funding amount remains available for phase 3 work. This Amendment does *not* increase the remaining balance of the original total funding amount of \$385,000.

**AMENDMENTS**

Pursuant to the amendment and renewal options in MOA Article 4.D, the parties agree to amend the MOA as follows:

**Article 3. PROJECT SCOPE AND RESPONSIBILITIES**

MOA Article 3 originally specified the treatment of 105 acres at areas identified in the CWPP. MOA Article 3 is amended to add the following new paragraph at the end of the section:

“The parties agree to expand the designated treatment area beyond the original 105 acres, to include additional City-owned property requiring treatment to remove hazardous fuels necessary to address wildland fire hazards.”

#### **Article 4.D REPORTING**

The parties agree to amend Article 4.D by replacing the final report due date with the following:

“A final report is due within 60 days after project completion or the Agreement termination date, whichever occurs first.”

#### **Article 6. EFFECTIVE DATE AND PERIOD OF PERFORMANCE**

The State of Alaska Master Agreement MA 10 230000042-01, which supplemented the MOA, set an effective date November 3, 2022, and an expiration date of December 31, 2024. While MOA Article 4.D referenced an expiration date in Article 6, the MOA mistakenly did not include Article 6. The parties agree to insert a new Article 6 to the MOA, as follows:

“Article 6 – EFFECTIVE DATE AND PERIOD OF AGREEMENT

This Agreement was effective on November 3, 2022. This Agreement will expire on December 31, 2025.”

All other terms and conditions of the MOA not expressly amended above remain the same.

Upon full execution of this Amendment, the parties agree to amend the MOA as specified.

_____	_____	_____
Printed Name	Signature	Date
<b>Coastal Region Fuels Specialist - Division of Forestry &amp; Fire Protection</b>		

_____	_____	_____
Printed Name	Signature	Date
<b>City Manager, City of Kenai, Signatory</b>		

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Deputy Director - Division of Forestry & Fire Protection**

AMENDMENT NO. 1  
TO  
MEMORANDUM OF AGREEMENT  
BETWEEN  
DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY & FIRE PROTECTION  
AND  
THE CITY OF KENAI

TO SUPPORT SPRUCE BEETLE AND HAZARD FUELS REDUCTION

**PURPOSE OF AMENDMENT NO. 1**

This Amendment No. 1 (Amendment) is the first amendment to the Memorandum of Agreement (MOA) between the State of Alaska, Department of Natural Resources, Division of Forestry & Fire Protection (DOF); and the City of Kenai (City) to Support Spruce Beetle Mitigation and Hazard Fuels Reduction, dated June 2, 2022. The purpose of this Amendment is to extend the expiration date of the MOA until December 31, 2025, extend the due date for the final report, and confirm that collection sites may be utilized for processing of hazardous fuels materials removed from City-owned properties.

Funds authorized by the MOA were not exhausted during the completion of the original scope of work and a balance of the original funding amount remains available. This Amendment does *not* increase the remaining balance of the original total funding amount of \$150,000.

**AMENDMENTS**

Pursuant to the amendment and renewal options in MOA Article 9, the parties agree to amend the MOA as follows:

**Article 3. SCOPE OF WORK**

MOA Article 3, item 1 in the Scope of Work is amended and replace with the following:

“1. Provide one or two collection sites for city residents and other City hazardous fuels removal operations to drop off woody debris.”

The parties agree that the use of collections sites as stated above is a clarification, rather than addition of the allowable purposes of the MOA.

**Article 6. REPORTING**

The parties agree to amend Article 6 by replacing the final report due date with the following:

“A final report is due within 60 days after project completion or the Agreement termination date, whichever occurs first.”

**Article 8. EFFECTIVE DATE AND PERIOD OF AGREEMENT**

The parties agree to amend Article 8 by replacing the expiration date of the MOA, as follows:

“This Agreement will expire on December 31, 2025.”

All other terms and conditions of the MOA not expressly amended above remain the same.

Upon full execution of this Amendment, the parties agree to amend the MOA as specified.

Printed Name	Signature	Date
<b>Coastal Region Fuels Specialist - Division of Forestry &amp; Fire Protection</b>		

Printed Name	Signature	Date
<b>City Manager, City of Kenai, Signatory</b>		

Printed Name	Signature	Date
<b>Deputy Director - Division of Forestry &amp; Fire Protection</b>		



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Scott Bloom, City Attorney

**DATE:** December 13, 2024

**SUBJECT:** **Resolution 2024-53 - Approving Extensions and Amendments to Two Agreements with the State of Alaska Division of Forestry and Fire Protection**

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The City previously executed the attached agreements with the State Division of Forestry and Fire Protection to support mitigation of hazard fuels and spruce beetle mitigation. The Agreements expire at the end of the year, however available funding remains and there is still plenty of work to do. The Amendments proposed in this Resolution will extend the term for another year and expand the allowable scope of work that can be accomplished with the funding.

Your consideration is appreciated.



# MASTER AGREEMENT

Department of Natural Resources

**NUMBER:**

MA 10 230000042 - 1

**AWARD DATE:**

November 3, 2022

**VENDOR:**

CIK84891  
CITY OF KENAI

210 FIDALGO AVE STE 200  
KENAI, AK 99611-7750 US  
907-283-7535

**EFFECTIVE:**

November 3, 2022

**EXPIRES:**

December 31, 2024

**PAYMENT TERMS:**

% / DAYS

Note: The State will  
pay within 30 days  
if no payment terms  
are defined here.

**DOCUMENT DESCRIPTION:**

Forestry - MOA City of Kenai - Forest Drive

**MINIMUM ORDER:**
**MAXIMUM ORDER:**
**NOT TO EXCEED:**

\$ 385,000.00

**AGREEMENT TOTAL:**

\$ 0.00

**EXTENDED DESCRIPTION:**

This contract is for removal of dead spruce trees that have been affected by spruce bark beetles on parcels identified in the Community Wildfire Protection Plan (CWPP) for the Division of Forestry & Fire Protection. There is one 1-year renewal option period available under this contract to be exercised at the sole discretion of the state.

## AUTHORIZED DEPARTMENTS

This agreement is authorized for the following departments:

Department	Limit?	Spending Limit
Department of Natural Resources	No	\$ 0.00

## RENEWAL PERIODS

This agreement may be renewed optionally by the State based on the following schedule:

Period	Effective Dates
1 Years	01/01/25-12/31/25

## LINE ITEMS

Line No.	Description	Quantity	Unit	Unit Cost	Extended Line Total
1	FORESTRY SERVICES	0.00		\$ 0.00	\$ 0.00
Discount %	Discount Effective	Discount Expires	F.O.B. Point		
0.0000					

<b>BILL TO:</b>	<b>SHIP TO:</b>
Forestry Anchorage Forestry 550 West 7th Avenue Suite 1450 Anchorage, AK 99501-3566	,
<b>Extended Description:</b>	
Removal of dead spruce trees that have been affected by spruce bark beetles on parcels identified in the Community Wildfire Protection Plan (CWPP)	

**CERTIFICATION**

I certify that the facts herein and on supporting documents are correct, that this voucher constitutes a legal charge against funds and appropriations cited, that sufficient funds are encumbered to pay this obligation, or that there is a sufficient balance in the appropriation cited to cover this obligation. I am aware that to knowingly make or allow false entries or alternations on a public record, or knowingly destroy, mutilate, suppress, conceal, remove or otherwise impair the verity, legibility or availability of a public record constitutes tampering with public records punishable under AS 11.56.815-.820. Other disciplinary action may be taken up to and including dismissal.

**PROCUREMENT OFFICER:**

Name : MICHAEL BURKHEAD

Initials : \_\_\_\_\_

Contact : 907-269-8461

Date : \_\_\_\_\_

Email : michael.burkhead@alaska.gov

**SIGNATURES**

Name : \_\_\_\_\_

Title : \_\_\_\_\_

Signature : \_\_\_\_\_

Date : \_\_\_\_\_

Name : \_\_\_\_\_

Title : \_\_\_\_\_

Signature : \_\_\_\_\_

Date : \_\_\_\_\_

Name : \_\_\_\_\_

Title : \_\_\_\_\_

Signature : \_\_\_\_\_

Date : \_\_\_\_\_

**TERMS AND CONDITIONS**

No.	Name	Section
002	Appendix A IRIS	2

## MEMORANDUM OF AGREEMENT

BETWEEN

DEPARTMENT OF NATURAL RESOURCES, Division of Forestry and Fire Protection

AND

THE CITY OF KENAI

TO SUPPORT URBAN INTERFACE MITIGATION OF HAZARD FUELS ON CITY PROPERTIES (FOREST DRIVE)

### **ARTICLE 1: PARTIES**

The parties of this Agreement are the State of Alaska, Department of Natural Resources, (DNR) Division of Forestry and Fire Protection (DOF) and the City of Kenai.

### **ARTICLE 2: AUTHORITY and GENERAL INTENT**

AUTHORITIES: Pursuant to AS 41.15.055(e), the State Forester can enter into cooperative agreements as specified under that chapter to complete tasks identified in this document.

The City of Kenai is a "government agency" that the State Forester can enter into a/this cooperative agreement with.

### **ARTICLE 3: PROJECT SCOPE AND RESPONSIBILITIES**

PURPOSE: The City of Kenai is to remove dead spruce trees that have been affected by spruce bark beetles on parcels identified in the Community Wildfire Protection Plan (CWPP) and the project proposal submitted to the Division of Forestry and Fire Protection Fuels Program. This scope of work covers the 105 acres described in detail below. Hazard fuel reduction and disposal can take place via hand or mechanical means, by City employees or workers contracted by the City, to the site prescription identified below.

THE ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY AND FIRE PROTECTION WILL:

1. Provide financial compensation for the entire duration of this Agreement, total funding not to exceed \$385,000.00.

#### **4.B – FINANCIAL TERMS**

1. DOF will reimburse the City of Kenai for the wages of personnel who assist with the prescribed hazardous fuels treatment, including for personnel to manage and secure the project sites.
2. DOF will reimburse the City of Kenai for contractor expenses incurred in relation to the fuels treatment project.
3. DOF will reimburse for the City of Kenai for equipment expenses incurred in relation to the fuel treatment projects.

#### **4.C – BILLING PROCESS**

1. Request for payment shall be submitted on City of Kenai letterhead. Requests shall have verification backup information attached linking to the scope of work outlined in Article 3.

Point of Contact for all pay items: Diane Campbell, State of Alaska, Division of Forestry and Fire Protection, 42499 Sterling Highway, Soldotna, AK, 99669, or electronically at [diane.campbell@alaska.gov](mailto:diane.campbell@alaska.gov)

#### **4.D – REPORTING**

The City of Kenai will provide quarterly reports and a final project report to the Division of Forestry. Quarterly reports will include information on estimated acres treated, personnel assigned to the project site(s), contractors used, photos that help illustrate the quarterly accomplishments, along with other pertinent information. DOF may use any photos in other reports and/or social media. A final report is due by December 31, 2024

execute the same on behalf of their respective organizations. No oral statement by any person shall be interpreted as amending or otherwise affecting the terms of this Agreement. Any party to this Agreement may request that it be amended, whereupon the parties will consult to consider such amendment.

This Agreement includes renewal options, to be exercised solely at the discretion of The Division of Forestry and Fire Protection. Renewal periods will not extend past one calendar year. If a renewal option is not exercised by DOF, the Agreement shall be considered expired on the expiration date noted in Article 6 and does not require notification of such by DOF. All exercised renewal options shall be executed via written amendment to the Agreement.

#### **ARTICLE 8. TERMINATION**

Either party may terminate this Agreement at any time prior to its expiration date, with or without cause, by giving the other party at least thirty days prior written notice of termination. The party initiating the written notice of termination will not incur any liability or obligation to the terminated party, other than payment of amounts due and owing and performance of obligations accrued, in each case on or prior to the termination date. The party receiving the written notice of termination will take immediate steps to stop the accrual of any additional obligations which might require payment. All funds due after termination will be established based on payments issued prior to termination and, as appropriate, a refund or bill will be issued.

#### **ARTICLE 9: DISPUTES**

Where possible, disputes will be resolved by informal discussion between the parties. In the event the parties are unable to resolve any dispute through good faith negotiations, the dispute will be resolved by alternative dispute resolution using a method to be agreed upon by the parties. The outcome of the alternative dispute resolution will be final.

**ARTICLE 16: ENTIRE AGREEMENT**

This document is the entire Agreement of the parties, who accept the terms of this Agreement as shown by their signatures below. In the event the parties duly execute any amendment to this Agreement, the terms of such amendment will supersede the terms of this Agreement to the extent of any inconsistency.

Diane Campbell			8/29/2022
Printed Name	Date	Signature	Date

**Kenai-Kodiak Area Forester, Division of Forestry - Point of Contact**

Paul Ostrander			8/29/2022
Printed Name	Date	Signature	Date

**City of Kenai Signatory/Point of Contact**

Printed Name	Date	Signature	Date
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**Deputy Director, Division of Forestry**

Michael Burkhead			
Printed Name	Date	Signature	Date

**Procurement Specialist III, Division of Forestry**

**MEMORANDUM OF AGREEMENT****BETWEEN****DEPARTMENT OF NATURAL RESOURCES, Division of Forestry****AND****THE CITY OF KENAI****TO SUPPORT SPRUCE BEETLE MITIGATION AND HAZARD FUEL REDUCTION****ARTICLE 1. PARTIES**

The parties of this Agreement are the State of Alaska, Department of Natural Resources, (DNR) Division of Forestry (DOF) and the City of Kenai.

**ARTICLE 2. PURPOSE**

The City of Kenai will provide a means of disposal of woody biomass for Kenai area residences in a safe and effective manner. Intent of this agreement is to reduce the potential for escaped debris burns and mitigate spread of the spruce beetle through hazard fuel reduction in accordance with the terms of this Agreement.

**ARTICLE 3. SCOPE OF WORK**

The City of Kenai shall provide the following services:

1. Provide one or two collection sites for city residents to drop off woody debris.
2. Provide management and security at collection locations when open to the public.
3. Chip, grind or burn all woody debris that is received at disposal locations.
4. Provide payment to contractors if or when used on this project.
5. Develop a system to track amount of biomass received and a metric to determine estimated acres treated.
6. Assist Division of Forestry with initial public outreach to inform residents of the collection site and provide updates for continued public information on the project.

**ARTICLE 4. CONTRACT COMPENSATION**

The compensation for the entire duration of this Agreement shall not exceed \$150,000.00.

The Division of Forestry will reimburse the City of Kenai for the wages of the personnel who chipped, ground, mulched, or burned to dispose of the woody biomass, including cost for personnel to manage and secure the collection sites. DOF will reimburse for the equipment that was used to chip, grind, mulch or burn the material received from the public. DOF will reimburse the City of Kenai for contractor expenses related to chipping or disposal of material collected from the public.

**ARTICLE 5. Billing Process**

Request for payment shall be submitted on City of Kenai letterhead. Requests shall have verification backup information attached linking to the scope of work outlined in Article 3. Request for payment shall be submitted to the DOF point of contacted listed in Article 7.

**ARTICLE 6. Reporting**

The City of Kenai will provide yearly reports and a final project report to the Division of Forestry. Yearly reports will include information on estimated acres treated, personnel assigned to disposal site, contractors used along with other pertinent information. DOF encourages the City of Kenai to include photos that help illustrate the yearly accomplishments and may use these photos in reports and/or social media. A final report is due by December 31<sup>st</sup>, 2024.

**ARTICLE 7. POINTS OF CONTACT**

Diane Campbell, Kenai/Kodiak Area Forester  
State of Alaska Division of Forestry  
42499 Sterling Highway  
Soldotna, AK 99669  
diane.campbell@alaska.gov

Tony Prior, Fire Chief  
City of Kenai Fire Department  
105 S. Willow Street  
Kenai, AK 99611  
tprior@kenai.city

**ARTICLE 8. EFFECTIVE DATE AND PERIOD OF AGREEMENT**

The effective date of this Agreement is the date of the last signature. This Agreement shall expire on December 31<sup>st</sup>, 2024, unless otherwise amended in accordance with Article 9.

**ARTICLE 9. CHANGES AND AMENDMENTS**

Changes and/or amendments to this Agreement shall be formalized by a written amendment that will outline in detail the exact nature of the change. Any amendment to this Agreement will

be executed in writing and signed by the authorized representative of each party. The parties signing this Agreement and any subsequent amendment(s) represent that each has the authority to execute the same on behalf of their respective organizations. No oral statement by any person shall be interpreted as amending or otherwise affecting the terms of this Agreement. Any party to this Agreement may request that it be amended, whereupon the parties will consult to consider such amendment.

This Agreement includes 1 renewal option, to be exercised solely at the discretion of The Division of Forestry. If a renewal option is not exercised by DOF, the Agreement shall be considered expired on the expiration date noted in Article 8 and does not require notification of such by DOF. All exercised renewal options shall be executed via written amendment to the Agreement.

#### **ARTICLE 10. TERMINATION**

Either party may terminate this Agreement at any time prior to its expiration date, with or without cause, by giving the other party at least thirty days prior written notice of termination. The party initiating the written notice of termination will not incur any liability or obligation to the terminated party, other than payment of amounts due and owing and performance of obligations accrued, in each case on or prior to the termination date. The party receiving the written notice of termination will take immediate steps to stop the accrual of any additional obligations which might require payment. All funds due after termination will be established based on payments issued prior to termination and, as appropriate, a refund or bill will be issued.

#### **ARTICLE 11. DISPUTES**

Where possible, disputes will be resolved by informal discussion between the parties. In the event the parties are unable to resolve any dispute through good faith negotiations, the dispute will be resolved by alternative dispute resolution using a method to be agreed upon by the parties. The outcome of the alternative dispute resolution will be final.

#### **ARTICLE 12. WORKPLACE CONDUCT**

The State of Alaska is an equal opportunity employer and does not discriminate in employment on the basis of race, color, religion, sex, national origin, age, disability, marital status, changes in marital status, pregnancy, and parenthood. This includes behavior such as making threats, abusive language, slurs, unwelcome jokes, teasing and other such verbal or physical conduct. Creating a hostile work environment will not be condoned. This includes verbal or physical conduct of a sexual nature, making unwelcome sexual advances or requests for sexual favors, and unreasonably interfering with the work of others.

#### **ARTICLE 13. PARTIES RESPONSIBLE FOR THEIR OWN ACTS**

The City of Kenai and the State of Alaska, including but not limited to the Alaska Department of Natural Resources and/or the Alaska Division of Forestry, each agree that they will be responsible for their own acts, omissions, or other culpable conduct and neither shall be responsible for the actions or inactions of the other. Each party agrees to defend itself

individually from claims, demands, or liabilities arising out of any activities authorized by this Agreement or the performance thereof. In any claim arising out of the performance of this Agreement, whether sounding in tort, contract, or otherwise, and whether alleging sole liability, joint liability, vicarious liability, or otherwise, each party shall defend itself but may assert comparative fault, the sole liability of another, or any other defense, affirmative defense, or request for relief.

#### **ARTICLE 14. LEGISLATIVE APPROPRIATIONS**

The State is a government entity, and it is understood and agreed that the State's payments herein provided for may be paid from Alaska State Legislative appropriations; and approval or continuation of an agreement is contingent upon Legislative appropriation. The State reserves the right to terminate the agreement in whole or part if, in its sole judgment, the Legislature of the State of Alaska fails, neglects, or refuses to appropriate sufficient funds as may be required for the State to continue such payments; or if the Executive Branch mandates any cuts or holdbacks in spending, or if funds are not budgeted or otherwise available. Further, in the event of non-appropriation, the State shall not be liable for any penalty, expense, or liability; or for general, special, incidental, consequential, or other damages resulting therefrom.

#### **ARTICLE 15. FORCE MAJEURE**

The parties to this contract are not liable for the consequences of any failure to perform, or default in performing, any of their obligations under this Agreement, if that failure or default is caused by any unforeseeable Force Majeure, beyond the control of, and without the fault or negligence of, the respective party. For the purposes of this Agreement, Force Majeure will mean war (whether declared or not); revolution; invasion; insurrection; riot; civil commotion; sabotage; military or usurped power; lightning; explosion; fire; storm; drought; flood; earthquake; epidemic; quarantine; strikes; acts or restraints of governmental authorities affecting the project or directly or indirectly prohibiting or restricting the furnishing or use of materials or labor required; inability to secure materials, machinery, equipment or labor because of priority, allocation or other regulations of any governmental authorities.

#### **ARTICLE 16. LAWS AND REGULATIONS**

Nothing in this Agreement is intended to conflict with the Federal, State, or local laws or regulations. If there are conflicts, this Agreement will be amended to bring it into conformation with applicable laws and regulations.

#### **ARTICLE 17. EXPENDITURE OF FUNDS**

Nothing in this Agreement shall obligate any party in the expenditure of funds or future payments of money in excess of appropriations authorized by law.

**ARTICLE 18. ENTIRE AGREEMENT**

This document is the entire Agreement of the parties, who accept the terms of this Agreement as shown by their signatures below. In the event the parties duly execute any amendment to this Agreement, the terms of such amendment will supersede the terms of this Agreement to the extent of any inconsistency.

---

Date

Deputy Director, Division of Forestry

 5/18/2022  
Date

Kenai/Kodiak Area Forester, Division of Forestry

 06/02/22  
Date

City of Kenai signatory point of contact

**KENAI CITY COUNCIL – REGULAR MEETING  
DECEMBER 4, 2024 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
VICE MAYOR HENRY KNACKSTEDT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on December 4, 2024, in City Hall Council Chambers, Kenai, AK. Vice Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Vice Mayor Knackstedt led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Henry Knackstedt, Vice Mayor  
Sovala Kisena  
Alex Douthit

Brian Gabriel, Mayor (*remote participation*)  
Deborah Sounart  
Victoria Askin

A quorum was present.

Absent:

Phil Daniel

Also in attendance were:

\*\*Xiling Tanner, Student Representative  
Terry Eubank, City Manager  
David Swarner, Finance Director  
Tyler Best, Parks and Recreation Director  
Lee Frey, Public Works Director  
Shellie Saner, City Clerk

**3. Agenda and Consent Agenda Approval**

Vice Mayor Knackstedt noted the following additions to the Packet:

Add to item H.7.

**Discussion - Scheduling a Joint Work Session with Kenaitze**

- Memo and Draft Agenda

Add to item 5.1.

**City Manager's Report**

- Kenai River Special Management Advisory Board Meeting Report

**MOTION:**

Council Member Askin **MOVED** to approve the agenda and consent agenda with the requested revisions. Council Member Sounart **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Vice Mayor Knackstedt opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. SCHEDULED ADMINISTRATIVE REPORTS** - None.

**C. SCHEDULED PUBLIC COMMENTS** - None.

**D. UNSCHEDULED PUBLIC COMMENTS** - None.

**E. PUBLIC HEARINGS**

1. **Ordinance No. 3444-2024** - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs to Hire a Contractor to Add a Cybersecurity Section to the City's Emergency Operations Plan. (Administration)

**MOTION:**

Council Member Askin **MOVED** to enact Ordinance No. 3444-2024. Council Member Sounart **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

**VOTE:**

YEA: Gabriel, Kisen, Douthit, Askin, Knackstedt, Sounart

NAY: None

ABSENT: Daniel

\*\*Student Representative Tanner: Yea

**MOTION PASSED.**

2. **Resolution No. 2024-48** - Approving the Use of the Fleet Replacement Fund for the Purchase of Three Ford Police Interceptors Utilizing the State of Alaska Equipment Fleet Contract. (Administration)

**MOTION:**

Council Member Sounart **MOVED** to adopt Resolution No. 2024-48. Council Member Askin **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that three vehicles were scheduled for replacement in FY25; this would allow the use of Equipment Replacement Fund; and procurement would be through the State of Alaska Fleet Procurement contract.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

3. **Resolution No. 2024-49** - Authorizing the Acceptance of 2018 and 2020 Copper River and Prince William Sound Salmon Disaster Relief Funds. (Administration)

**MOTION:**

Council Member Askin **MOVED** to adopt Resolution No. 2024-49. Council Member Sounart **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

- 4. Resolution No. 2024-50** - Authorizing the Acceptance of 2018 East Side Set Gillnet and 2020 Upper Cook Inlet Salmon Disaster Relief Funds. (Administration)

**MOTION:**

Council Member Sounart **MOVED** to adopt Resolution No. 2024-50. Council Member Douthit **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Appreciation was stated for the efforts of the Kenai Peninsula Fisherman's Association on this matter.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

- 5. Resolution No. 2024-51** - Adopting an Alternative Allocation Method for the FY25 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 14: Cook Inlet Area. (Administration)

**MOTION:**

Council Member Sounart **MOVED** to adopt Resolution No. 2024-51. Council Member Douthit **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported there were two allocation methods; the first included a cumbersome application process; the second, simpler method splits 50% of the funds evenly and allocates the remaining 50% based on population; and the City expect to receive \$427.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

**F. MINUTES**

1. \*Regular Meeting of November 20, 2024. (City Clerk)

**G. UNFINISHED BUSINESS** - None.

**H. NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. \***Action/Approval** - Non-Objection to Renewal of a Restaurant/Eating Place Liquor License for Los Compadres Mexican Restaurant LLC, DBA Los Compadres Mexican Restaurant - License No. 5859. (City Clerk)

Approved by the consent agenda.

3. **\*Action/Approval** - Ninety Day Extension of Special Use Permit to Cook Inlet Natural Gas Storage Alaska for Vehicle Parking. (Administration)

Approved by the consent agenda.

4. **\*Action/Approval** - Special Use Permit for Snow Storage for Schilling Alaska, Inc. (Administration)

Approved by the consent agenda.

5. **\*Action/Approval** - Special Use Permit for Snow Storage for Alaska Sure Seal, Inc. (Administration)

Approved by the consent agenda.

6. **\*Ordinance No. 3445-2024** - Decreasing Estimated Revenues and Appropriation in the Kenai City Municipal Roadway Improvement Capital Project Funds to Transfer Residual Balance from Completed Projects Back to Their Original Funding Sources, and Increasing Estimated Revenues and Appropriation in the Kenai City Water & Sewer, Public Safety, and Airport Improvements Capital Project Funds to Fully Fund Projects Approved in the FY2025 Budget. (Administration)

Introduced by the consent agenda and Public Hearing set for December 18, 2024.

7. **Discussion** - Scheduling a Joint Work Session with Kenaitze. (Administration)

There was discussion regarding Council Members availability.

It was reported that this item will be on the December 18, 2024 agenda after receiving confirmation from the Kenaitze Indian Tribe on the proposed dates.

## **I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging Commission

No report, next meeting December 12, 2024.

2. Airport Commission

No report, next meeting December 12, 2024

3. Harbor Commission

No report, next meeting February 10, 2025.

4. Parks and Recreation Commission

No report, next meeting canceled.

5. Planning and Zoning Commission

No report, next meeting December 11, 2024.

6. Beautification Commission

Council Member Askin reported on the December 3, 2024 Work Session.

## **J. REPORT OF THE MAYOR**

Mayor Gabriel thanked Vice Mayor Knackstedt for filling in and said he was looking forward to getting home.

## **K. ADMINISTRATION REPORTS**

1. City Manager - City Manager Eubank reported on the following:
  - The land sale will take place this Saturday, December 7, 2024; detailed information is available on the City's website; and over 30 people have initiated the registration process.
  - Meeting with Alaska Airlines next week to discuss activities and potential interest at the Kenai Airport.
  - Christmas Comes to Kenai was a great success and there were approximately 1,200 visitors at the Chamber on Friday.
  - Public Safety Building Program RFP has been released; responses are due January 14, 2025.
2. City Attorney - No report.
3. City Clerk - City Clerk Saner reported on the following:
  - License renewal notices have been sent to Mobile Food Vendors.

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)
2. Council Comments

Mayor Gabriel stated appreciation for the Kenai River Special Management Area Advisory Report from Parks and Recreation Director Best.

Council Member Douthit reported on his contributions to the Christmas Comes to Kenai event; stated the team did an amazing job on the event; this year included live reindeer, inflatables, free pictures with Santa and a Grinch; and noted the parade was one of the longest seen in years.

Student Representative Tanner reported there were no events for Kenai Alternative until after winter break; for Connection there will be a family skating and craft day and a Youth Christmas music program held at Heritage Place; and provided an update on sporting and musical events for Kenai Central High School.

Council Member Sounart stated how much she enjoyed Christmas Comes to Kenai; and reported that the Kenai Peninsula Orchestra is hosting Christmas concerts in Kenai and Homer.

Council Member Askin stated she attended Christmas Comes to Kenai, noting the fireworks were great and her Grandson enjoyed reindeers; and she is looking forward to the Alaska Municipal League Conference next week.

Council Member Kisena noted he was out of town for the Thanks Giving Holiday and he was sorry to have missed Christmas Comes to Kenai.

Vice Mayor Knackstedt complimented the Parks and Recreation Department, noting the holiday lights were delightful; thanked the administration for the work session; reported attending the Kenai Craft Fair; and said he was looking forward to the Land Auction.

**M. EXECUTIVE SESSION - None.**

**N. PENDING ITEMS - None.**

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS - None.**

There being no further business before the Council, the meeting was adjourned at 6:22 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of December 4, 2024.

---

Michelle M. Saner, MMC  
City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes will not affect the outcome of the official council vote. Advisory votes will be recorded in the minutes. A student representative may not move or second items during a council meeting.*

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: DECEMBER 18, 2024

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	123,580.76
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	119,573.24

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Shellie Saner, City Clerk  
**DATE:** December 2, 2024  
**SUBJECT:** **Action/Approval – Uptown Motel/Louie’s Liquor License Renewal**

---

The following establishment has submitted an application to the Alcohol and Marijuana Control Office (AMCO) for a renewal of license:

Applicant: Schilling Alaska, LLC  
D/B/A: Uptown Motel/Louie’s  
License Type: Beverage Dispensary Tourism Liquor License  
License No.: 1859

Pursuant to KMC 2.40, a review of City accounts has been completed on the applicants and they have satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the liquor license renewal will be forwarded to the ABC Board and the applicants.

Your consideration is appreciated.



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 7, 2024

From: [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov) ; [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Licensee: **Schilling Alaska, Inc.**

DBA: Uptown Motel/Louie's

VIA email: [duane@uptownmotel.com](mailto:duane@uptownmotel.com)

CC: None

Local Government 1: Kenai

Local Government 2: Kenai Peninsula Borough

Via Email: [micheletturner@kpb.us](mailto:micheletturner@kpb.us); [jasper@kpb.us](mailto:jasper@kpb.us); [sestert@kpb.us](mailto:sestert@kpb.us); [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [nscalett@kpb.us](mailto:nscalett@kpb.us);  
[mboehmler@kpb.us](mailto:mboehmler@kpb.us); [rmaidmae@kpb.us](mailto:rmaidmae@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us); [jrasor@kpb.us](mailto:jrasor@kpb.us);  
[cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Community Council: n/a

Via Email:

Re: Beverage Dispensary - Tourism #1859 Combined Renewal Notice

<b>License Number:</b>	#1859
<b>License Type:</b>	Beverage Dispensary - Tourism
<b>Licensee:</b>	Schilling Alaska, Inc.
<b>Doing Business As:</b>	Uptown Motel/Louie's
<b>Physical Address:</b>	47 Spur View Drive, Kenai, AK 99611
<b>Designated Licensee:</b>	Schilling Alaska, Inc.
<b>Phone Number:</b>	(907) 283-3660
<b>Email Address:</b>	<a href="mailto:duane@uptownmotel.com">duane@uptownmotel.com</a>

☒ License Renewal Application

☐ Endorsement Renewal Application

**Dear Licensee:**

Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to the local governing body(ies), your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-

Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body(ies) will have 60 days to protest the renewal of your license.

Your application will be scheduled for the **November 19<sup>th</sup>, 2024** board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov) email address if you have any questions.

### **Dear Local Government:**

We have received completed renewal applications for the above listed licenses within your jurisdiction. This is the notice required under AS 04.11.480. A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license with one or more endorsement, or issuance of an endorsement by sending the director and the applicant a protest and the reasons for the protest in a clear and concise statement within 60 days of the date of the notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer.

To protest any application(s) referenced above, please submit your written protest for each within 60 days to AMCO and provide proof of service upon the applicant and proof that the applicant has had reasonable opportunity to defend the application before the meeting of the local governing body. If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

### **Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This letter serves to provide written notice to the above referenced entities regarding the above application, as required under AS 04.11.310(b) and AS 04.11.525.

Please contact the local governing body with jurisdiction over the proposed premises for information regarding review of this application. Comments or objections you may have about the application should first be presented to the local governing body. If you have any questions, please email [Alcohol.licensing@alaska.gov](mailto:Alcohol.licensing@alaska.gov)

Sincerely,  
Kyle Helie, Licensing Examiner II  
For  
Lizzie Kubitz, Acting Director

Submit

by Meghan Thibodeau 11/8/2024 11:25:31 AM (Form Submission)

Approve

by Brandon McElrea 11/8/2024 11:31:50 AM (Lands Review)

- The task was assigned to Brandon McElrea. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:33 AM

Approve

by David Ross 11/8/2024 12:11:47 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:32 AM

Approve

by Joe Fisher 11/8/2024 12:30:57 PM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:32 AM

Approve

by Tina Williamson 11/8/2024 1:50:47 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:32 AM

Approve

by Jeremy Hamilton 11/8/2024 3:33:51 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:32 AM

Approve

by Cindy Herr 11/8/2024 4:55:48 PM (Legal Asst Review)

- There are no monies owed in restitution or fines.
- The task was assigned to Cindy Herr. The due date is: November 19, 2024 5:00 PM  
11/8/2024 11:25:33 AM

Approve

by Kevin Buettner 11/8/2024 4:59:37 PM (P&amp;Z Department Review)

- The task was assigned to Planning\_Director. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:55:50 PM
- Kevin Buettner assigned the task to Kevin Buettner 11/8/2024 4:59:29 PM

Approve

by David Swarner 11/12/2024 11:59:25 AM (Finance Review)

- The task was assigned to David Swarner. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:55:50 PM

Approve

by Scott Bloom 12/2/2024 5:52:07 PM (Legal Review)

- The task was assigned to City\_Attorney. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:55:50 PM
- Scott Bloom assigned the task to Scott Bloom 12/2/2024 5:52:04 PM

# AMCO License Application

**Date**

11/8/2024

**Establishment Information****License Type**

Beverage Dispensary - Tourism

**Licensee**

Schilling Alaska, Inc.

**Doing Business As**

Uptown Motel/Louie's

**Premises Address**

47 Spur View Drive

**City, State**

Kenai, AK

**Contact Information****Contact Licensee**

David Schilling

**Contact Phone No.**

907-283-3660

**Contact Email**

dave@uptownmotel.com

**Additional Contact Information****Name**

Duane Bannock

**Phone No.**

907-283-3660

**Email**

duane@uptownmotel.com

**Documents****File Upload**

#1859 Application Summary + License Renewal + AB-37 Tourism Statement.pdf	1021.08KB
#1859 Uptown Motel- Louie's Renewal Notice.pdf	267.46KB



Document reference ID : 1089

## Licensing Application Summary

<b>Application ID:</b>	1089
<b>Applicant Name:</b>	Schilling Alaska, Inc.
<b>License Type applied for:</b>	Beverage Dispensary Tourism License (BDTL) (AS 04.09.350)
<b>Application Status:</b>	In Review
<b>Application Submitted On:</b>	12/08/2023

### Entity Information

<b>Business Structure:</b>	Corporation
<b>Alaska Entity Number (CBPL):</b>	39992D

### Entity Contact Information

<b>Entity Address:</b>	47 Spur View Drive, Kenai, AK, 99611, USA
------------------------	---

### Premises Address

<b>Nearest municipality, city, and/or borough:</b>	Kenai
<b>Country, State, Zip:</b>	AK, United States, 99611

### Basic Business information

<b>Business/Trade Name:</b>	Uptown Motel/Louie's
-----------------------------	----------------------

### Local Government and Community Council Details

<b>City/Municipality</b>	Kenai (City of)
<b>Borough</b>	Kenai Peninsula Borough

### Public Notice Posting Attestation and Publishers Affidavit

### Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

The proposed changes conform to all applicable public health, fire, and safety laws.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

## Signature

---

Electronic Signature not collected; application submitted based on paper form.

## Payment Info

---

Payment Type : CC

Payment Id: ff41fe48-1575-4b97-9f6a-ade8555ca6f7

Receipt Number: **100723356**

Payment Date: 12/8/2023 2:15:49 PM

Download

## License Renewal

### Subordinates

Drag a column header and drop it here to group by that column

Select	L... ▼	License Type ▼	Trade Name ▼	License Status ▼	City ▼
<input checked="" type="checkbox"/>	2237	Multiple Fixed Counter Endorsement (MFCE)	Uptown Motel/Louie's	Active - Renewal Pending	Kenai

10 ▼ items per page 1

1 - 1 of 1 items

**Is this application being made by you for the benefit of someone else? If "YES," indicate below or attach explanation.**

No

**Has the applicant, applicant's spouse, partner, officer, director or stockholders, of the licensed entity become disqualified by law or by facts and conditions from holding a license or permit under the Alcohol and Cannabis Control Information System Alcoholic Beverage Code ? If "YES," indicate below or attach explanation.**

No

**Have there been changes since your original application that have not been reported on this or previous applications ? If "YES," indicate below or attach explanation.**

No

**How many hours did you operate in 2022 as set forth in AS 04.11.330?**

Operated to meet the minimum 240 hrs.

**How many hours did you operate in 2023 as set forth in AS 04.11.330?**

Operated to meet the minimum 240 hrs.

**Are you a seasonal license and has your operation times/dates/seasons changed?**

No

**Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2022 or 2023.?**

No

**Have any Notices of Violation been issued for this license in 2022 or 2023?**

No



License Number:  
1859



License Expiration Date:  
12/31/2023



License Trade Name:  
Uptown Motel/Louie's

Mailing Address:



47 Spur View Dr  
Kenai , AK  
99611 - 6879



## Alaska Alcoholic Beverage Control Board

**Form AB-37: Beverage Dispensary Tourism Statement**

A new, transfer, or renewal application for a Beverage Dispensary – Tourism license must be accompanied by a written statement that explains how the establishment encourages tourism and meets the requirements currently listed under AS 04.09.350 and 3 AAC 305.325.

This document must be completed and submitted to AMCO's Anchorage office before any tourism license application will be reviewed.

**Section 1 – Establishment Information**

Enter information for the licensed establishment or the business seeking to be licensed.

Doing Business As:	Uptown Motel/Louie's	License #:	1859
License Type:	Beverage Dispensary - Tourism		

**Section 2 – Tourism Statement**

2.1. Explain how issuance of a liquor license at your establishment has/will encourage tourism.

Louie's Restaurant is advertized as a local establishment featuring not only local breweries and sprits, but also where many other hospitality locations refer guests due to the Alaskan decor and featured Alaska seafood dishes

2.2. Explain how the facility was/will be constructed or improved as required by AS 04.09.350(c)(1):

Louie's Restaurant was built to be part of the Uptown Motel and features an Alaska 'Lodge-like' interior decor including many trophy animal mounts.  
Louie's Restaurant is operated only by employees of the Uptown Motel and Schilling Alaska, inc.

2.3 Does the licensee or applicant for this liquor license also operate the tourism facility in which this license is located?



2.4 If "no" who operates the tourism facility?



Alaska Alcoholic Beverage Control Board

**Form AB-37: Beverage Dispensary Tourism Statement**

2.5 Do you offer room rentals to the traveling public?

YES

☒

NO

☐

If "yes" answer the following questions:

How many rooms are available?

49

How many of the available rooms (if any) have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)?

The Uptown Motel has 49 rooms that approach the minimum definition for kitchen facilities (no separate sink).

Do you stock or plan to stock alcoholic beverages in guest rooms?

YES

☐

NO

☒

If "no" is your facility located within an airport terminal?

YES

☐

NO

☒

2.6 If your establishment includes a dining facility, please describe that facility. If it does not please write "none".

Louie's Restaurant is a full service dining room featuring breakfast, lunch & dinner menus

2.7 If additional amenities are available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists), please describe them. If they are not offered, please write "none".

The Front Desk of the Uptown Motel serves as a 'hub' for recreatioanl activities including, but not limited to: guided hunting and fishing excursions, fly-in trip and other packages for the benefit of our guests.



Alaska Alcoholic Beverage Control Board

## Form AB-37: Beverage Dispensary Tourism Statement

### Section 3 – Certification

Read the statement below, and then sign your initials in the box to the right of the statement:

Initials

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.



David Schilling  
Printed name of licensee/affiliate

*David Schilling*  
Signature of licensee/affiliate



Thursday, November 14, 2024

**Sent via email:** [cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Shellie Saner, City Clerk  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Schilling Alaska, Inc.
Business Name	:	Uptown Motel/Louie's
License Type	:	Beverage Dispensary/Tourism
License Location	:	18021 Kenai Spur Highway, Kenai, AK 99611, City of Kenai
License No.	:	1859
Application Type	:	License Renewal

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC  
Borough Clerk

cc: [duane@uptownmotel.com](mailto:duane@uptownmotel.com);

<mailto:amco.localgovernmentonly@alaska.gov>



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Kenai Council Members  
**FROM:** Shellie Saner, City Clerk  
**DATE:** December 2, 2024  
**SUBJECT:** **Marijuana License Renewals – Red Run Cannabis**

---

The following establishment submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of marijuana licenses:

Applicant: Red Run Cannabis Cultivators, LLC.  
D/B/A: Red Run Cannabis Cultivators, LLC

License Type: Standard Marijuana Cultivation  
License No: 10052

Applicant: Red Run Cannabis Cultivators, LLC.  
D/B/A: Red Run Cannabis Cultivators, LLC.

License Type: Marijuana Product Manufacturing Facility  
License No: 19372

Applicant: Red Run Cannabis Company, LLC.  
D/B/A: Red Run Cannabis Company, LLC

License Type: Retail Marijuana Store  
License No: 10056

Pursuant to KMC 2.40 a review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, letters of non-objection to the marijuana license renewals will be forwarded to AMCO and applicant.

Your consideration is appreciated.



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 7, 2024

From: [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) ; [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Licensee: **Red Run Cannabis Cultivators, LLC**

DBA: Red Run Cannabis Cultivators, LLC

VIA email: [marc@redruncannabiscompany.com](mailto:marc@redruncannabiscompany.com)

Local Government: Kenai (city of), Kenai Peninsula Borough

Via Email: [micheleturner@kpb.us](mailto:micheleturner@kpb.us); [jkasper@kpb.us](mailto:jkasper@kpb.us); [sessert@kpb.us](mailto:sessert@kpb.us); [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [nscarlett@kpb.us](mailto:nscarlett@kpb.us); [mboehmler@kpb.us](mailto:mboehmler@kpb.us); [rraidmae@kpb.us](mailto:rraidmae@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us); [jrasor@kpb.us](mailto:jrasor@kpb.us)

[cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Community Council:

Via Email:

CC: n/a

Re: Standard Marijuana Cultivation Facility #10052 Combined Renewal Notice

<b>License Number:</b>	#10052
<b>License Type:</b>	Standard Marijuana Cultivation Facility
<b>Licensee:</b>	Red Run Cannabis Cultivators, LLC
<b>Doing Business As:</b>	Red Run Cannabis Cultivators, LLC
<b>Physical Address:</b>	5455 Kenai Spur Highway Kenai, AK 99611
<b>Designated Licensee:</b>	Marc Theiler
<b>Phone Number:</b>	907-953-9453
<b>Email Address:</b>	<a href="mailto:marc@redruncannabiscompany.com">marc@redruncannabiscompany.com</a>

☒ License Renewal Application

☐ Endorsement Renewal Application

**Dear Licensee:**

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) email address if you have any questions.

### **Dear Local Government:**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

### **Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

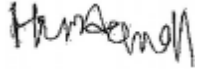
At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for

this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov).

Sincerely,

Hunter Carrell

A handwritten signature in black ink, appearing to read "Hunter Carrell", written over the printed name.

For Lizzie Kubitz, Acting Director  
907-269-0350

Submit

by Meghan Thibodeau 11/8/2024 12:01:59 PM (Form Submission)

Approve

by David Ross 11/8/2024 12:12:56 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:00 PM

Approve

by Brandon McElrea 11/8/2024 12:17:15 PM (Lands Review)

■ CUP Annual Report Current through 2024. Compliant with all conditions of CUP. No Code violations.

- The task was assigned to Brandon McElrea. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:01 PM

Approve

by Joe Fisher 11/8/2024 12:32:12 PM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:00 PM

Approve

by Tina Williamson 11/8/2024 1:50:40 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:01 PM

Approve

by Cindy Herr 11/8/2024 4:57:50 PM (Legal Asst Review)

■ There are no monies owed in restitution or fines.

- The task was assigned to Cindy Herr. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:01 PM

Approve

by Kevin Buettner 11/8/2024 5:01:56 PM (P&amp;Z Department Review)

- The task was assigned to Planning\_Director. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:51 PM
- Kevin Buettner assigned the task to Kevin Buettner 11/8/2024 5:01:43 PM

Approve

by David Swarner 11/12/2024 11:54:42 AM (Finance Review)

- The task was assigned to David Swarner. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:51 PM

Approve

by Jeremy Hamilton 11/15/2024 5:40:50 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:02:00 PM

Approve

by Scott Bloom 12/2/2024 5:51:15 PM (Legal Review)

- The task was assigned to City\_Attorney. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:51 PM
- Scott Bloom assigned the task to Scott Bloom 12/2/2024 5:51:11 PM

# AMCO License Application

**Date**

11/8/2024

**Establishment Information****License Type**

Standard Marijuana Cultivation Facility

**Licensee**

Red Run Cannabis Cultivators, LLC

**Doing Business As**

Red Run Cannabis Cultivators, LLC

**Premises Address**

5455 Kenai Spur Highway

**City, State**

Kenai, AK

**Contact Information****Contact Licensee**

Marc Theiler

**Contact Phone No.**

907-953-9453

**Contact Email**

marc@redruncannabiscompany.com

**Additional Contact Information****Name****Phone No.****Email****Documents****File Upload**

10052 2024-2025 Renewal Notice.pdf	270.15KB
MJ-20 10052 Cultivation - Marc - Signed.pdf	778.39KB
MJ-20 10052 Cultivation - Roger - Signed.pdf	469.18KB
online app_Redacted.pdf	146.96KB



Alaska Marijuana Control Board

## Form MJ-20: 2024-2025 Renewal Application Certifications

### Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

### Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Red Run Cannabis Cultivators, LLC	License Number:	10052		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Red Run Cannabis Cultivators, LLC				
Premises Address:	5455 Kenai Spur Highway				
City:	Kenai	State:	Alaska	ZIP:	99611

### Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Marc Theiler
Title:	Member

### Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

MT

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

MT

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

MT

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

MT

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

MT

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

MT

**Initial this box if you are submitting an original fingerprint card and the applicable fees** to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

N/A

If multiple licenses are held, list all license numbers below:

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

MT

Marc Theiler

Printed name of licensee

Signature of licensee



Alaska Marijuana Control Board

# Form MJ-20: 2024-2025 Renewal Application Certifications

## Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

## Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Red Run Cannabis Cultivators, LLC	License Number:	10052		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Red Run Cannabis Cultivators, LLC				
Premises Address:	5455 Kenai Spur Highway				
City:	Kenai	State:	Alaska	ZIP:	99611

## Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Roger Boyd
Title:	Member

## Section 3 – Violations & Charges

**Read each line below, and then sign your initials in the box to the right of any applicable statements:**

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

DS RB
----------

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

DS RB
----------

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

DS RB
----------

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

N/A
-----



## Form MJ-20: 2024-2025 Renewal Application Certifications

## Section 5 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

 DS  
RB

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

 DS  
RB

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

 DS  
RB

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

 DS  
RB

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

 DS  
RB

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

 DS  
RB

**Initial this box if you are submitting an original fingerprint card and the applicable fees** to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

 DS  
RB

If multiple licenses are held, list all license numbers below:

10052, 10056, 19372

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

 DS  
RB

Roger Boyd

Printed name of licensee

DocuSigned by:

Roger Boyd

Signature of licensee

**License Number:** 10052

**License Status:** Active-Operating

**License Type:** Standard Marijuana Cultivation Facility

**Doing Business As:** RED RUN CANNABIS CULTIVATORS, LLC

**Business License Number:** 1032376

**Designated Licensee:** Marc Theiler

**Email Address:** marc@redruncannabiscompany.com

**Local Government:** Kenai (City of)

**Local Government 2:** Kenai Peninsula Borough

**Community Council:**

**Latitude, Longitude:** 60.332000, -151.063600

**Physical Address:** 5455 Kenai Spur Highway  
Kenai, AK 99611  
UNITED STATES

Licensee #1	Entity Official #1
<b>Type:</b> Entity	<b>Type:</b> Individual
<b>Alaska Entity Number:</b> 10035361	<b>Name:</b> Marc Theiler
<b>Alaska Entity Name:</b> Red Run Cannabis Cultivators, L LC	<b>SSN:</b> [REDACTED]
<b>Phone Number:</b> 907-953-9453	<b>Date of Birth:</b> [REDACTED]
<b>Email Address:</b> marc@redruncannabiscompany.com	<b>Phone Number:</b> 907-953-9453
<b>Mailing Address:</b> 5455 Kenai Spur Hwy Kenai, AK 99611 UNITED STATES	<b>Email Address:</b> marc@redruncannabiscompany.com
	<b>Mailing Address:</b> 5455 Kenai Spur Hwy Kenai, AK 99611 UNITED STATES

Entity Official #2	
<b>Type:</b> Individual	
<b>Name:</b> Roger Boyd	
<b>SSN:</b> [REDACTED]	
<b>Date of Birth:</b> [REDACTED]	
<b>Phone Number:</b> 907-398-7848	
<b>Email Address:</b> rogerboyd@hotmail.com	
<b>Mailing Address:</b> 37095 K-Beach Road Kenai, AK 99611 UNITED STATES	

**Note:** No affiliates entered for this license.



Thursday, November 21, 2024

**Sent via email: cityclerk@kenai.city**

Shellie Saner, City Clerk  
City of Kenai

RE: Renewal Application for Standard Marijuana Cultivation Facility

Business Name	:	Red Run Cannabis Cultivators, LLC
License Location	:	Kenai/5455 Kenai Spur Highway, Kenai, AK 99611
License No.	:	10052
License Type	:	Standard Marijuana Cultivation Facility

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC  
Borough Clerk

cc: marc@redruncannabiscompany.com  
amco.localgovernmentonly@alaska.gov



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 15, 2024

From: [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) ; [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Licensee: **Red run Cannabis Cultivators, LLC**

DBA: Red Run Cannabis Cultivators, LLC

VIA email: [marc@redruncannabiscompany.com](mailto:marc@redruncannabiscompany.com)

Local Government: Kenai Peninsula Borough, Kenai (city of)

Via Email: [micheletturner@kpb.us](mailto:micheletturner@kpb.us); [jkaspar@kpb.us](mailto:jkaspar@kpb.us); [seassert@kpb.us](mailto:seassert@kpb.us); [mjenkins@kpb.us](mailto:mjenkins@kpb.us);  
[nscalett@kpb.us](mailto:nscalett@kpb.us); [mboehmler@kpb.us](mailto:mboehmler@kpb.us); [rraidmae@kpb.us](mailto:rraidmae@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us);  
[jrasor@kpb.us](mailto:jrasor@kpb.us)

Community Council:

Via Email:

CC: n/a

Re: Marijuana Product Manufacturing Facility #19372 Combined Renewal Notice

<b>License Number:</b>	#19372
<b>License Type:</b>	Marijuana Product Manufacturing Facility
<b>Licensee:</b>	Red run Cannabis Cultivators, LLC
<b>Doing Business As:</b>	Red Run Cannabis Cultivators, LLC
<b>Physical Address:</b>	12516 Kenai Spur Hwy Suite A Kenai, AK 99611
<b>Designated Licensee:</b>	Marc Theiler
<b>Phone Number:</b>	907-953-9453
<b>Email Address:</b>	<a href="mailto:marc@redruncannabiscompany.com">marc@redruncannabiscompany.com</a>

☒ **License Renewal Application**

☐ **Endorsement Renewal Application**

**Dear Licensee:**

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any

non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) email address if you have any questions.

### **Dear Local Government:**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

### **Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov).

Sincerely,

Hunter Carrell

A handwritten signature in dark ink, appearing to read "Hunter Carrell", written over a horizontal line.

For Lizzie Kubitz, Acting Director  
907-269-0350

Submit

by Meghan Thibodeau 11/21/2024 12:13:26 PM (Form Submission)

Approve

by Jeremy Hamilton 11/21/2024 12:14:02 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:28 PM

Approve

by Cindy Herr 11/21/2024 12:19:36 PM (Legal Asst Review)

- There are no monies owed in fines or restitution.
- The task was assigned to Cindy Herr. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:29 PM

Approve

by David Ross 11/21/2024 12:20:33 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:28 PM

Approve

by Brandon McElrea 11/21/2024 12:28:22 PM (Lands Review)

- CUP Annual Report Current through 2024. Compliant with all conditions of CUP. No Code violations.
- The task was assigned to Brandon McElrea. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:29 PM

Approve

by Joe Fisher 11/21/2024 1:19:34 PM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:28 PM

Approve

by Tina Williamson 11/21/2024 3:46:04 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: December 2, 2024 5:00 PM  
11/21/2024 12:13:29 PM

Approve

by Scott Bloom 11/21/2024 3:56:46 PM (Legal Review)

- The task was assigned to City\_Attorney. The due date is: December 2, 2024 5:00 PM  
11/21/2024 3:46:06 PM
- Scott Bloom assigned the task to Scott Bloom 11/21/2024 3:56:40 PM

Approve

by David Swarner 11/21/2024 4:01:07 PM (Finance Review)

- The task was assigned to David Swarner. The due date is: December 2, 2024 5:00 PM  
11/21/2024 3:46:06 PM

Approve

by Kevin Buettner 12/2/2024 4:47:10 PM (P&amp;Z Department Review)

- The task was assigned to Planning\_Director. The due date is: December 2, 2024 5:00 PM  
11/21/2024 3:46:06 PM
- Kevin Buettner assigned the task to Kevin Buettner 12/2/2024 4:47:06 PM

# AMCO License Application

**Date**

11/21/2024

**Establishment Information****License Type**

Marijuana Product Manufacturing Facility

**Licensee**

Red run Cannabis Cultivators, LLC

**Doing Business As**

Red run Cannabis Cultivators, LLC

**Premises Address**

12516 Kenai Spur Hwy Suite A

**City, State**

Kenai, AK

**Contact Information****Contact Licensee**

Marc Theiler

**Contact Phone No.**

907-953-9453

**Contact Email**

marc@redruncannabiscompany.com

**Additional Contact Information****Name****Phone No.****Email****Documents****File Upload**

19372 2024-2025 Renewal Notice.pdf	269.74KB
19372_2024-11-21_AMCO_Non_Obj_Ltr_Renewal.pdf	610.24KB
Mj 20 Combo 19372.pdf	617.68KB
online application_Redacted.pdf	150.24KB



Alaska Marijuana Control Board

Form MJ-20: 2024-2025 Renewal Application Certifications

Why is this form needed?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Red Run Cannabis Cultivators, LLC	License Number:	19372		
License Type:	Marijuana Product Manufacturing Facility				
Doing Business As:	Red Run Cannabis Cultivators, LLC				
Premises Address:	12516 Kenai Spur Hwy, Suite A				
City:	Kenai	State:	Alaska	ZIP:	99611

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Marc Theiler
Title:	Member

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

**Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.**

If multiple licenses are held, list all license numbers below:

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Marc Theiler

Printed name of licensee

Signature of licensee



## Alaska Marijuana Control Board

**Form MJ-20: 2024-2025 Renewal Application Certifications****Why is this form needed?**

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

**Section 1 – Establishment Information**

Enter information for the licensed establishment, as identified on the license application.

<b>Licensee:</b>	Red Run Cannabis Cultivators, LLC	<b>License Number:</b>	19372		
<b>License Type:</b>	Marijuana Product Manufacturing Facility				
<b>Doing Business As:</b>	Red Run Cannabis Cultivators, LLC				
<b>Premises Address:</b>	12516 Kenai Spur Hwy, Suite A				
<b>City:</b>	Kenai	<b>State:</b>	Alaska	<b>ZIP:</b>	99611

**Section 2 – Individual Information**

Enter information for the individual licensee who is completing this form.

<b>Name:</b>	Roger Boyd
<b>Title:</b>	Member

**Section 3 – Violations & Charges**

**Read each line below, and then sign your initials in the box to the right of any applicable statements:**

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

DS

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

DS

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

DS

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



## Form MJ-20: 2024-2025 Renewal Application Certifications

## Section 5 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

DS  
RB

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

DS  
RB

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

DS  
RB

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

DS  
RB

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

DS  
RB

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

DS  
RB

**Initial this box if you are submitting an original fingerprint card and the applicable fees** to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

DS  
RB

If multiple licenses are held, list all license numbers below:

10052, 10056, 19372

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

DS  
RB

Roger Boyd

Printed name of licensee

DocuSigned by:

Roger Boyd

Signature of licensee...

**License Number:** 19372

**License Status:** Active-Operating

**License Type:** Marijuana Product Manufacturing Facility

**Doing Business As:** RED RUN CANNABIS CULTIVATORS, LLC

**Business License Number:** 1032376

**Designated Licensee:** Marc Theiler

**Email Address:** marc@redruncannabiscompany.com

**Local Government:** Kenai (City of)

**Local Government 2:** Kenai Peninsula Borough

**Community Council:**

**Latitude, Longitude:** 60.561105, -151.287650

**Physical Address:** 12516 Kenai Spur Hwy  
Suite A  
Kenai, AK 99611  
UNITED STATES

Licensee #1	Entity Official #1
<p><b>Type:</b> Entity</p> <p><b>Alaska Entity Number:</b> 10035361</p> <p><b>Alaska Entity Name:</b> Red Run Cannabis Cultivators, L LC</p> <p><b>Phone Number:</b> 907-953-9453</p> <p><b>Email Address:</b> marc@redruncannabiscompany. com</p> <p><b>Mailing Address:</b> 5455 Kenai Spur Hwy Kenai, AK 99611 UNITED STATES</p>	<p><b>Type:</b> Individual</p> <p><b>Name:</b> Marc Theiler</p> <p><b>SSN:</b> </p> <p><b>Date of Birth:</b> </p> <p><b>Phone Number:</b> 907-953-9453</p> <p><b>Email Address:</b> marc@redruncannabiscompany. com</p> <p><b>Mailing Address:</b> 5455 Kenai Spur Hwy Kenai, AK 99611 UNITED STATES</p>

Entity Official #2	
<p><b>Type:</b> Individual</p> <p><b>Name:</b> Roger Boyd</p> <p><b>SSN:</b> </p> <p><b>Date of Birth:</b> </p> <p><b>Phone Number:</b> 907-398-7848</p> <p><b>Email Address:</b> rogerboyd@hotmail.com</p> <p><b>Mailing Address:</b> 37095 K Beach Rd Kenai, AK 99611 UNITED STATES</p>	<p><b>Note:</b> No affiliates entered for this license.</p>



Thursday, November 21, 2024

**Sent via email: cityclerk@kenai.city**

Shellie Saner, City Clerk  
City of Kenai

RE: Renewal Application for Marijuana Product Manufacturing Facility

Business Name	:	Red Run Cannabis Cultivators, LLC
License Location	:	Kenai/12516 Kenai Spur Hwy Suite A, Kenai, AK 99611
License No.	:	19372
License Type	:	Marijuana Product Manufacturing Facility

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC  
Borough Clerk

cc: marc@redruncannabiscompany.com  
amco.localgovernmentonly@alaska.gov



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 7, 2024

From: [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) ; [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Licensee: **Red Run Cannabis Cultivators, LLC**

DBA: Red Run Cannabis Cultivators, LLC

VIA email: [marc@redruncannabiscompany.com](mailto:marc@redruncannabiscompany.com)

Local Government: Kenai (city of), Kenai Peninsula Borough

Via Email: [micheleturner@kpb.us](mailto:micheleturner@kpb.us); [jkaspar@kpb.us](mailto:jkaspar@kpb.us); [sessert@kpb.us](mailto:sessert@kpb.us); [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [nscarlett@kpb.us](mailto:nscarlett@kpb.us); [mboehmler@kpb.us](mailto:mboehmler@kpb.us); [rraidmae@kpb.us](mailto:rraidmae@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us); [jrasor@kpb.us](mailto:jrasor@kpb.us)

[cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Community Council:

Via Email:

CC: n/a

Re: Retail Marijuana Store #10056 Combined Renewal Notice

<b>License Number:</b>	#10056
<b>License Type:</b>	Retail Marijuana Store
<b>Licensee:</b>	Red Run Cannabis Cultivators, LLC
<b>Doing Business As:</b>	Red Run Cannabis Cultivators, LLC
<b>Physical Address:</b>	5455 Kenai Spur Highway Suite B Kenai, AK 99611
<b>Designated Licensee:</b>	Marc Theiler
<b>Phone Number:</b>	907-953-9453
<b>Email Address:</b>	<a href="mailto:marc@redruncannabiscompany.com">marc@redruncannabiscompany.com</a>

☒ License Renewal Application

☐ Endorsement Renewal Application

**Dear Licensee:**

After reviewing your renewal documents, AMCO staff has deemed the application complete for the purposes of 3 AAC 306.035(c).

Your application will now be sent electronically, in its entirety, to your local government, your community council (if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough), and to any

non-profit agencies who have requested notification of applications. The local government has 60 days to protest your application per 3 AAC 306.060.

At the May 15, 2017 Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications. However, the board is required to consider this application independently if you have been issued any notices of violation for this license, if your local government protests this application, or if a public objection to this application is received within 30 days of this notice under 3 AAC 306.065.

If AMCO staff determines that your application requires independent board consideration for any reason, you will be sent an email notification regarding your mandatory board appearance. Upon final approval, your 2024/2025 license will be provided to you during your annual inspection. If our office determines that an inspection is not necessary, the license will be mailed to you at the mailing address on file for your establishment.

Please feel free to contact us through the [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) email address if you have any questions.

### **Dear Local Government:**

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a “conditional protest” as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board’s satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

### **Dear Community Council (Municipality of Anchorage and Mat-Su Borough only)**

AMCO has received a complete renewal application for the above listed license within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

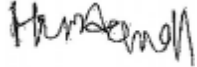
To object to the approval of this application pursuant to 3 AAC 306.065, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the objection within 30 days of the date of this notice. We recommend that you contact the local government with jurisdiction over the proposed premises to share objections you may have about the application.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application independently. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov).

Sincerely,

Hunter Carrell

A handwritten signature in dark ink, appearing to read "Hunter Carrell", written over the printed name.

For Lizzie Kubitz, Acting Director  
907-269-0350

Submit

by Meghan Thibodeau 11/8/2024 12:04:03 PM (Form Submission)

Approve

by David Ross 11/8/2024 12:14:06 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:04 PM

Approve

by Brandon McElrea 11/8/2024 12:17:06 PM (Lands Review)

■ CUP Annual Report Current through 2024. Compliant with all conditions of CUP. No Code violations.

- The task was assigned to Brandon McElrea. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:04 PM

Approve

by Joe Fisher 11/8/2024 12:32:44 PM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:04 PM

Approve

by Tina Williamson 11/8/2024 1:50:53 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:04 PM

Approve

by Cindy Herr 11/8/2024 4:57:39 PM (Legal Asst Review)

■ There are no monies owed in restitution or fines.

- The task was assigned to Cindy Herr. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:04 PM

Approve

by Kevin Buettner 11/8/2024 5:01:32 PM (P&amp;Z Department Review)

- The task was assigned to Planning\_Director. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:41 PM
- Kevin Buettner assigned the task to Kevin Buettner 11/8/2024 5:00:05 PM

Approve

by David Swarner 11/12/2024 11:54:54 AM (Finance Review)

- The task was assigned to David Swarner. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:40 PM

Approve

by Jeremy Hamilton 11/15/2024 5:40:41 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: November 19, 2024 5:00 PM  
11/8/2024 12:04:03 PM

Approve

by Scott Bloom 12/2/2024 5:51:59 PM (Legal Review)

- The task was assigned to City\_Attorney. The due date is: November 19, 2024 5:00 PM  
11/8/2024 4:57:40 PM
- Scott Bloom assigned the task to Scott Bloom 12/2/2024 5:51:55 PM

# AMCO License Application

**Date**

11/8/2024

**Establishment Information****License Type**

Retail Marijuana Store

**Licensee**

Red Run Cannabis Cultivators, LLC

**Doing Business As**

Red Run Cannabis Cultivators, LLC

**Premises Address**

5455 Kenai Spur Highway Suite B

**City, State**

Kenai, AK

**Contact Information****Contact Licensee**

Marc Theiler

**Contact Phone No.**

907-953-9453

**Contact Email**

marc@redruncannabiscompany.com

**Additional Contact Information****Name****Phone No.****Email****Documents****File Upload**

10056 2024-2025 Renewal Notice.pdf	270.49KB
MJ-20 10056 Retail - Marc - Signed.pdf	795.08KB
MJ-20 10056 Retail - Roger - Signed.pdf	469.21KB
online application_Redacted.pdf	147.27KB



Alaska Marijuana Control Board

**Form MJ-20: 2024-2025 Renewal Application Certifications**

**Why is this form needed?**

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

**Section 1 – Establishment Information**

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Red Run Cannabis Company, LLC	License Number:	10056		
License Type:	Retail Marijuana Store				
Doing Business As:	Red Run Cannabis Company, LLC				
Premises Address:	5455 Kenai Spur Highway, Suite B				
City:	Kenai	State:	Alaska	ZIP:	99611

**Section 2 – Individual Information**

Enter information for the individual licensee who is completing this form.

Name:	Marc Theiler
Title:	Member

**Section 3 – Violations & Charges**

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

**Form MJ-20: 2024-2025 Renewal Application Certifications****Section 5 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

**Initial this box if you are submitting an original fingerprint card and the applicable fees to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.**

If multiple licenses are held, list all license numbers below:

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Marc Theiler

Printed name of licensee

Signature of licensee



Alaska Marijuana Control Board

[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

**Form MJ-20: 2024-2025 Renewal Application Certifications****Why is this form needed?**

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

**This form must be completed and submitted to AMCO's Anchorage office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.**

**Section 1 – Establishment Information**

Enter information for the licensed establishment, as identified on the license application.

<b>Licensee:</b>	Red Run Cannabis Company, LLC	<b>License Number:</b>	10056		
<b>License Type:</b>	Retail Marijuana Store				
<b>Doing Business As:</b>	Red Run Cannabis Company, LLC				
<b>Premises Address:</b>	5455 Kenai Spur Highway, Suite B				
<b>City:</b>	Kenai	<b>State:</b>	Alaska	<b>ZIP:</b>	99611

**Section 2 – Individual Information**

Enter information for the individual licensee who is completing this form.

<b>Name:</b>	Roger Boyd
<b>Title:</b>	Member

**Section 3 – Violations & Charges****Read each line below, and then sign your initials in the box to the right of any applicable statements:**

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

DS RB
----------

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

DS RB
----------

I certify that a notice of violation has **not** been issued for this license between July 1, 2023 and June 30, 2024.

DS RB
----------

**Sign your initials to the following statement only if you are unable to certify one or more of the above statements:**

Initials

**I have attached a written explanation** for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

N/A
-----



## Form MJ-20: 2024-2025 Renewal Application Certifications

## Section 5 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

 DS  
RB

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

 DS  
RB

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

 DS  
RB

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

 DS  
RB

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

 DS  
RB

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

 DS  
RB

**Initial this box if you are submitting an original fingerprint card and the applicable fees** to AMCO for AMCO to obtain criminal justice information and a national criminal history record required by AS 17.38.200 and 3 AAC 306.035(d). If I have multiple marijuana licenses being renewed, I understand one fingerprint card and fee will suffice for all marijuana licenses being renewed.

 DS  
RB

If multiple licenses are held, list all license numbers below:

10052, 10056, 19372

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

 DS  
RB

Roger Boyd

Printed name of licensee

DocuSigned by:

Roger Boyd

Signature of licensee

**License Number:** 10056  
**License Status:** Active-Operating  
**License Type:** Retail Marijuana Store  
**Doing Business As:** RED RUN CANNABIS COMPANY, LLC  
**Business License Number:** 1032472  
**Designated Licensee:** Marc Theiler  
**Email Address:** marc@redruncannabiscompany.com  
**Local Government:** Kenai (City of)  
**Local Government 2:** Kenai Peninsula Borough  
**Community Council:**  
**Latitude, Longitude:** 60.332000, -151.063600  
**Physical Address:** 5455 Kenai Spur Highway  
Suite B  
Kenai, AK 99611  
UNITED STATES

Licensee #1	Entity Official #1
<b>Type:</b> Entity	<b>Type:</b> Individual
<b>Alaska Entity Number:</b> 10035362	<b>Name:</b> Roger Boyd
<b>Alaska Entity Name:</b> Red Run Cannabis Company, LLC	<b>SSN:</b> [REDACTED]
<b>Phone Number:</b> 907-953-9453	<b>Date of Birth:</b> [REDACTED]
<b>Email Address:</b> marc@redruncannabiscompany.com	<b>Phone Number:</b> 907-398-7848
<b>Mailing Address:</b> 5455 Kenai Spur Hwy Kenai, AK 99669 UNITED STATES	<b>Email Address:</b> rogerboyd@hotmail.com
	<b>Mailing Address:</b> 37095 K-Beach Road Kenai, AK 99611 UNITED STATES

Entity Official #2
<b>Type:</b> Individual
<b>Name:</b> Marc Theiler
<b>SSN:</b> [REDACTED]
<b>Date of Birth:</b> [REDACTED]
<b>Phone Number:</b> 907-953-9453
<b>Email Address:</b> marc@kenaiattorney.com
<b>Mailing Address:</b> 105 Trading Bay Road, Ste 103 Kenai, AK 99611 UNITED STATES

**Note:** No affiliates entered for this license.



Thursday, November 21, 2024

**Sent via email: cityclerk@kenai.city**

Shellie Saner, City Clerk  
City of Kenai

RE: Renewal Application for Retail Marijuana Store

Business Name	:	Red Run Cannabis Company LLC
License Location	:	Kenai/5455 Kenai Spur Highway, Suite B, Kenai, AK 99611
License No.	:	10056
License Type	:	Retail Marijuana Store

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough (KPB) has reviewed the above referenced application and has no objection to the issuance of the license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michele Turner, CMC  
Borough Clerk

cc: marc@redruncannabiscompany.com

amco.localgovernmentonly@alaska.gov



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Derek Ables, Airport Manager

**DATE:** December 9, 2024

**SUBJECT:** **Action/Approval** – Special Use Permit to Echo Lake Meats for Use of 20 Square Feet of Terminal Space at the Kenai Municipal Airport

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Echo Lake Meats is requesting a Special Use Permit for 20 square feet of Airport Terminal space for a vending machine that will sell meat sticks, jerky, and cheese spread. Echo Lake Meats has submitted the Special Use Application and paid the \$100 application fee. The Special Use Permit will be effective for 12 months, commencing on January 1, 2025 and ending on December 31, 2025.

The Airport Commission reviewed the application at their regularly scheduled meeting on December 12<sup>th</sup>, and recommended approval.

Your support for a Special Use Permit to Echo Lake Meats, LLC is respectfully requested.

## SPECIAL USE PERMIT 2025

The CITY OF KENAI (City) grants to Erick Watkins with Echo Lake Meats, LLC (Permittee), whose address is P.O. Box 2536, Soldotna, AK 99669, a Special Use Permit (Permit) for a vending machine inside the Kenai Municipal Airport terminal building subject to the requirements and the conditions set forth below.

- 1. Premises.** Permittee shall have the non-exclusive right to use an area in the terminal approximately 5 feet by 4 feet in size (20 SF)
- 2. Term.** The term of this Permit shall be for 12 months commencing on January 1, 2025 and ending on December 31, 2025. Regardless of the date of signature, this Permit shall be effective as of January 1, 2025.
- 3. Permit Fees.** Permittee shall pay the following fees for the privileges extended to Permittee under this Permit: In-terminal Concession Certified Activity Report attached. (Exhibit B)

The semi-annual fee for Fiscal Year 2025 from January 1, 2025 to June 30, 2025 for this permit is \$535.00 (\$53.50/SF/Year) plus applicable sales tax based on the City of Kenai Fee Schedule of Rates, Charges, and fees for Fiscal Year 2025.

The semi-annual fee for Fiscal Year 2026 from July 1, 2025 to December 31, 2025 for this permit is \$535.00 (\$53.50/SF/Year) plus applicable sales tax, adjusted for the published City of Kenai Fee Schedule of Rates, Charges and Fees for Fiscal Year 2026.

Payment shall be directed to City of Kenai, ATTN: Finance Department, 210 Fidalgo Avenue, Kenai, AK 99611 and a courtesy notice of payment provided to Airport Administration at 305 North Willow Street, Suite 200, Kenai, AK 99611. Failure to timely make the payment is grounds for termination of this Permit.

- 4. Use.** The use of the Premises by Permittee is for the purpose of placing a vending kiosk to sell meat and cheese products.

Use of the Premises by Permittee is subject to the reasonable administrative actions of the City of Kenai for the protection and maintenance of the Premises and of adjacent and contiguous lands or facilities and is further subject to the following conditions:

Permittee acknowledges that the use granted herein is subject to the Kenai Municipal Code and municipal regulations governing the Kenai Municipal Airport and as those laws and regulations may be amended from time to time.

Solicitation of donations or operation of a business or other commercial enterprise not contemplated by this Permit is prohibited without the written consent of City.

**5. Airport Operations.** Permittee shall ensure that the Permittee, its employees, their guests, and anyone else acting by, on behalf of, or under the authority of Permittee on the Airport, that perform any repairs or activities authorized under this Permit act in a manner that ensures the safety of people and the Airport, the protection of public health and the environment, and the safety and integrity of the Airport and any premises on the Airport. Permittee shall employ qualified personnel and maintain equipment sufficient for the purposes of this provision. The Permittee shall immediately notify City of any condition, problem, malfunction, or other occurrence that threatens the safety of the Airport, the safety of persons using the Airport, the public health or the environment, or the safety or integrity of any premises on the Airport.

**6. Inspection.** The Federal Aviation Administration (FAA) and/or City shall have the right and authority to inspect, at any time for any purpose whatsoever, the Premises as well as any and all equipment used by the Permittee under this Permit.

**7. Coordination with Airport Management.** Permittee shall abide by all reasonable decisions and directives of the Airport Management regarding general use of the Airport by Permittee germane to a commercial entity.

**8. Insurance.** Permittee shall secure and keep in force adequate insurance, as stated below, to protect City and Permittee. Where specific limits are stated, the limits are the minimum acceptable limits. If Permittee's insurance policy contains higher limits, City is entitled to coverage to the extent of the higher limits.

**A.** Commercial General Liability insurance, including premises, all operations, property damage, personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit. The policy must include an endorsement under which the insurer extends coverage to Permittee's fuel handling activities. The policy must name the City as an additional insured.

**B.** Worker's compensation insurance with coverage for all employees engaged in work under this Permit or at the Premises as required by AS 23.30.045. Permittee is further responsible to provide worker's compensation insurance for any subcontractor who directly or indirectly provides services to Permittee under this

Permit.

**C.** Commercial Automobile Coverage with not less than \$1,000,000 combined single limit per occurrence. This insurance must cover all owned, hired, and non-owned motor vehicles the Permittee uses on the Airport. The policy must name the City as an additional insured.

**D.** All insurance required must meet the following additional requirements:

- i. All policies will be by a company/corporation currently rated “A-” or better by A.M. Best.
- ii. Permittee shall submit to the City proof of continuous insurance coverage in the form of insurance policies, certificates, endorsements, or a combination thereof, and signed by a person authorized by the insurer to bind coverage on its behalf.
- iii. Permittee shall request a waiver of subrogation against City from Permittee’s insurer and the waiver of subrogation, where possible, shall be provided at no cost to City.
- iv. Provide the City with notification at least 30 days before any termination, cancellation, or material change in insurance coverage of any policy required hereunder.
- v. Evidence of insurance coverage must be submitted to City by January 1, 2025. The effective date of the insurance shall be no later than January 1, 2025.

City may increase the amount or revise the type of required insurance on written demand without requiring amendments to this Permit. City will base any increase or revision on reasonable and justifiable grounds. Within two weeks of the written demand, Permittee shall submit to City evidence of insurance coverage that meets the requirements of the City.

**9. Assumption of Risk.** Permittee assumes full control and sole responsibility as between Permittee and City for the activities of Permittee, its personnel, employees, and persons acting on behalf of or under the authority of the Permittee anywhere on the Airport. Permittee shall provide all proper safeguards and shall assume all risks incurred in its activities on and access to the Kenai Municipal Airport and its exercise of the privileges granted in this Permit.

**10. Indemnity, Defend, and Hold Harmless Agreement.** Permittee agrees to fully indemnify, defend, and hold harmless, the City of Kenai, its officers, agents, employees, and volunteers from and against all actions, damages, costs, liability, claims, losses, judgments, penalties, and expenses of every type and description, including any fees and/or costs reasonably incurred by the City's staff attorneys and outside attorneys and any fees and expenses incurred in enforcing this provision (hereafter collectively referred to as "Liabilities"), to which any or all of them may be subjected, to the extent such Liabilities are caused by or result from any negligent act or omission or willful misconduct of the Permittee in connection with or arising from or out of Permittee's activities on or use of the Premises, Permittee's access to the Kenai Municipal Airport, and/or Permittee's exercise of the privileges granted in this Permit. This shall be a continuing obligation and shall remain in effect after termination of this Permit.

**11. No Discrimination.** Permittee shall not discriminate against any person because of the person's race, creed, color national origin, sex, age, or handicap. Permittee recognizes the right of City to take any action necessary to enforce this requirement of the Permit. Permittee will furnish services provided under this Permit on a reasonable, and not unjustly discriminatory, basis to all users of the Airport and shall charge reasonable, and not unjustly discriminatory, prices for each product or service provided at the Airport.

**12. Licenses and Permits.** Permittee shall obtain and maintain all required federal, state, and local licenses, certificates, and other documents required for its operations under the Permit. Permittee shall provide proof of compliance to City upon request by the City.

**13. Compliance with Law/Grant Assurances.** This Permit, and Permittee's activities conducted under this Permit, is subject to all executive orders, policies and operational guidelines and all applicable requirements of federal, state, and City statutes, ordinances, and regulations in effect during the term of this Permit. Further, Permittee shall comply with all applicable requirements imposed on the Airport by federal law to ensure that the Airport's eligibility for federal money or for participation in federal aviation programs is not jeopardized. This Permit is subordinate to the City's grant assurances and federal obligations.

**14. No Exclusivity.** The privileges granted under this Permit are not exclusive to Permittee. City has the right to grant to others any right or privilege on the Airport.

**15. Assignment.** The privileges granted under this Permit are personal to Permittee and may not be assigned by Permittee.

**16. No Joint Venture.** City shall not be construed or held to be a partner or joint venturer of Permittee in the conduct of its business or activities on the Premises or elsewhere at the Kenai Municipal Airport.

**17. No Waiver.** Failure to insist upon a strict compliance with the terms, conditions, and requirements herein contained, or referred to, shall not constitute or be construed as a waiver or relinquishment of the right to exercise such terms, conditions, or requirements.

**18. Personal Property.** Permittee shall remove any and all personal property, including all vehicles, from the Premises at the termination of this Permit (or any renewal thereof). Personal property placed or used upon the Premises will be removed and/or impounded by the City, if not removed upon termination of this Permit and when so removed and/or impounded, such property may be redeemed by the owner thereof only upon the payment to the City of the costs of removal plus storage charges of \$25 per day. The City is not responsible for any damage to or theft of any personalty of Permittee or of its customers.

**19. Termination; Default.** This Permit may be terminated by either party hereto by giving fourteen (14) days advance written notice to the other party. City may terminate the Permit immediately, or upon notice shorter than fourteen (14) days, to protect public health and safety or due to a failure of Permittee to comply with conditions or terms of this Permit which failure remains uncured after notice by City to Permittee providing Permittee with a reasonable time period under the circumstances to correct the violation or breach.

**20. Definitions.** As used in this Permit, "Permittee" means Erick Watkins with Echo Lake Meats LLC, and where the context reasonably indicates, its officers, agents, and employees. "Airport" means the Kenai Municipal Airport.

**18. Janitorial and Cleaning Services.** Permittee will provide, at its own expense, the day-to-day janitorial cleaning services and supplies necessary to maintain the premises in a clean, neat, and sanitary condition.

**19. Security.** Permittee will adhere to all applicable responsibilities of the federal airport security program set out in Federal Aviation Regulations Part 107 and the Airport Master Security Program. Permittee will procure any required identification badges should it be necessary to access the premises or Permittee's operations authorized under this Permit.

**20. Smoking.** Neither the Permittee employees, nor customers may smoke in or around the terminal except in designated smoking areas.

**21. Employee Parking.** Employees may use non-exclusive employee vehicle parking spaces at no charge. All employees must register their vehicle(s) in the Airport Manager's office to receive a vehicle-parking permit to park while on the job. Permittee shall be held accountable for Permittee's employees' use of designated vehicle parking facilities and assure that employees comply with all Airport directives.

**22. Signs.** Permittee may, after consent by the Airport Manager, install signs at its premises identifying its business. Permittee will request the Airport Manager's advance written approval before installation of any signage.

**CITY OF KENAI**

By: \_\_\_\_\_  
Terry Eubank Date

**Erick Watkins, Echo Lake Meats,  
LLC**

By: \_\_\_\_\_  
Erick Watkins Date

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2024, the foregoing instrument was acknowledged before me by Terry Eubank, City Manager, of the City of Kenai, an Alaska municipal corporation, on behalf of the City.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2024, the foregoing instrument was acknowledged before me by Erick Watkins, Owner, Echo Lake Meats, LLC.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Scott Bloom  
City Attorney



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3446-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT FROM THE ALASKA FOOD COALITION TO THE KENAI SENIOR CENTER.

WHEREAS, the Alaska Food Coalition funds grants to member agencies involved in fighting hunger in Alaska; and,

WHEREAS, the Kenai Senior Center is a member of the Alaska Food Coalition and has received a grant of \$905; and,

WHEREAS, the funds will be used to purchase additional shelving for food storage; and,

WHEREAS, it is in the best interest of the City of Kenai to appropriate these grant funds for the purpose intended.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept a grant in the amount of \$905 and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

**Section 2.** That the following budget revision is authorized:

Senior Citizen Fund:

Increase Revenues –

Miscellaneous Grants \$905

Increase Appropriations –

Small Tools & Minor Equipment \$905

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 15<sup>TH</sup> DAY OF JANUARY, 2025.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

Ordinance No. 3446-2024  
Page 2 of 2

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_



Introduced:	December 18, 2024
Enacted:	January 15, 2025
Effective:	January 15, 2025



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Kathy Romain, Senior Center Director

**DATE:** December 12, 2024

**SUBJECT:** **Ordinance 3446-2024** – An Ordinance Accepting and Appropriating a Grant from the Alaska Food Coalition

---

The Kenai Senior Center is honored to receive a \$905 grant from the Alaska Food Coalition. These funds are designated for small-scale, capacity-building initiatives aimed at creating a lasting impact in the fight against food insecurity across Alaska. The grant will be utilized to purchase shelving to enhance food capabilities for the Senior Center.

Thank you for your consideration.



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Scott Bloom, City Attorney

**DATE:** December 11, 2024

**SUBJECT:** Certificate of Acceptance Notice

---

This Action/Approval item requests Council's approval of the City Manager executing the attached "Certificate of Acceptance Notice." Robert Ruffner, Planning Director at the Kenai Peninsula Borough will be available to explain from the Borough's perspective why the City should execute the certificate. My understanding is that a developer that previously developed a subdivision in the City is not satisfied that dedication of a right-of-way on a plat approved by the City and Borough is sufficient to convey title of the right-of-way to the City. The developer believes there may be some retained liability on his part with regard to the right-of-way. While it does not appear the developer's worries are supported by law or fact, from the perspective of the legal department, I do not see much risk in the City executing the Certificate, and it will apparently resolve a dispute for the Borough that has been consuming significant Borough resources.

## CERTIFICATE OF ACCEPTANCE NOTICE

The Kenai Peninsula Borough ("Borough") and the City of Kenai ("City") hereby file this notice of certificate of acceptance. This notice is being filed at the request of the abutting landowner for the purpose of providing said landowner peace-of-mind that the City previously accepted the dedications through the platting process for Plat 2015-25. Pursuant to state law, an offer of dedication is accepted upon official action by the platting authority and recordation of the plat. This Notice has no bearing on the validity of Plat 2015-25 nor any other approved and recorded plats within the Borough or City.

### Certificate of Acceptance

The undersigned official identified by name and title is authorized to re-accept and hereby confirms re-acceptance on behalf of the City of Kenai for public uses and for public purposes of the real property dedicated by the Plat including easements, rights-of-way, alleys, and other public areas shown on Kee's Tern Subdivision Phase 1, According to Plat 2015-25, Kenai Recording District, State of Alaska and identified as follows:

Beginning at the brass cap monument found at the Northwest corner of said Plat;  
 Thence N89°59'30"E, a distance of 30.00 feet;  
 Thence South, a distance of 102.71 feet;  
 Thence N90°00'00"W, a distance of 30.00 feet to the center line of N. Fern Street;  
 Thence N00°02'31"W, a distance of 102.71 feet to the point of beginning;  
 Containing 0.07 acre, more or less.

The acceptance of lands for public use or public purpose does not obligate the public nor any governing body to construct, operate, or maintain improvements. If there is any discrepancy or conflict between this certificate and Plat 2015-25, Plat 2015-25 controls.

\_\_\_\_\_  
 By: Terry Eubank,  
 Title: City Manager, City of Kenai

Date: \_\_\_\_\_

\_\_\_\_\_  
 By: Peter A. Micciche  
 Title: Mayor, Kenai Peninsula Borough

Date: \_\_\_\_\_



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Terry Eubank, City Manager

**DATE:** December 10, 2024

**SUBJECT:** Discussion/Approval - Scheduling a Joint Work Session with the Kenaitze Indian Tribe

---

The Administration has contacted the Kenaitze Indian Tribe regarding scheduling a joint work session. The Tribal Council has selected Wednesday, January 15, at 3:00 p.m. as their preferred date, with January 16, at 6:00 p.m. as a secondary option.

The purpose of this session is to facilitate discussions on mutual interests and explore opportunities for future collaboration. Previous topics have included the Kenai Waterfront Revitalization, Old Town Playground refurbishment, grant opportunities, coordination between Tribal Security and the Kenai Police Department, and supporting Tribal activities. The Tribe will finalize additional discussion items at their meeting on December 19.

This session is proposed to take place at the Kenai Visitor and Cultural Center on January 15, 2025, from 3:00 p.m. to 5:00 p.m. If the City Council is available, we will work with the Tribe to finalize the agenda.

Thank you for your consideration.

**KENAI COUNCIL ON AGING – REGULAR MEETING  
NOVEMBER 14, 2024 – 3:00 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611  
CHAIR KEN AYERS, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Council on Aging was held on November 14, 2024, at the Kenai Senior Center, Kenai, AK. Chair Ayers called the meeting to order at approximately 3:00 p.m.

**1. Pledge of Allegiance**

Chair Ayers led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Ken Ayers, Chair  
Velda Geller  
Jim Glendening

Rachael Craig, Vice Chair  
William Sadler  
Kit Hill

A quorum was present.

Absent:

Frances Kilfoyle

Barbara Modigh

Also in attendance were:

Kathy Romain, Senior Center Director  
Henry Knackstedt, City Council Liaison  
Lee Frey, Public Works Director

**3. Agenda Approval**

**MOTION:**

Commissioner Glendening **MOVED** to approve the agenda as presented. Commissioner Hill **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**B. SCHEDULED PUBLIC COMMENTS - None.**

**C. UNSCHEDULED PUBLIC COMMENTS - None.**

**D. APPROVAL OF MINUTES**

1. September 12, 2024

**MOTION:**

Commissioner Glendening **MOVED** to approve the September 12, 2024 Council on Aging minutes. Vice Chair Craig **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**E. UNFINISHED BUSINESS** – None.

**F. NEW BUSINESS**

1. **Discussion/Recommendation** - Recommending Council Consideration of Council on Aging Commission FY2026 - FY2030 Capital Improvement Project Priority List.

**MOTION:**

Commissioner Glendening **MOVED** to recommend City Council approval of the Council on Aging Commission FY2026 - FY2030 Capital Improvement Project Priority List. Commissioner Hill **SECONDED** the motion.

Director Romain gave a staff report from information provided in the packet. Discussion followed on the information provided.

**UNANIMOUS CONSENT** was requested on the motion.

**VOTE:** There being no objection; **SO ORDERED.**

2. **Discussion/Recommendation** - Recommending Council Investigate the Need for Additional Senior Housing.

Chair Ayers mentioned he would like to table this motion as it was not written correctly. Discussion followed that the Commission would like to investigate additional senior housing.

**MOTION:**

Commissioner Glendening **MOVED TO TABLE** the item and Commissioner Craig **SECONDED** the motion. There was no discussion on the motion.

**VOTE:** There being no objection; **SO ORDERED.**

*[Clerk's Note: A motion to Lay on the Table is a subsidiary motion and is only in order when a main motion is on the floor. The motion to Table was out of order as there was no main motion on the floor; this item will be forwarded to the next agenda as Unfinished Business which was not take up on the agenda in which it was originally placed.]*

3. **Discussion** - Review 2024 Council on Aging Work Plan and selection of Member to Draft the 2024 Work Plan Final Report.

Chair Ayers reviewed a work plan regarding the proposed Council on Aging website.

Commissioner discussion followed with suggestions as follows:

- "Bring a Friend to Lunch" be layered with activities.
- Add the Senior Center website to the existing City website.
- Senior Housing: Vice Chair Craig discussed the cost of moving out of state and what can the City do to promote senior living.
- Research assistance, i.e. intergenerational programs. Note those currently active and identify other opportunities. A letter was written to various educational programs and will be clarified by the City Clerk.

Chair Ayers requested a motion to approve a Council on Aging member attend a City Council meeting for the purpose of speaking to the Council regarding the Council on Aging's interest in exploring additional senior housing in the City of Kenai. He volunteered to do this.

**MOTION:**

Commissioner Glendening **MOVED** to approve Chair Ayers attending a City Council meeting for the purpose of addressing the City Council regarding the Council on Aging exploring additional senior housing in the City of Kenai. Vice Chair Craig **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**MOTION:**

Chair Ayers **MOVED** to prepare a report and provide it to the City Council in January with Commissioner Glendening presenting the report to Council. Vice Chair Craig **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**G. REPORTS**

1. Senior Center Director – Director Romain reported on the following:
  - Reviewed the September 30, 2024 Borough Quarterly Report and August and October 2024 Senior Center Monthly Reports which were included in the packet.
  - Announced a new exercise program in coordination with the City of Kenai Parks and Recreation.
2. Commission Chair – Chair Ayers reported on the following:
  - He would be meeting with Director Romain to coordinate the efforts related to the items discussed at this meeting.
  - His term on the Council on Aging would end in January.
3. City Council Liaison – Council Member Knackstedt reported on the recent actions of the City Council.

**H. ADDITIONAL PUBLIC COMMENTS – None.**

**I. NEXT MEETING ATTENDANCE NOTIFICATION – December 12, 2024**

**J. COMMISSION QUESTIONS AND COMMENTS**

Commissioner Geller asking about the packet being mailed to the correct address.

Commissioner Glendening thanked Vice Mayor Knackstedt for his interest in being liaison to the Council on Aging.

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS**

1. 1st Quarter Report to Kenai Peninsula Borough
2. August & September Monthly Report

There being no further business before the Council on Aging, the meeting was adjourned at 4:20 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of November 14, 2024.

---

Meghan Thibodeau  
Deputy City Clerk

**KENAI AIRPORT COMMISSION – REGULAR MEETING  
DECEMBER 12, 2024 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR GLENDA FEEKEN, PRESIDING**

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**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Airport Commission was held on December 12, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:02 p.m.

**1. Pledge of Allegiance**

Chair Feeken led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Glenda Feeken, Chair  
James Bielefeld  
Dan Knesek

Paul Minelga, Vice Chair  
James Zirul

A quorum was present.

Absent:

Cody Whicker

Jacob Caldwell

Also in attendance were:

Derek Ables, Airport Manager  
Sarah Conley, Airport Administrative Assistant  
Deborah Sounart, City Council Liaison  
\*\*Joshua Bolling, Student Representative

**3. Agenda Approval**

**MOTION:**

Commissioner Bielefeld **MOVED** to approve the agenda as presented. Commissioner Zirul **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**B. SCHEDULED PUBLIC COMMENTS - None.**

**C. UNSCHEDULED PUBLIC COMMENTS - None.**

**D. APPROVAL OF MINUTES**

**1. November 14, 2024 Regular Meeting Minutes**

**MOTION:**

Vice Chair Minelga **MOVED** to approve the November 14, 2024 Airport Commission minutes. Commissioner Bielefeld **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**E. UNFINISHED BUSINESS** – None.

**F. NEW BUSINESS**

1. **Discussion** - 2024 Annual Work Plan Report

Airport Manager Ables gave a staff report from information provided in the packet; a typo was noted in the Annual Report Template.

2. **Discussion** – 2025 Annual Work Plan Goals

Airport Manager Ables gave a staff report from information provided in the packet; there was general consensus that the Commission will keep the same work plan goals in 2025.

3. **Discussion/Recommendation** – Approval of the Special Use Permit to Echo Lake Meats for the use of 20 square feet of space in the Airport Terminal.

**MOTION:**

Commissioner Zirul **MOVED** to recommend City Council approval of the Special Use Permit to Echo Lake Meats for the use of 20 square feet of space in the Airport Terminal. Commissioner Knesek **SECONDED** the motion.

Airport Manager Ables gave a staff report from information provided in the packet.

**UNANIMOUS CONSENT** was requested on the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**G. REPORTS**

1. Airport Manager – Airport Manager Ables reported on the following:

- Brothers Café's last day operating at the Airport terminal is December 23, 2024.
- Debbie's Bistro plans to open as the new restaurant in the Airport terminal; an Intent to Award was issued to them.

2. Commission Chair – No report.

3. City Council Liaison – Council Member Sounart reported on recent actions of the City Council.

**H. ADDITIONAL PUBLIC COMMENTS** – None.

**I. NEXT MEETING ATTENDANCE NOTIFICATION** – January 9, 2025

**J. COMMISSION QUESTIONS AND COMMENTS**

Chair Feeken and Vice Chair Minelga noted that they would like to see the terminal conference room used more.

Vice Chair Minelga and Commissioner Bielefeld noted that they would like to examine the helicopter landing fee.

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS**

1. Airport Administrative Report

There being no further business before the Airport Commission, the meeting was adjourned at 6:25 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of December 12, 2024.

---

Meghan Thibodeau  
Deputy City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast last in the roll call order and shall not affect the outcome of the official commission vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a commission meeting.*

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
DECEMBER 11, 2024 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JOE HALSTEAD, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on December 11, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Halstead led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Joe Halstead, Chair  
Glenese Pettey  
Gwen Woodard

Jeff Twait, Vice Chair  
Sonja Earsley

A quorum was present.

Absent:

Diane Fikes

Stacie Krause

Also in attendance were:

Kevin Buettner, Planning Director  
Deborah Sounart, City Council Liaison  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Commissioner Pettey **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Halstead opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED.**

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of November 13, 2024

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS - None.**

**D. UNSCHEDULED PUBLIC COMMENTS - None.**

**E. CONSIDERATION OF PLATS**

1. **Resolution No. PZ2024-24** – Recommending Approval of Preliminary Plat – FBO Subdivision 2024 Addition for a Replat of Lots 5A and 5B of FBO Subdivision No. 10 Located in the Airport Light Industrial (ALI) Zoning District.

**MOTION:**

Vice Chair Twait **MOVED** to approve Resolution PZ2024-24. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2024-24, and explained the purpose of the plat was to merge two plats into one so that setback requirements can be met for future development; it was noted that staff's recommendation is approval.

Commissioner Pettay expressed support; further clarification was provided that Edge Surveying recommended the replat on behalf of another private company.

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED.**

**F. PUBLIC HEARINGS – None.**

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** – Requesting an Excused Absence for the November 13, 2024 Regular Meeting – Krause

Approved by the consent agenda.

**I. REPORTS**

2. Commission Chair – Noted the dangerous road conditions due to weather; encouraged the Commissioners to meet an attending member of the public who was interested in Planning & Zoning.
1. Planning Director – Planning Director Buettner reported on the following:
  - The regular meeting of December 26, 2024 is cancelled due to lack of agenda items.
  - Upcoming business in the new year for the Planning & Zoning Commission will include recommendations for code amendments.
3. Kenai Peninsula Borough Planning – No report.
4. City Council Liaison – Council Member Sounart reported on recent actions and activities of the City Council.

**J. ADDITIONAL PUBLIC COMMENT – None.**

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: January 8, 2025

Commissioner Earsley noted she would be absent.

**L. COMMISSION COMMENTS AND QUESTIONS****M. PENDING ITEMS – None.****N. ADJOURNMENT****O. INFORMATIONAL ITEMS – None.**

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:11 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of December 11, 2024.

---

Meghan Thibodeau  
Deputy City Clerk

**KENAI BEAUTIFICATION COMMISSION – REGULAR MEETING  
NOVEMBER 19, 2024 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR SARAH DOUTHIT, PRESIDING**

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**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Beautification Commission was held on November 18, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Douthit called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Chair Douthit led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Sarah Douthit, Chair  
Brittney Hoffert

Emily Heale  
Samantha Springer

A quorum was present.

Absent:

Terri Wilson  
Sonja Earsley

Christina Warner, Vice Chair

Also in attendance were:

Tyler Best, Parks & Recreation Director  
Victoria Askin, City Council Liaison

**3. Agenda Approval**

**MOTION:**

Commissioner Hoffert **MOVED** to approve the agenda as presented. Commissioner Springer **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**B. SCHEDULED PUBLIC COMMENTS - None.**

**C. UNSCHEDULED PUBLIC COMMENTS - None.**

**D. APPROVAL OF MINUTES**

1. May 14, 2024

**MOTION:**

Commissioner Heale **MOVED** to approve the May 14, 2024 Beautification Commission minutes. Commissioner Hoffert **SECONDED** the motion.

**VOTE:** There being no objection; **SO ORDERED.**

**E. UNFINISHED BUSINESS – None.**

## F. **NEW BUSINESS**

1. **Discussion** - Review and work plan goals and prepare a report for the council.

Director Best gave a staff report from information provided in the packet; clarification was provided on the current status of projects; Plant Day was suggested as a future goal of the Commission.

Chair Douthit volunteered to write the report for Council.

2. **Discussion**– Review Flower order for FY25

Director Best gave a staff report from information provided in the packet; discussion followed and the Commission provided suggestions for colors and patterns for planting.

3. **Discussion** – Winter tour date

Director Best reported on the winter decor the Parks & Recreation Department have installed; the Commission scheduled the Winter Tour for December 3, 2024.

4. **Discussion/Recommendation** – Capital Improvement Plan Priority list

### **MOTION:**

Commissioner Hoffert **MOVED** to recommend City Council approval of the Capital Improvement Plan Priority list. Commissioner Springer **SECONDED** the motion.

Director Best gave a staff report from information provided in the packet; Commission discussion followed.

**UNANIMOUS CONSENT** was requested on the motion.

**VOTE:** There being no objection; **SO ORDERED**.

## G. **REPORTS**

1. Parks & Recreation Director – Director Best reviewed the Midmonth Reports as provided in the packet.
2. Commission Chair – Chair Douthit discussed the little free library on Forest Drive; expressed appreciation for City décor.
3. City Council Liaison – Council Member Askin reported on the recent actions of the City Council.

## H. **ADDITIONAL PUBLIC COMMENTS** – None.

## I. **NEXT MEETING ATTENDANCE NOTIFICATION** – January 14, 2025

Commissioner Heale noted that she may be absent or attending remotely.

## J. **COMMISSION QUESTIONS AND COMMENTS**

Commissioner Hoffert discussed commissioner term reappointments.

Commissioner Heale noted she hoped to attend the Winter Tour.

## K. **ADJOURNMENT**

## L. **INFORMATIONAL ITEMS**

1. September Mid-month report
2. October Mid-Month Report

There being no further business before the Beautification Commission, the meeting was adjourned at 7:08 p.m.

I certify the above represents accurate minutes of the Beautification Commission meeting of November 19, 2024.

---

Meghan Thibodeau  
Deputy City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast last in the roll call order and shall not affect the outcome of the official commission vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a commission meeting.*



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** Derek Ables, Airport Manager

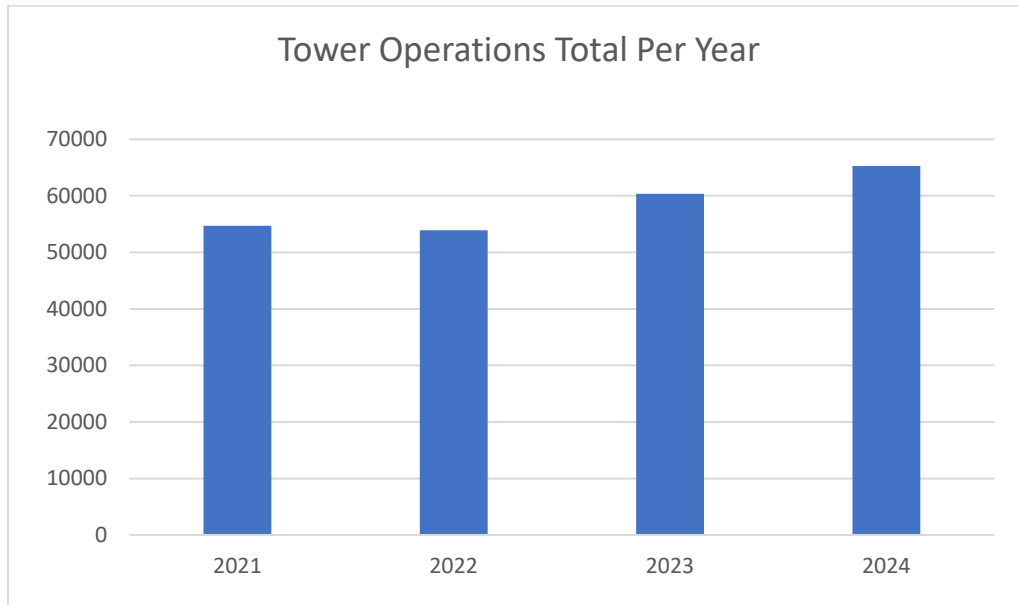
**DATE:** December 9, 2024

**SUBJECT:** **Airport Mid-month Report November 2024**

---

Second Annual FAA Alaska Office of Airports National Environmental Policy Act Workshop- Airport Management attended this workshop in Anchorage on November 6<sup>th</sup>. The workshop covered a range of essential topics designed to enhance environmental compliance at the airport. Key discussions included updates on NEPA and the Council on Environmental Quality, with a focus on climate change analysis and environmental justice. Participants reviewed upcoming changes to FAA Order 1050, updated air quality guidance, and explored the latest resources available on the FAA NEPA website, including the most current handbook. Additional sessions provided insights into the process for categorical exclusions, screening criteria for environmental assessments, and best practices for NHPA/Section 106 consultations, featuring project examples and effective planning strategies.

Winter Hiring- To enhance operational efficiency and ensure passenger safety during the winter season, the airport has hired seven temporary employees and two seasonal winter employees. These individuals underwent a training program tailored to meet Federal Aviation Administration (FAA) compliance standards, ensuring they are fully equipped to uphold the highest levels of safety and operational excellence. The training covered a range of essential topics, including airport security protocols, emergency response procedures, all designed to align with FAA regulations and guidelines. This initiative reflects the airport's proactive approach to managing seasonal demands while maintaining its commitment to safety, compliance, and exceptional passenger experiences. By integrating these well-trained team members into its workforce, the airport is prepared to ensure smooth operations throughout the winter season.



Year	2021	2022	2023	2024
January	3709	2882	4009	4927
February	3196	3117	2965	4313
March	3908	4069	4874	5192
April	4762	4697	4957	6022
May	5306	5472	6786	6297
June	6872	6072	5660	6998
July	5313	5654	6337	6991
August	5747	5020	6007	7602
September	5218	5215	5950	6118
October	3990	5312	5724	5710
November	3636	3517	3404	5140
December	3018	2907	3699	
<b>Total</b>	<b>54675</b>	<b>53934</b>	<b>60372</b>	<b>65310</b>





# KENAI

City of Kenai - Animal Control | 510 N. Willow St, Kenai, AK 99611 | 907.283.7353 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**THROUGH:** Dave Ross, Police Chief

**FROM:** Juliana Scherma, Animal Control Chief

**DATE:** December 8th, 2024

**SUBJECT:** November 2024 Monthly Report

This month the Kenai Animal Shelter took in 24 animals.

DOGS:				
	INTAKE	12	DISPOSITION	13
	Waiver	1	Adopted	7
	Stray	9	Euthanized	1
	Impound	0	Claimed	5
	Protective Custody	1	Field Release	0
	Quarantine	1	Transferred	0
CATS:				
	INTAKE	11	DISPOSITION	13
	Waiver	8	Adopted	8
	Stray	3	Euthanized	2
	Impound	0	Claimed	0
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	3

OTHER ANIMALS:				
	INTAKE	1	DISPOSITION	1
	Chinchilla	1	Chinchilla	1
DOA:			OTHER STATISTICS:	
	Dog	5	Licenses (City of Kenai Dog Licenses)	8
	Cat	1	Rabies Clinic	0
	Rabbit			
	Bird			

2 Animal dropped with After Hours (days we are closed but cleaning and with KPD)  
 24 Field Investigations & patrols  
 6 Pet Food Bank Request  
 0 Volunteer Hours Logged  
 3 Citations  
 0 Educational Outreach  
 15 Microchips

Total Animal Contacts:

15 Animals are *known* borough animals  
 17 Animals are *known* City of Kenai  
 7 Animals are *known* City of Soldotna  
 1 Animals are *unknown* location

Statistical Data:

457 2022 YTD Intakes  
 501 2023 YTD Intakes  
 352 2024 YTD Intakes

During November, notable efforts were made to enhance community engagement and awareness about adoptable animals. We partnered with the Kenai Recreation Center and the Kenai Library to help promote our adoptable animals. We also increased our social media presence in hopes of engaging a broader audience interested in supporting animal adoption and welfare initiatives. And finally, we solidified a partnership with Clear Creek Cat Rescue to help reduce the number of feral cats within our shelter population, thus improving our overall shelter outcomes and making an impactful stride in animal rescue efforts.





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Dave Swarner, Finance Director

**DATE:** December 11, 2024

**SUBJECT:** Finance Department Mid-Month Report – November 2024

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The department's is focused on preparation of the City's Annual Comprehensive Financial Report. This process includes closing of the FY24 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. The auditors are scheduled to be here the week of December 16<sup>th</sup>.

Preparation for the FY26 annual budget has begun with a work session on December 4<sup>th</sup> with Council. The purpose of the December 4<sup>th</sup> meeting was to establish the goals for the FY2026 budget. Historical and future projections will be provided to departments in December to assist in their budget preparation and much work takes place in putting this information together.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Jay Teague, Fire Chief

**DATE:** December 10, 2024

**SUBJECT:** Fire Department Mid-Month Report – November.

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For November, we experienced a 9.5% call volume increase from the previous year:

November	2023	2024	% change
Month totals	137	108	-21.2%
EMS	108	89	-17.6%
All Other	29	19	-34.5%
Year total	1442	1408	-2.4%

### Training:

- Capt. Summers and FF Lehl attended Fire Instructor II training.
- Carlile Transportation provided vehicle familiarization and hazardous cargo training. Will finish training all personnel in December.
- Engineer Nabinger and FF Turkington represented Kenai at EMS Symposium in Anchorage.

### Projects/Grants/Misc:

- Coordination for EMS training for new hire Brenden Alberts
- Completed review of 2025 Medical Operations Manual for Kenai EMS response
- AFG Grant research and projects assigned for submission in December(2 projects: Ambulance Power Load Systems and Tower Truck replacement).
- IDEA homeschool tours conducted in Station 1
- Personnel reassignments take effect first week of December to balance Paramedic staffing after round of promotions and new hire.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Stephanie Randall, Human Resources Director  
**DATE:** December 10, 2024  
**SUBJECT:** Human Resources Activity – November 2024

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### Recruitment

- **Airport:** Onboarded two seasonal and eight temporary equipment operators to support winter operations.
- **Public Works:** Successfully promoted Eric Jean, formerly the City's Utility Foreman to the Assistant Public Works Director position. Recruitment is now underway to fill the Utility Foreman role.
- **Parks and Recreation:** Successfully hired a Recreation Center Attendant and the department is in the process of interviewing candidates for two additional open positions.
- **Fire Department:** Completed interviews and extended an offer to a new firefighter.
- **Police Department:** Actively recruiting for two Police Officer positions, with several candidates currently in the interview phase.

### Safety

Two accidents were reported in November. There were no employee injuries.

### Special Projects

Human Resources worked with the City's health and life insurance benefits broker, Parker Smith & Feek to provide information to employees during this year's benefits open enrollment period. The active enrollment period ran from November 12-22 and offered employees a choice between two options for Medical, Prescription Drug, Vision and Dental plans through Premera, Blue Cross Blue Shield; Additional offerings included Voluntary Life/AD&D coverage, additional supplemental coverages offered through Lincoln Financial, and Flexible Spending Accounts (FSA's).

The City also hosted the following informative sessions for employees in November:

- **457(b) Retirement Plan:** Our retirement plan specialist, Jeff Spindle, from Mission Square delivered a presentation on the "Basics of the 457(b) Retirement Plan" and held one-on-one consultations afterward.
- **Employee Benefits:** Parker Smith & Feek visited City Hall to present the new plan options and review the full range of benefits available.

# MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** Katja Wolfe, Library Director

**DATE:** December 5, 2024

**SUBJECT:** Library Report for November 2024

## SERVICES



**4705** Visitors  
**50** New Members



**423** Computer Sessions  
**4926** WiFi Sessions



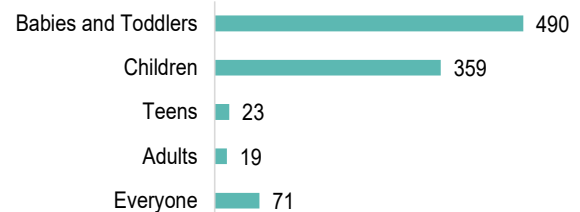
**129** Room Reservations  
**259** Hours of Use

## PROGRAMS AND EVENTS

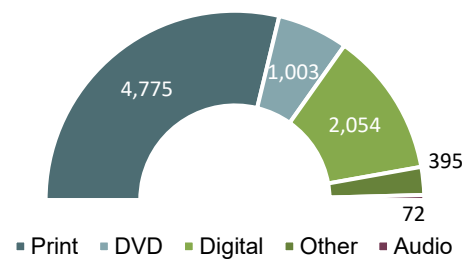
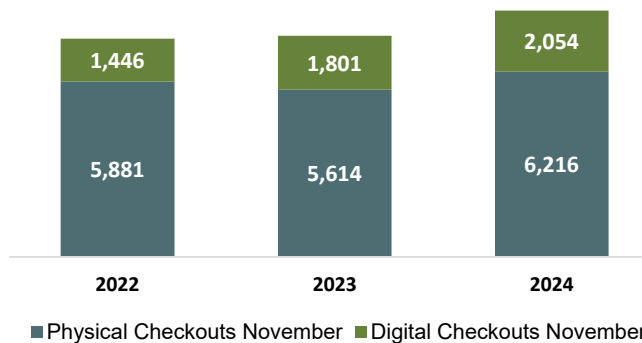


**962** Participants  
**48** Programs

### Program Attendance



## CIRCULATION





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tyler Best, Parks and Recreation Director

**DATE:** November 12th, 2024

**SUBJECT:** Mid-Month Report-November

Parks staff has been working hard to hang Christmas lights and displays throughout the city to create a festive atmosphere for the "Christmas Comes to Kenai" celebration and the Holiday Season. The Staff's new favorite is the fish on the Christmas tree in front of City Hall!

The Parks team has begun grooming ski trails for winter recreation, maintaining walking trails at Municipal Park and the skating area at Daubenspeck Pond. These efforts provide diverse opportunities for outdoor activities during the season. The Ski trails were in excellent condition until this warm weather hit, which posed some maintenance challenges, leaving the ski trails in poor condition and the pond unsuitable for skating. Despite these obstacles, the Parks team is doing its best to keep them accessible.

Weekly trail updates are provided to the community via social media and the city website. ( see an example below). Additionally, on the Parks and Recreation social media and website, there has been a promotion for the Adopt a Hydrant program, where residents can adopt a hydrant and keep it clear of snow throughout the winter. ( see the form attached)

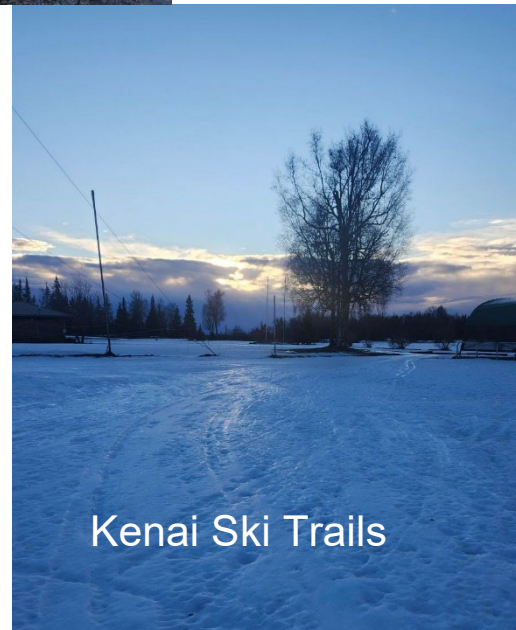
Preparations for next year's City League Basketball program are progressing steadily. Schedules are being finalized, and team coordination is underway. The player and coach meetings are in November, and the next one is planned for December. The league starts around mid-January.

### Rec Center Visits November

Weight Room/Cardio Room	1219
Racquetball /Wallyball	313
Shower/Sauna	63
Gymnasium	1498
Gym Rental Visits	1306
<b>Total Number of Visits</b>	<b>4485</b>



Municipal Park Walking  
Trails

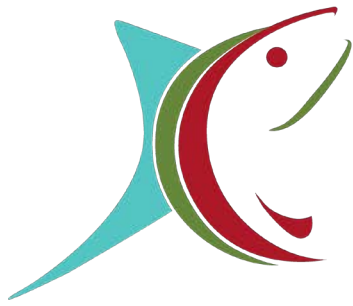


Kenai Ski Trails

Municipal Park Walking Trails are in poor condition due to recent rain and temperature fluctuations. Expect patches of slippery ice and exposed ground or gravel sections with no snow cover.

Conditions at Kenai Ski Trails are similarly poor, and use is not recommended. The snow is soft and nearly at ground level due to the rain. Grooming is currently on hold until conditions improve.





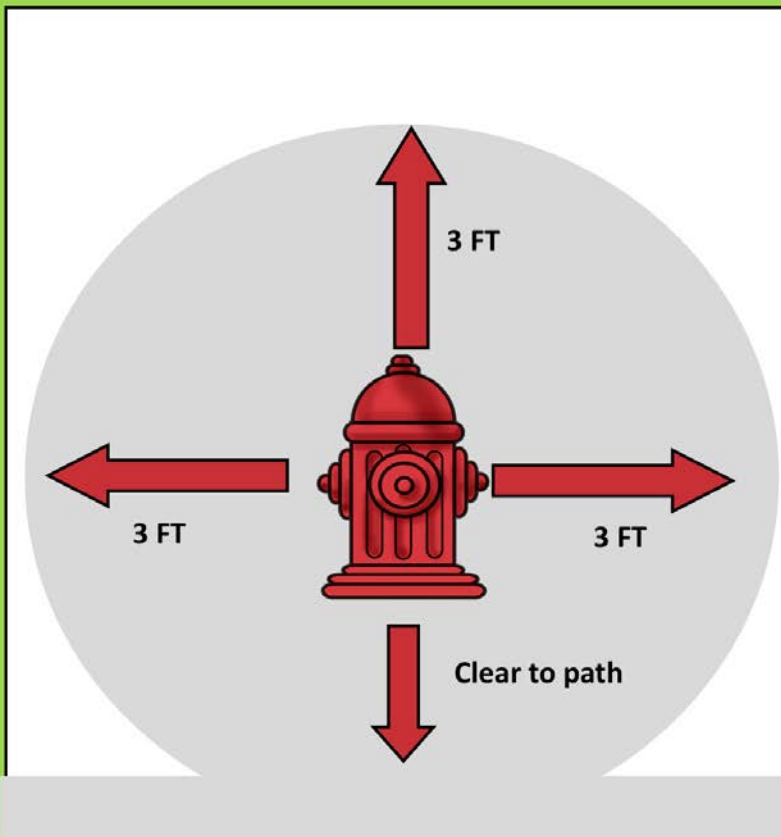
# KENAI

## City of Kenai

### Adopt-A-Hydrant Program

Do you want to serve your community? Then this may be the perfect program for you. During the Winter months, the City of Kenai has over 500 fire hydrants to maintain and to keep clear of snow. The City works hard to keep hydrants clear, but with the large snowfalls that can happen it can be difficult to maintain. We are asking for your help in this endeavor to adopt a fire hydrant. By adopting a fire hydrant, you will be helping emergency services locate and use these hydrants quicker and safer in case of winter emergencies!

#### City of Kenai Adopt-A-Hydrant



- Do not use a snowblower they can damage the hydrants
- Clear a path to the hydrant
- Clear a 3 feet around the whole hydrant!
- clear snow and ice off of the hydrant





What do you need to do?

Locate and identify a hydrant, fill out the form below and send it to the Parks and Recreation Department at [Parks@kenai.city](mailto:Parks@kenai.city) or bring it to the Kenai Recreation Center at 227 Caviar, Kenai, Alaska 99669. Questions call the parks department at 907-283-8262.

Then every time it snows, we ask that you check your hydrant and make sure it is clear of snow, as shown in the above graphic on the front page.

Name: \_\_\_\_\_

Business: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Hydrant Location:

\_\_\_\_\_

\_\_\_\_\_

# Public Inquiries

December 09, 2024 | 10:18:54

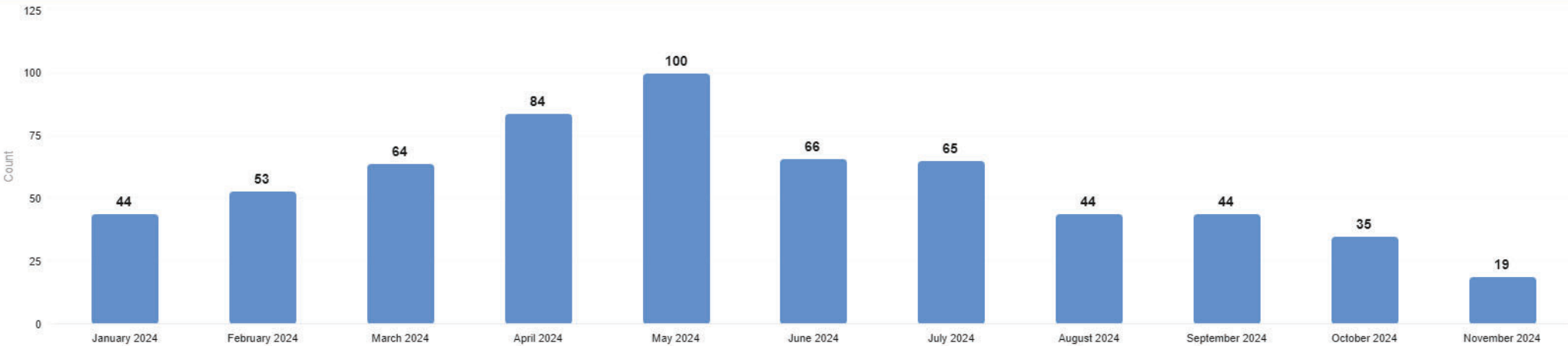
Average Days to Respond to a Public Inquiry

1.765

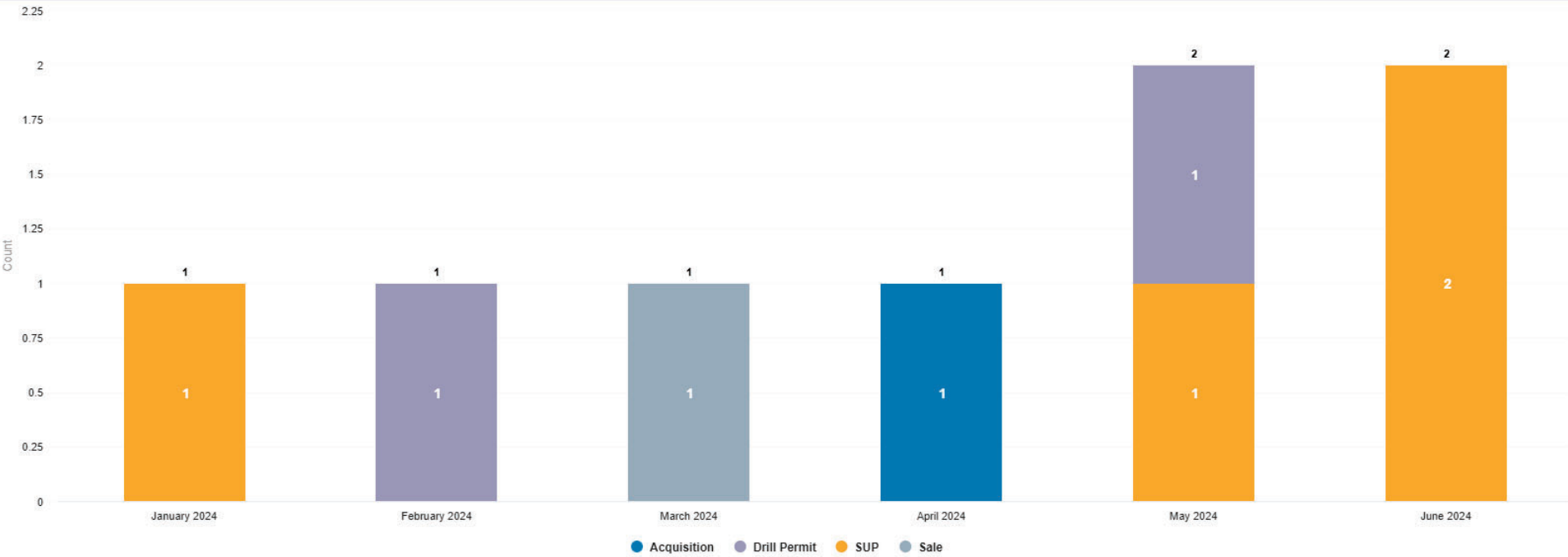
No. of Public Inquiries

19

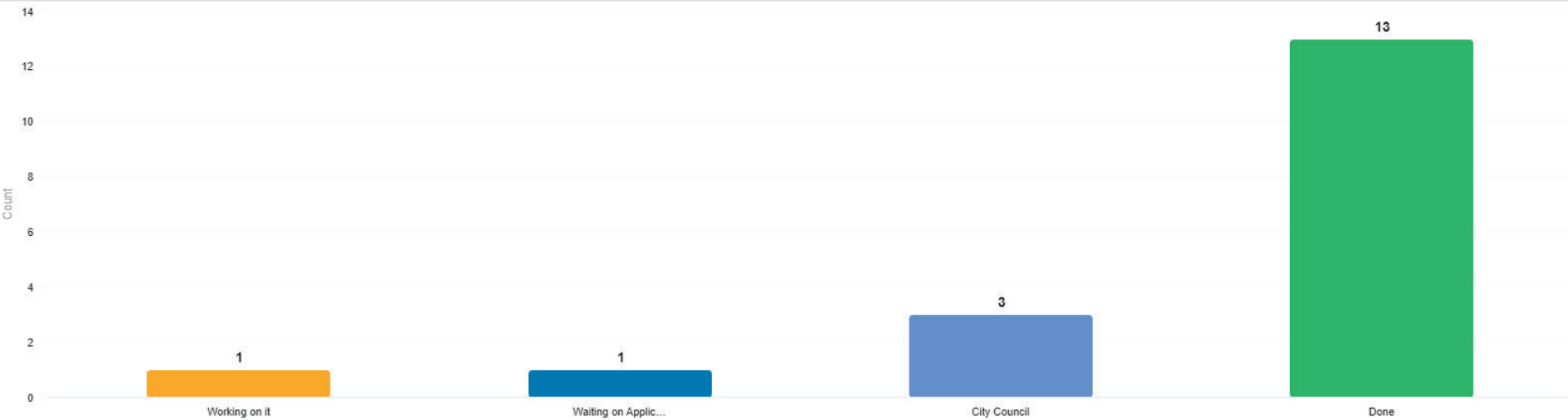
Year-to-Date: No. of Public Inquiries by Month



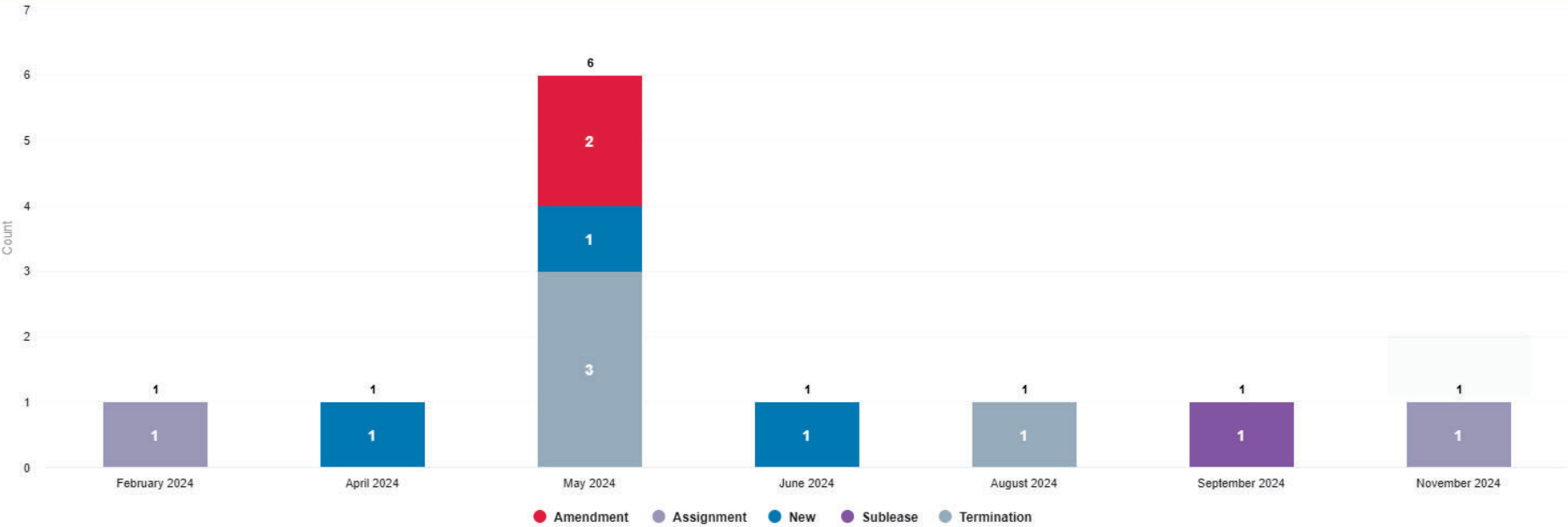
YTD Land Applications



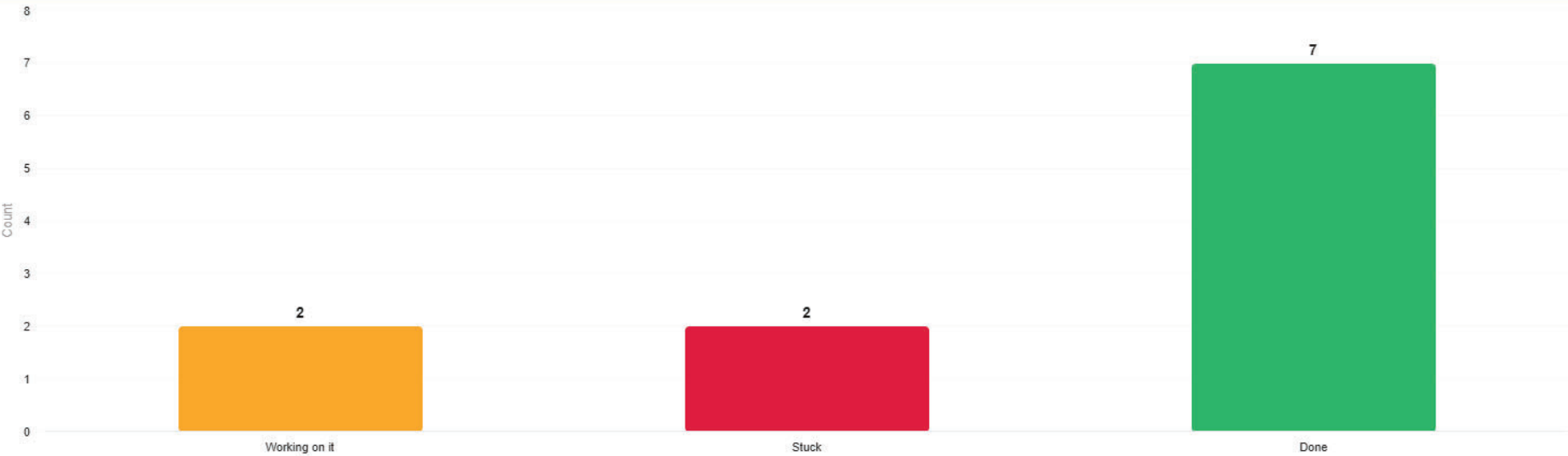
Application Status



YTD Lease Applications



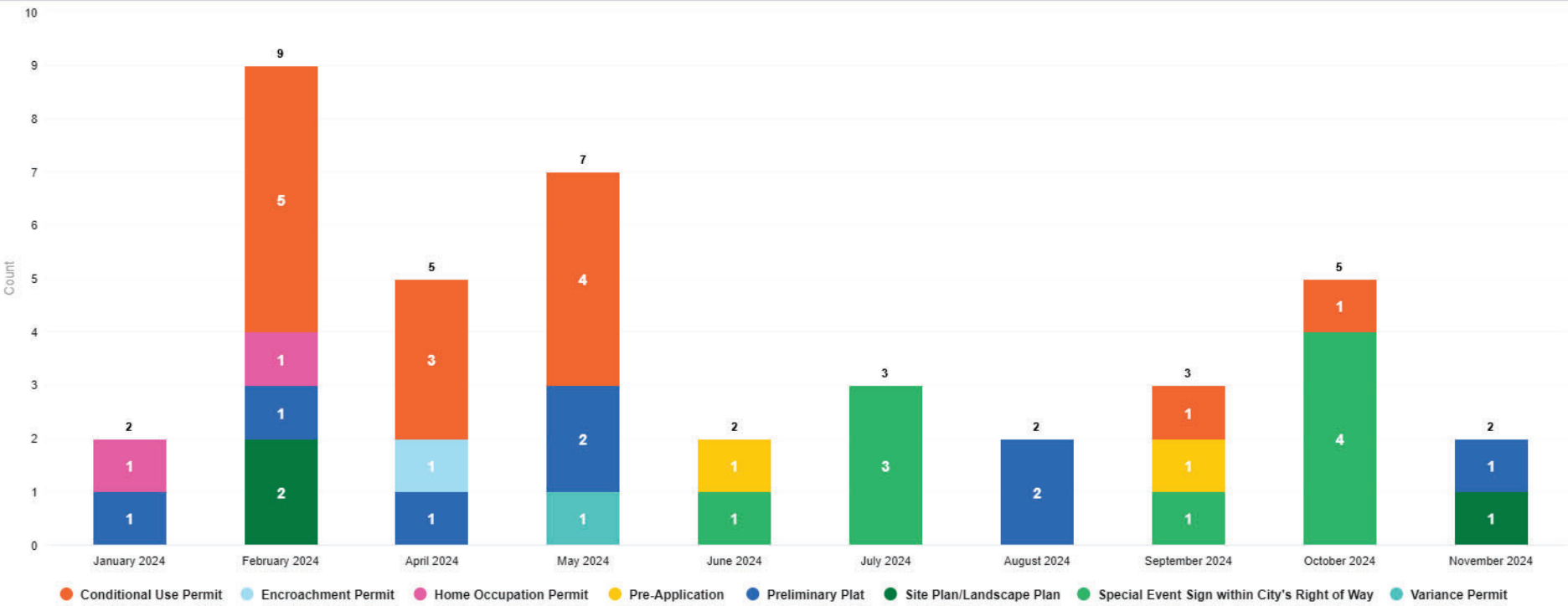
Status



# Project Planning

December 09, 2024 | 10:14:39

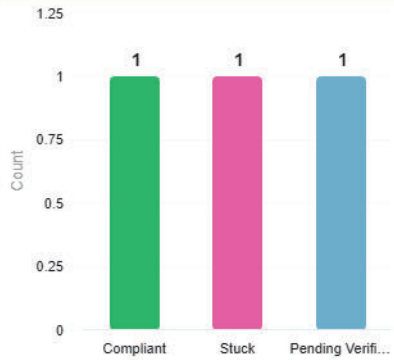
YTD Planning Applications



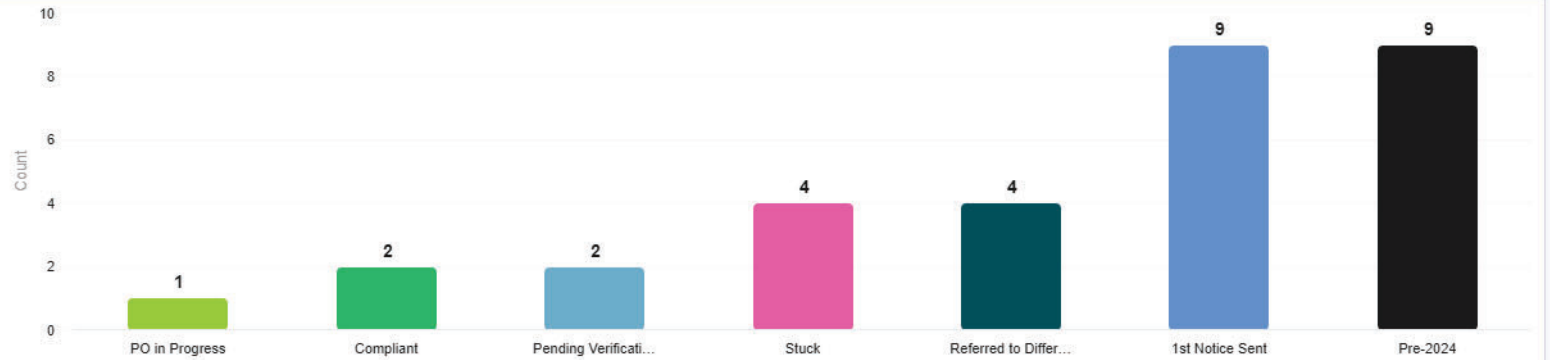
# Complaints

December 09, 2024 | 10:45:04

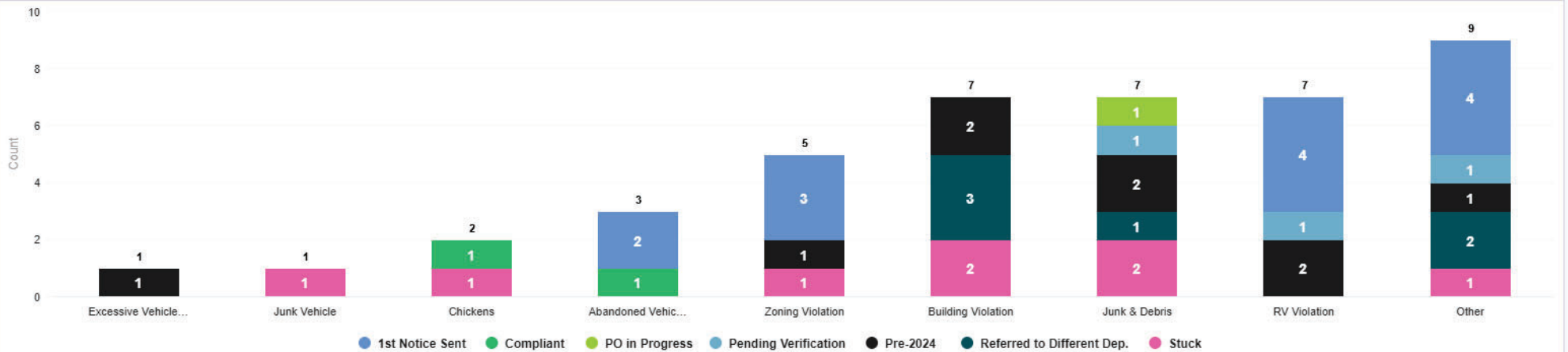
Last Month



Case Status



Cases by Violation Type (Can Overlap)





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**THROUGH:** Kevin Buettner, Planning Director

**FROM:** Beth McDonald, Planning Assistant

**DATE:** December 10, 2024

**SUBJECT:** Planning and Zoning – November 2024 Monthly Report

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### General Information

- The Planning staff are finalizing a Request for Proposals for 2025 City-owned land appraisal services, to be completed in Spring 2025.
- The Planning department, in conjunction with the City Attorney and City Manager, are developing a new Code Enforcement policy with an associated timeline to ensure timely and consistent responses to code violations received by the City.
- The Planning Director has been named as the city representative to the KPEDD board.
- Planning staff are continuing to review planning policies and procedures to reduce the paperwork burden on residents, business owners, and prospective business owners and to maintain compliance with the zoning code and consistency with the comprehensive plan.

### Public Inquiry

See attached report.

\*Note: Numbers for November do not include direct calls to the Planning Director or Planning Technician, only those through the general planning line.

### Application Summary

- Lands - See attached report.
- Leases – See attached report.
- Planning & Zoning – See attached report.

### Code Enforcement and Compliance

In November, Planning and Zoning received two (2) new complaints and six (6) cases were closed. There is a cumulative total of eighteen (20) open cases for 2024.

We are still working on the requirements for Cloud Permit, the code enforcement program.

### Planning and Zoning Commission

One (1) public meeting was held in the month of November with the following actions/recommendations.

- **Resolution PZ2024-23** – Granting a Conditional Use Permit to Operate a Gunsmith Within the Existing Building on the Property Described as Lot 14, Block 1 of Leo T Oberts Subdivision, Addition No. 1, Located at 1540 Kittiwake Court, Within the rural Residential (RR) Zoning District.
- **Action/Approval** - Recommending the Kenai City Council Enact an Ordinance - Amending Kenai Municipal Code Section 14.30.030 – General Provisions, to Update the Most Recent Version of the “Flood Insurance Study”.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Ross, Police Chief

**DATE:** December 9, 2024

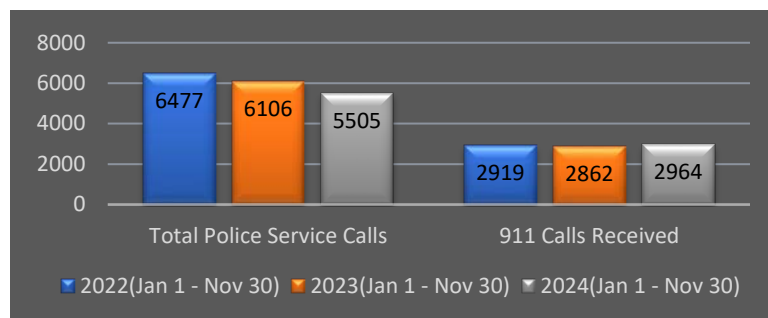
**SUBJECT:** Police & Communications Department Activity – November 2024

Police handled 441 calls for service in November and 311 calls were received by dispatch via 911. Officers made 23 arrests. Traffic enforcement resulted in 107 traffic contacts with 31 traffic citations issued and there were 2 DUI arrests. There were 19 reported motor vehicle collisions. One collision involved drug or alcohol and one collision involved a moose.

One police supervisor attended a week-long training on Officer Involved Shootings, in Fairbanks. The officer on the Swat team attended one day of training. Six officers attended a one-day Use of Force training in Soldotna. One Investigator attended a week-long Sexual Assault training in Anchorage.

The Police Department is still recruiting to fill two officer vacancies and the dispatch center has completed a hiring process to fill one of its vacancies.

Pursuant to Kenai Municipal Code section 7.15.090(d)(2), 9,000 rounds of .40 & .45 caliber ammunition were traded to 907 Ammo in exchange for 9mm ammunition (The Department has undergone a transition to 9mm handguns). This notification of disposal is intended to meet the requirements of KMC 7.15.090(d) to report the disposal of police property to the City Manager and City Council.





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Lee Frey, Public Works Director  
**DATE:** December 10, 2024  
**SUBJECT:** **Public Works Mid-month Report December 2024**

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Draft 5-Year Capital Improvement Plan has been provided for the work session. The following projects are planned to start this winter.

- Parks & Recreation Master Plan – In development
- Emergency Services Facility Assessment – Out for Proposals
- Dugout Replacement Construction – Expected to bid in early 2025
- Senior Center Front Entry and Canopy Repair
- Vintage Point Kitchen/Bathroom Remodel Design
- Harbor Float Replacement
- Sewer Lift Station Upgrades
- Street Lighting Improvements

Multiple capital projects are currently ongoing throughout the City.

- Kenai Municipal Airport Runway Rehabilitation Project
- Kenai Municipal Airport Operations Building HVAC Controls Upgrade & Boiler Replacement Project
- Kenai Municipal Airport Master Plan Update
- USACE Kenai Bluff Bank Stabilization Project
- Wastewater Plant Digester Blowers Replacements
- Water Treatment Plant Pumphouse

The guy wire replacement project for the tower at the Public Safety Building was completed in November.

The Building Department has issued 50 residential and 40 commercial building permits so far in calendar year 2024.

The Streets Department continues to manage the constantly changing weather conditions we are experiencing this winter. We have been focusing considerable efforts on sanding with the rain and warm conditions.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**THROUGH:** Kathy Romain, Senior Center Director  
**FROM:** Astrea Piersee, Administrative Assistant III  
**DATE:** December 10, 2024  
**SUBJECT:** November 2024 Monthly Report

November brought unusually varied weather, but it didn't deter seniors from enjoying activities at the center. They participated in a no-host dinner at the Treehouse Restaurant, Thursday pool trips, crafting sessions, a birthday lunch, and a special Veterans Day presentation. The Kenai Senior Center in partnership with Hilcorp, also hosted the annual Hilcorp Thanksgiving luncheon, which welcomed over 200 attendees.

	2024	2023
Home Delivered Meals	1558	1639
Individuals	88	91
Dining Room (Congregate) Meals	997	774
Individuals	151	132
Transportation (1-way rides)	196	185
Individuals	15	21
Grocery Shopping Assistance	10/27	10/42
Writers Group	26	21
Caregiver Support Group	11	13
Growing Stronger Exercise	171	229
Tai Chi Class	43	39
TOPS Weight Loss Class	71	27
Bluegrass & Music Sessions	22	79
Card Games	61	125
Wii Bowling	13	32
Arts & Crafts	22	44
Total Event Sign-ins *	1513	1133
Individuals *	193	192
Vintage Pointe Manor Vacancies	1	1

\*(not including home meals clients)



John Williams, Vice President, representing the  
City of Kenai

## Update from the Board of Directors

### Cook Inlet Regional Citizens Advisory Council

The Cook Inlet Regional Citizens Advisory Council held its regular meeting December 5th and 6th in Anchorage.

During the first day of meetings, the Council approved the special election of Brent Johnson. Mr. Johnson will represent the Commercial Fishing group on the Board. He brings more than 50 years of knowledge and experience in the local fishing community and has served on the Kenai Peninsula Borough Assembly since 2014 and currently serves as Assembly President. We are excited to welcome him to the Council.

On Friday, the Council received updates from several of its Ex-Officio members, including the US Coast Guard. Captain Christopher Culpepper, Commanding Officer Sector Western Alaska and US Arctic, explained some changes coming to USCG stations in Homer and Seward. Current-generation Cutters stationed there will be decommissioned and replaced with newer, 154-foot vessels along with larger crews. Those staffing changes are expected to happen early next year.

Givey Kochanowski, Alaska Regional Director for the Bureau of Ocean Energy Management (BOEM) spoke to the Council about the Bureau's environment program, intended to provide decision makers with the appropriate science to ensure offshore energy production happens safely and responsibly. He noted new studies and pilot projects within the National Energy Laboratory focused on renewable sources, such as wind, tidal, and wave, all of which have potential in Cook Inlet. Those programs focus on integrating marine and social sciences, biology, and traditional knowledge.

Cook Inlet Spill Prevention and Response, Inc. (CISPRI) General Manager Todd Paxton gave an update on his organization's plans for potentially replacing one of its primary response vessels, the Perseverance. That 207-foot ship, built in 1976, could be replaced by a new or repurposed vessel. CISPRI has also recently updated its registration as a primary contractor to provide Oil Spill Response Organization (OSRO) services beyond Cook Inlet.

The Council also heard reports from the National Oceanic and Atmospheric Administration (NOAA). Alaska Sea Ice Coordinator Michael Lawson gave an overview of the Cook Inlet Ice Camera Network, and how it's deployed in forecasting models and its importance in observation and data-gathering. CIRCAC staff developed the idea for and established the network nearly 20 years ago. One of the many planning and response improvements adopted after the grounding of the Seabulk Pride in 2006 was to provide real-time views of ice conditions. The network now includes nine cameras positioned at strategic points from the mouth of the Kenai River to the Don Young Port of Alaska. NOAA's Alaska Regional Preparedness Coordinator and Scientific Support Coordinator for the Alaska Regional Response Team, Liza Sanden made the Council aware of new virtual training opportunities for Shoreline Cleanup and Assessment Techniques (SCAT) coming up in the Spring.

Steve Ribuffo, Port Director for the Don Young Port of Alaska in Anchorage updated the Council on the facility's Petroleum and Cement Terminal construction. Completed in 2022, that terminal represents part of a long term modernization plan that is being completed in phases. In 2025, work will continue on Phase II – North Extension Stabilization, which will expand the port's capacity in the future. Other work will include demolition and replacement of cargo terminals and a second North Extension Stabilization project.

The Council also heard an operations update from Captain Jeff Brue, Global Marine Operations Manager for Marathon Petroleum.

The Council will hold its Annual Meeting on April 4th in Kenai.