



## Kenai City Council - Regular Meeting

August 03, 2022 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

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

### Agenda

#### **A. CALL TO ORDER**

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment 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 PUBLIC COMMENTS** (*Public comment limited to ten (10) minutes per speaker*)

1. "Responsibility for Americans with Disabilities Act Standards", Garret Dominick

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

#### **D. PUBLIC HEARINGS**

- 1.** **Ordinance No. 3296-2022** – Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Library Materials. (Administration)
- 2.** **Ordinance No. 3297-2022** – Amending Kenai Municipal Code 7.15.090 - Disposal of Surplus or Obsolete Materials and Equipment, to Allow for the Police Department to Dispose of Certain Surplus and Obsolete Materials without Advertisement, Public Opportunity, or Procedures to Obtain the Highest Price. (Administration)
- 3.** **Ordinance No. 3298-2022** – Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)
- 4.** **Ordinance No. 3299-2022** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Non-Federal Reimbursable Agreement to Provide Project Support for a Medium Intensity

Approach Light System with Runway Alignment Indicator Lights (MALSR) and any Other Impacts from the Kenai Municipal Airport Runway Rehabilitation Project. (Administration)

- 5. Resolution No. 2022-58** – Adopting the Updated City of Kenai Emergency Operations Plan. (Administration)
- 6. Resolution No. 2022-59** – Granting Sewer System and Street Improvement Exceptions to KMC 14.10.080, Minimum Improvements, for King Cove Subdivision Pursuant to KMC 14.10.090, Variations and Exceptions. (Administration)
- 7. Resolution No. 2022-60** – Awarding a Contract for the Purchase of Dell Computer Equipment. (Administration)

#### **E. MINUTES**

- 1.** \*Regular Meeting of July 6, 2022. (City Clerk)

#### **F. UNFINISHED BUSINESS**

#### **G. NEW BUSINESS**

- 1.** \*Action/Approval - Bills to be Ratified. (Administration)
- 2.** \*Ordinance No. 3300-2022 - Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget– Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association (AMLJIA) for the Purchase of Ballistic Vests. (Administration)
- 3.** \*Ordinance No. 3301-2022 - Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area (AK HIDTA) for Drug Investigation Overtime Expenditures. (Administration)
- 4.** \*Ordinance No. 3302-2022 - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Fund and Authorizing a Construction Agreement and Purchase Order for the Sludge Press Replacement Project. (Administration)
- 5.** \*Ordinance No. 3303-2022 - Increasing Estimated Revenues and Appropriations in the Water Sewer Special Revenue Fund for Operational Chemical Costs in Excess of Budgeted Amounts. (Administration)
- 6.** Action/Approval – Authorizing the Issuance of a Letter to the U.S. Department of Energy, National Energy Technology Laboratory Regarding the Alaska LNG Project. (Administration)

#### **H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission

5. Planning and Zoning Commission
6. Beautification Committee
7. Mini Grant Steering Committee

#### **I. REPORT OF THE MAYOR**

#### **J. ADMINISTRATION REPORTS**

1. City Manager
2. City Attorney
3. City Clerk

#### **K. ADDITIONAL PUBLIC COMMENT**

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

#### **L. EXECUTIVE SESSION**

#### **M. PENDING ITEMS**

#### **N. ADJOURNMENT**

#### **O. INFORMATION ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000

*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.*

#### **Join Zoom Meeting**

<https://us02web.zoom.us/j/85821019089>

**Meeting ID:** 858 2101 9089 **Passcode:** 715087

OR

Dial In: (253) 215-8782 or (301) 715-8592

**Meeting ID:** 858 2101 9089 **Passcode:** 715087



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3296-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS TO THE KENAI COMMUNITY LIBRARY FOR THE PURCHASE OF LIBRARY MATERIALS.

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WHEREAS, the Kenai Community Library received monetary donations through the Friends of the Kenai Community Library totaling \$3,500; and,

WHEREAS, \$500 on behalf of the Pioneers of Alaska will be spent on large print books and other items to support the needs of library users with visual impairments; and,

WHEREAS, \$3,000 on behalf of various donors will be spent on print and digital collection items, as well as supplies for the Library's Library of Things Collection; and,

WHEREAS, acceptance of these donations to further the mission of the Kenai Community Library is in the best interest of the City and its residents.

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 these donated funds and to expend them as authorized by this ordinance and in line with the intentions of the donors.

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

General Fund:

Increase Estimated Revenues –	
Donations - Library	<u>\$3,500</u>
Increase Appropriations –	
Books - Library	\$3,000
Operating & Repair Supplies	<u>500</u>
	<u>\$3,500</u>

**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 3<sup>RD</sup> DAY OF AUGUST, 2022.

Brian Gabriel Sr., Mayor

ATTEST:

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

Approved by Finance: 

Introduced:	July 6, 2022
Enacted:	August 3, 2022
Effective:	August 3, 2022



# 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:** Paul Ostrander, City Manager  
**FROM:** Katja Wolfe, Library Director  
**DATE:** June 28, 2022  
**SUBJECT:** **Donations to the Kenai Community Library**

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The purpose of this memo is to request acceptance and appropriation of \$3,500 from various donors through the Friends of the Kenai Community Library to be spent on the following:

- \$500 on behalf of the Pioneers of Alaska on large print books and other items to support the needs of library users living with visual impairments
- \$3,000 on behalf of various donors on print and digital collection items, as well as supplies for the “Library of Things Collection”

We appreciate the generosity of the donors!

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3297-2022**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 7.15.090 - DISPOSAL OF SURPLUS OR OBSOLETE MATERIALS AND EQUIPMENT, TO ALLOW FOR THE POLICE DEPARTMENT TO DISPOSE OF CERTAIN SURPLUS AND OBSOLETE MATERIALS WITHOUT ADVERTISEMENT, PUBLIC OPPORTUNITY, OR PROCEDURES TO OBTAIN THE HIGHEST PRICE.

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WHEREAS, Kenai Municipal Code 7.15.090 - Disposal of surplus or obsolete materials and equipment, generally requires (with the exception of library collection materials) that City supplies, materials and equipment that are surplus or obsolete must be advertised and disposed of in a manner available to the public and designed to obtain the highest price or benefit to the City; and,

WHEREAS, the Police Department often has specialized equipment that is not suitable for public use; and,

WHEREAS, the Police Department has firearms, ammunition and other tools used in law enforcement or that have been otherwise obtained, that once surplus and obsolete should only be sold or traded through licensed dealers or sold, traded or donated to other law enforcement agencies; and,

WHEREAS, additionally, the Police Department often has possession of bicycles that are surplus or obsolete and can be used by local non-profits or other government entities; and,

WHEREAS, amending Kenai Municipal Code to allow for the sale or donation of certain items in possession of the Police Department without advertising, making the items available to the public or sale to the highest bidder 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.** Amendment of Section 7.15.090 of Kenai Municipal Code: That Kenai Municipal Code, Section 7.15.090. Disposal of surplus or obsolete materials and equipment, is hereby amended as follows:

**7.15.090 Disposal of surplus or obsolete materials and equipment.**

- (a) Except as provided in in subsection (c) and (d) of this section, the City Manager may authorize the sale, trade, or disposal by other means of surplus or obsolete supplies, materials and equipment no longer needed by the City with an estimated value of fifty thousand dollars (\$50,000.00) or less. All sales, trades or disposals of surplus or obsolete property must be advertised in a manner reasonably designed to reach prospective buyers, must be made available to the public and must be disposed of in a manner reasonably designed to obtain the highest price or benefit for the City. All departments of the City shall be notified of the availability of surplus or obsolete goods at least ten (10) business days prior to the goods being made available for purchase, trade or transfer to a non-City entity. The City Manager must make a written report to the City Council of all surplus or obsolete goods within thirty (30) days of sale, trade or disposal of surplus or obsolete goods.
- (b) The sale, trade or disposal by other means of surplus or obsolete supplies, materials and equipment no longer needed by the City with an estimated value of greater than fifty thousand dollars (\$50,000.00) must be approved by resolution of the City Council.

(c) Collection materials removed by the Library Director pursuant to the library’s collection development policy may be sold, traded or otherwise disposed of in any manner deemed appropriate by the Library Director as long as the sale, trade or disposal is in the best interest of the library. Within thirty (30) days of the end of each fiscal year, the Library Director shall provide a full accounting to the City Manager and Council of all materials sold, traded or otherwise disposed of the prior fiscal year.

(d) Certain items in the possession of the Police Department, detailed below, may be disposed of at the direction of the Police Chief and pursuant to Department Policy when determined by the Police Chief that the disposal is in the best interest of the City. The Police Chief shall provide a full written accounting to the City Manager and Council within 30 days of disposal of the following items:

(1) Firearms in the possession of the Police Department that have either been purchased, obtained through forfeiture, are unclaimed property, or have otherwise come into the possession of the police department may be traded or sold by the Department through a competitive process to a licensed firearms dealer, and may be exchanged for other firearms, law enforcement equipment, or supplies.

(2) Various other law enforcement related equipment and supplies (examples: Tasers, Taser cartridges, body cameras, portable breath testers, batons, less lethal equipment, munitions, police radios, etc.) that have been determined to be surplus may be sold or traded. Such items may also be sold, traded, or donated to other government entities.

(3) Bicycles in the possession of the police department that have been purchased, obtained through forfeiture, are unclaimed property, or have otherwise come into the possession of the Police Department may be donated by the Department to local charitable organizations that have expressed interest.

([d]e) All ethical and conflict of interest provisions provided by City ordinance, resolution, policy, or regulation must be fully complied with in all sales, trades, or disposals.

**Section 2. 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 3. Effective Date:** That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Introduced: July 6, 2022  
Enacted: August 3, 2022  
Effective: September 2, 2022





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** David Ross, Police Chief  
**DATE:** June 10, 2022  
**SUBJECT:** **Ordinance No. 3297-2022, Amending KMC 7.15.190.**

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This ordinance addresses proposed changes to KMC 7.15.190 that will allow the Police Department to dispose of specific property in its possession in accordance with these sections of KMC and in accordance with Police Department policy that will be put in place upon approval of this ordinance. This section of KMC recognizes that certain items in the possession of the police department may not be best suited to be disposed of in the same manner as other surplus government equipment and supplies.

Proposed KMC section 7.15.090(d)(1) will deal with the disposal of firearms in the possession of the Police Department. There are a number of firearms dealers that specifically bid on lots of guns in police possession and that is typically how KPD has disposed of firearms in the past. This section of KMC specifically authorizes that method of disposal and would not require other Council action at the time of disposal.

Proposed KMC section 7.15.090(d)(2) will deal with various other law enforcement supplies and equipment. Many of these items, such as those given as examples in the proposed KMC section, are best suited to sell or trade for other specific law enforcement equipment, often for upgraded equipment through the dealer or seller of the original products. In other circumstance the equipment or supplies are surplus to the Kenai Police Department but may be of value to other law enforcement agencies or government entities that can make efficient use of them.

Proposed KMC section 7.15.090(d)(3) will deal with disposal of bicycles. Bicycles available for disposal by the Police Department have historically gone to auction in large lots under existing provisions of KMC. Through specific Council action in the past the City has donated some of those bikes to certain organizations, like Mountain View Elementary. The Police Department was also recently approached by the Henu Community Wellness Court for the potential future donation of bicycles to assist participants in their program that may benefit from that form of transportation. This new section of KMC will allow the Police Department to work with local charitable organizations and do so in timely manner.

These KMC changes would allow the Police Department to develop appropriate policy for the disposal of these items and give the Police Chief discretion for making these disposals in the best interest of the Department and City. All disposals of property under these proposed provision of KMC will be reported to the City Manager and Council. A copy of the draft Police Department Policy to be implemented on approval of the ordinance is attached.

I am respectfully requesting consideration of this ordinance amending KMC.

# KENAI POLICE DEPARTMENT PROCEDURES



**Title: Disposal of Surplus Equipment and Supplies**

**Chapter: 1.102**

**Date Issued: DRAFT POLICY**

**Revised: 06/09/22**

## **I. PURPOSE**

The purpose of this policy is to establish procedures for disposal of certain property in the possession of the police department in accordance with Kenai Municipal Code (KMC) section 7.15.090.

## **II. POLICY**

The Kenai Police Department comes into the possession of property that is determined to be surplus or obsolete and the retention of the property is no longer required. The majority of 'regular' business equipment and supplies must be disposed of in accordance with KMC 7.15.090(a) as is the practice in other City Departments. Some special circumstances exist under KMC 7.15.090(d) and those are delineated in this policy with procedures for their disposal.

## **III. PROCEDURE**

### **A. Firearms Disposal**

Firearms may come into the possession of the police department through purchase, forfeiture, unclaimed property, or by other means. When it is determined that those firearms are no longer needed by the police department and their retention is not required by law or potential legal proceedings the following procedures will be followed for their disposal.

1. A list of firearms available for disposal will be provided to the Police Chief for approval for disposal.
2. At least three licensed firearms dealers must be contacted and given an opportunity to bid on the list of disposed items, which is commonly done by the offering of a direct trade or store credit.

# KENAI POLICE DEPARTMENT PROCEDURES



3. The department must evaluate those bids in regards to filling the needs of the department for replacement equipment and supplies, and in regards to the financial benefit to the City.
4. If the Police Chief authorizes the Trade/Sale of Firearms, a report of such trade/sale to the City Manager and Council within 30 days must be made.
5. Nothing in this policy is intended to prevent the destruction of firearms, when that is determined to be the most appropriate action.

## **B. Disposal of Law Enforcement Related Equipment and Supplies**

Certain law enforcement specific equipment or supplies that are deemed surplus or obsolete are better suited for specific trades, sales, or donations rather than public sales (Examples: Tasers, Taser cartridges, body cameras, portable breath testers, batons, less lethal equipment, munitions, police radios, etc.). The following procedures must be followed for the disposal of those items.

1. A list of items available for disposal must be provided to the Police Chief for approval for disposal.
2. When reasonable, multiple quotes should be obtained when trading or selling law enforcement equipment or supplies to business entities.
3. When law enforcement equipment or supplies are deemed surplus or obsolete to the Kenai Police Department, but determined to have value to other law enforcement or government entities, the police department will accept and consider requests for those materials to be sold, traded, or donated.
4. The Police Chief must give final authorization for any disposal under this section, and provide a report of such disposal to the City Manager and Council within 30 days.

## **C. Disposal of Bicycles**

It is common for the police department to come into possession of bicycles, most commonly from 'found property' that is held for at least a year and not claimed by the owner. At the discretion of the Police Chief the procedures below may be followed to transfer bicycles to a charitable organization.

**KENAI POLICE DEPARTMENT  
PROCEDURES**



1. A list of bicycles, or individual bicycles, available for disposal must be provided to the Police Chief and approved for disposal.
2. Charitable organizations may make requests for bicycles, or KPD may reach out and solicit interest.
3. The Police Chief must give final authorization for the transfer of bicycles from the police department to charitable organizations, giving due consideration to the benefits to both the organization and to the City. The Police Chief will provide a report of such bicycle disposal to the City Manager and Council within 30 days.

KPD

David Ross  
Chief of Police



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3298-2022**

AN ORDINANCE ENACTING KENAI MUNICIPAL CODE CHAPTER 14.30-FLOODPLAIN MANAGEMENT, WITHIN TITLE 14-PLANNING AND ZONING, TO REGULATE LAND USE WITHIN THE FLOOD PLAIN AND AUTHORIZING THE CITY TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the Council expressed its intent to participate in the National Flood Insurance Program (NFIP) via Resolution 2022-13; and,

WHEREAS, participation in the NFIP is a requirement for the City to work with the US Army Corps of Engineers to complete the City's bluff erosion project; and,

WHEREAS, the City has the authority to enact and enforce regulations regarding the NFIP as a home rule municipality within the State of Alaska; and,

WHEREAS, participating in the NFIP will benefit affected property owners through the availability of more affordable flood insurance; and,

WHEREAS, the purpose of this ordinance is to promote public health, safety and general welfare, and to minimize public and private losses due to flooding in flood hazard areas; and,

WHEREAS, it is in the best interest of the City and its residents to join the NFIP.

WHEREAS, at its meeting on \_\_\_\_ (date) the Planning and Zoning Commission recommended \_\_\_\_\_.

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

**Section 1.** Enactment of Chapter 14.30 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.30 Flood Plain Management, is hereby enacted as follows:

**CHAPTER 14.30. FLOODPLAIN MANAGEMENT**

**14.30.010. Findings of Fact and Statement of Purpose.**

- A. Findings. The flood hazard areas of the City of Kenai are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Flood losses may be caused by the cumulative effect of obstructions in flood hazard areas which increase flood heights and velocities and, when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage, also contribute to flood loss.
- B. Statement of Purpose. It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
9. Participate in and maintain eligibility for flood insurance and disaster relief.

#### **14.30.015. Methods of Reducing Flood Loss.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

#### **14.30.030. General Provisions.**

- A. *Lands to Which this Chapter Applies.* This chapter shall apply to all flood hazard areas within the City of Kenai.
- B. *Basis for Establishing Flood Hazard Areas.* Flood hazard areas are identified as follows:  

The areas of special flood hazard identified by the federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study" applicable to the City of Kenai in its most recent adopted version (October 20,2016 titled "Flood Insurance Study for the Kenai Peninsula Borough, Alaska and Incorporated Areas") and any subsequent revisions thereto, with accompanying Flood Insurance Maps and revisions thereto. The Flood Insurance Study is on file at the City of Kenai administrative offices. The best available information for flood hazard area identification provided in this Chapter will be the basis for regulation until a new FIRM is issued.
- D. *Warning and Disclaimer of Liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood

damages. This chapter shall not create liability on the part of the City of Kenai, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

- E. *Noncompliance—Enforcement.* Structures and activities which are not permitted or allowed by this chapter are prohibited. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements shall be enforced by the remedies set forth in KMC 14.20 including any injunctive remedies allowed by law. Each day a violation continues is a separate violation.
- F. *Abrogation and greater Restrictions.* This Ordinance is not intended to repeal, abrogate, or impair any existing easements or deed restrictions. However, where this ordinance is more stringent, it must be complied with.
- G. *Interpretation.* In the interpretation and application of this ordinance, all provisions are considered minimum requirements, liberally construed in favor of the City and do not limit or repeal and other powers granted under state statutes.

**14.30.040. Administration.**

- A. *Development Permit Required.* A development permit shall be obtained before construction or development begins within flood hazard areas established or incorporated into this Chapter. Whether or not a project or activity meets the definition for "development" under this Chapter is subject to a final written determination made by the planning department after consultation with the applicant. The permit shall be for all structures (including manufactured homes) and for all other development including fill and other activities. Application for a development permit shall be made on forms furnished by the City and shall include but not be limited to the following: plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; logging, placement of storage tanks (fuel or other), existing or proposed structures, substantial improvements of existing structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
  - 1. For A Zones (A, A1-30, AE, AH, AO):
    - a. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, elevation of existing highest adjacent grade and proposed elevation of lowest floor of all structures;
    - b. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
    - c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria for non-residential construction; and
    - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  - 2. For V Zones (VE, V1-30 and V):
    - a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
    - b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and

- c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. *Designation of the Floodplain Administrator.* The Planning Director or his / her designee is appointed to administer and implement this Chapter by granting or denying development permit applications in accordance with its provisions.
- C. *Duties and Responsibilities of the Planning Department.* Duties of the planning department shall include but not be limited to the following:
1. *Permit Application Review.*
    - a. Review all development permit applications to determine that the permit requirements have been met;
    - b. Review all development permit applications to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required;
    - c. Review all development permit applications to determine if the proposed development is located in the floodway. If located in the floodway, assure that all provisions of this Chapter are met.
  2. *Issue Permit.*
    - a. Upon determination that the submitted and recorded information connected with the permit application meets the terms of this chapter, the planning department shall issue a floodplain development permit to the original applicant. If the project involves the construction of a residential structure in a special flood hazard area, the planning department floodplain management office will issue an initial permit based on the building plans in the application. A final permit will be issued after the applicant submits an elevation certificate and floodplain management staff determines that the building is in compliance with all floodplain regulations.
    - b. The floodplain development permit shall be valid until the expiration date provided that the start of construction occurs within 180 days of the permit issue date. If construction does not begin within this time period, the permit will expire 180 days from the issue date. The planning department floodplain management office shall be notified at least three days prior to start of construction for possible site inspection and notice-to-proceed.
    - c. The floodplain development permit is not assignable without permission from the planning department.
  3. *Use of Other Base Flood Data.* When base flood elevation data has not been provided in accordance with the provisions of this Chapter, the planning department shall obtain, review, and reasonably utilize any base flood and floodway elevation data available from a federal, state or other source, in order to administer the requirements of this Chapter.
  4. *Information to be Obtained and Maintained.*
    - a. Where base flood elevation data is provided through the Flood Insurance Study or is otherwise required, actual elevation as submitted (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement must be recorded;
    - b. For all new or substantially improved floodproofed structures:
      - i. Record the actual elevation as submitted (in relation to mean sea level), and
      - ii. Maintain the flood proofing certifications required by this Chapter;



- c. Maintain for public inspection all records pertaining to the provisions of this chapter in perpetuity.

5. *Notification to Other Entities*

- a. Whenever a watercourse is to be altered or relocated, notify adjacent communities and the State Coordinating Office prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means, and assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.
- b. Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Volume 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.
- c. Notify the Federal Insurance Administrator in writing of acquisition by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

6. *Remedial Actions.* Take actions on violations of this ordinance as required in Chapter.

7. *Alteration of Watercourses.*

- a. Notify adjacent communities and the Department of Community and Regional Affairs prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Require that the flood carrying capacity within altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that flood carrying capacity is not diminished. Require compliance with all other sections of this Chapter.

8. *Fee Required.* The planning department shall charge fees for permits and exceptions. Fees shall be the amount listed in the most current Schedule of Rates, Charges and Fees to be paid by the applicant at the time that the floodplain development permit application is submitted.

**14.30.050. Standards.**

A. *General Standards.* In all flood hazard areas, the following standards are required:

1. *Anchoring.*

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. *Construction Materials and Methods.*

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

- c. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Within Zones AH or AO, adequate drainage paths shall be constructed around structures or slopes to guide floodwaters around and away from proposed structures.

3. *Utilities.*

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and,
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. *Subdivision Proposals.*

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All proposed improvements such as water, sewer, natural gas, telephone and electrical facilities shall be located and constructed in a manner which will minimize damage in the event of a flood.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals which contain 50 lots or 5 acres, whichever is less. The floodplain requirements for subdivision plats, detailed in this Chapter, apply to all subdivision proposals.
- e. It is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission.

5. *Review of Development Permits.* Where elevation data is not available, applications for development permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding and will minimize adverse impacts to neighboring properties. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

B. *Specific Standards.* In Zone A, AE, A1-30, Ah and AO, as set forth by this Chapter, the following provisions are required:

1. *Residential Construction.*

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the Flood Protection Elevation.
- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings located on separate walls and having a total net area of not less than 1 square inch for every square foot of enclosed space subject to flooding shall be provided.
  - ii. The bottom of all openings shall be no higher than 1 foot above grade.
  - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - iv. Enclosed areas below the Flood Protection Elevation must be unfinished and usable only for parking, access or storage of materials easily moved during a flood event.
  - v. Before a final floodplain development permit is issued by the planning department for a residential structure with enclosed areas below the base flood elevation, the owners shall sign a non-conversion agreement stating that the enclosed space shall remain in compliance with this Chapter. The non-conversion agreement shall be recorded by the City of Kenai placing future buyers of properties on notice of the hazards of enclosed spaces below the Flood Protection Elevation and the requirements to keep the permitted structure compliant with City of Kenai floodplain regulations.
- c. For zones AH, AO, drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
- d. A garage attached to a residential structure, constructed with the garage floor slab below the Flood Protection Elevation, must be designed to allow for the automatic entry and exit of flood waters.
- e. For A Zones (A, AE, A1-30, AH, AO):

Residential construction, new or substantial improvement, shall have the lowest floor, including basement, elevated to or above the Base Flood Elevation.

- i. In a Zone AO, the Base Flood Elevation is determined from the FIRM panel as the depth number specified. If no depth is specified, the required elevation is at minimum two (2) feet above highest adjacent grade.
- ii. In a Zone A where the Base Flood Elevation has not been determined, the Base Flood Elevation is determined locally by the criteria set out in this Chapter. A minimum of 2 feet above highest adjacent grade may result in a lower insurance premium.
- iii. In Zones AE, A1-30, and AH, the Base Flood Elevation is determined from the FIS and/or FIRM.
- iv. A garage attached to a residential structure, constructed with the garage floor slab below the Base Flood Elevation, must be designed to allow for the automatic entry and exit of flood waters.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

- f. For V Zones (VE, V1-30 and V):

Residential construction, new or substantial improvement, shall:

- i. Be located landward of the reach of mean high tide;
- ii. Have the bottom of the lowest structural member of the lowest floor (excluding pilings and columns), elevated to or above the Base Flood Elevation;
- iii. Have the pile or column foundation and structure attached thereto be anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used

shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards;

- iv. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
- v. Prohibit the use of fill for structural support of buildings; and
- vi. Prohibit man-made alteration of sand dunes and mangrove stands.

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Section.

Upon completion of construction, certification by a registered professional engineer or architect that these design standards have been satisfied, and certification by a registered professional engineer or surveyor that the elevation requirements of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

2. *Nonresidential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official planning department.
  - d. Have the space below the lowest floor, usable solely for parking of vehicles, building access, or storage, either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot;
  - e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are 1 foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as 1 foot below that level).
  - f. For zones AH, AO, and areas of the SMFDA, drainage paths are required around structures on slopes to drain floodwaters away from proposed structures.
  - g. For A Zones (A, AE, A1-30, AH, AO):

Non-residential construction, new or substantial improvement, shall have the lowest floor either elevated to conform with this non-residential requirements.

Or, together with attendant utility and sanitary facilities,

- i. Be floodproofed below the elevation recommended so that the structure is watertight with walls substantially impermeable to the passage of water; and
- ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice meeting the provisions listed above.

Upon completion of the structure, certification by a registered professional engineer or surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification; or certification by a registered professional engineer or architect that the floodproofing design of this section is satisfied, including the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be provided to the Floodplain Administrator for verification.

h. For V Zones (VE, V1-30, V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for non-residential construction.

3. *Manufactured Homes.* All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection (A)(1) of this section.
4. *Recreational vehicles.* Recreational vehicles that are placed on sites within a Special Flood Hazard Area as identified by the current effective FIRM or DFIRM panel are required to either:
  - a. Meet the requirements of Chapter, or
  - b. Be on the site for fewer than 180 consecutive days, or
  - c. Be fully licensed and ready for highway use, on its wheels or jacking system, and attached to the site only by a quick disconnect type utilities and security devices.
5. *Appurtenant Structures (Detached garages and Storage Structures).*
  - a. For A Zones (A, AE, A1-30, AH, AO):

Appurtenant structures used solely for parking of vehicles or storage may be constructed such that the floor is below the Base Flood Elevation, provided the structure is designed and constructed in accordance with the following requirements:

- i. Use of the appurtenant structure must be limited to parking of vehicles or storage;
- ii. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- iii. The appurtenant structure must be adequately anchored to prevent flotation, collapse and lateral movement;
- iii. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the Base Flood Elevation;
- iv. The appurtenant structure must comply with floodway encroachment provisions; and

- v. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters.

Detached garages, storage structures and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards as required for A zones.

Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

- b. For V Zones (VE, V1-30 and V):

Floodproofing of non-residential structures is prohibited. All structures must be elevated and constructed according to the requirements set forth for residential construction.

- i. *Before regulatory floodway.* In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Special Flood Hazard Area zones AE, A1-A30 as identified in the current effective FIRM or DFIRM panel at that location unless the applicant demonstrates in the application that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community.
  - ii. *Fuel storage tanks.* Any fuel storage tanks shall be elevated above the base flood elevation or made watertight and anchored to resist flotation, collapse, and lateral movement. The tank must also be installed within an impervious containment basin of a size sufficient to contain 110 percent of storage capacity plus 12 inches of freeboard.
  - iii. *Logging or clearing.* Within any special flood hazard area of the current effective FIRM or DFIRM, logging or clearing may not increase runoff and/or erosion to such levels that it may significantly damage the floodplain function, riparian habitat or wetlands.
  - iv. *Floodways.* Located within flood hazard areas established in this Chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to erosion potential and the velocity of floodwaters which carry debris, the following provisions apply:
    - 1. All encroachments, including fill, new construction, substantial improvements, and other development are prohibited unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
    - 2. If subdivision (1) of this subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
    - 3. Encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations may be permitted, provided that the City first applies for and fulfills the requirements for a Conditional Letter of Map Revision (CLOMR), and receives approval from the Federal Insurance Administrator to revise the FIRM and FIS in accordance with Notification to Other Entities (B)
- D. Coastal High Hazard Areas. Where FEMA has identified coastal high hazard areas (Zones V, VE, and V1-V30) on the FIRM or DFIRM, construction shall meet the following requirements in addition to all other provisions in this chapter:
- 1. All new construction shall be located landward of the reach of mean high tide and shall be anchored to prevent lateral movement, flotation or collapse.

- a. Proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement;
  - b. Base Flood Elevation data for subdivision proposals or other development, including manufactured home parks or subdivisions, greater than 50 lots or 5 acres, whichever is the lesser; and
  - c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
2. All new construction, manufactured homes, and substantial improvements within coastal high hazard areas shall be elevated on adequately anchored pilings or columns such that:
- a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation; and
  - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval); and
  - c. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction and shall provide a certification that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subdivisions (2)(a) and (2)(b) of this subsection. The certification and related records will be maintained in the planning department permit files in perpetuity.
3. All new construction and substantial improvements shall have the space below the lowest floor free of obstructions. Such enclosed space shall not be used for human habitation (only used for parking of vehicles, storage or building access) and must be in compliance with the residential construction standards required in this Chapter.
- b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a 1 percent chance of being equaled or exceeded in any given year (100-year or 1-percent annual exceedance probability mean recurrence interval).
4. The use of fill for structural support of buildings within coastal high hazard areas on the FIRM or DFIRM is prohibited.
5. Manufactured Homes. All manufactured homes to be placed or substantially improved within coastal high hazard areas shall meet the requirements for new and substantial improvement construction.

#### E. Standards for Storage of Materials and Equipment

- a. The storage or processing of materials that could be injurious to human, animal or plant life if released due to damage from flooding is prohibited in special flood hazard areas.

Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

#### **14.30.060. Variance procedure.**

##### *A. Appeal Board.*

1. The Kenai Planning and Zoning Commission shall hear and decide appeals and requests for variances from the requirements of this chapter.
2. The planning commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the planning department in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the planning commission may appeal such decision in accordance with KMC 14.20.290 and 14.20.300.
4. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other section of this chapter, and:
  - a. The danger that materials may be swept onto other lands to the injury of others;
  - b. The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with the existing and anticipated development;
  - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. Upon consideration of the factors of subsection (A)(4) of this section and the purposes of this chapter, the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter,
6. The planning department shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

**B. *Conditions for Variances.***

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of ½ acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subparagraphs (a) through (k) of subsection (A)(4) of this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.



4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, or to economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, exceptions from the flood elevations should be quite rare.
7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-flood proofing where it can be determined that such action will have low damage potential, complies with all other exception criteria except subsection (B)(1) of this section, and otherwise complies with this Chapter.
8. Any applicant to whom a variances is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

#### **14.30.070. Definitions.**

For the purposes of this chapter, the following words and phrases shall be defined as follows:

"100-year or 1-percent annual exceedance probability flood" (also called "regulatory flood," "base flood", "base flood depth", or "special flood hazard area") means a flood with a 1 percent chance of being equaled or exceeded in any year. Statistical analysis of available streamflow or storm records, or analysis of rainfall and runoff characteristics of the watershed, or topography and storm characteristics are used to determine the extent and depth of the 100-year or 1-percent annual exceedance probability flood.

"Area of shallow flooding" A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Base flood" The flood having a one percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" The elevation to which floodwater is anticipated to rise during the base flood.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Clearing" means the act of removing trees or vegetation on a cumulative 20 percent or more of a given parcel of land.

"Coastal high hazard area" means the area subject to high velocity waters due to wind, tidal action, storm, tsunami or any similar force, acting singly or in any combination resulting in a wave or series of waves of sufficient magnitude, velocity or frequency to endanger property and lives. The Area designated on the FIRM as zone V1-30, VE or V.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Variance" means a grant of relief from the requirements of this chapter, which permits construction in a manner that would otherwise be prohibited by this chapter.

"Federal Emergency Management Agency" is the agency responsible for administration of the National Flood Insurance Program.

"Flood hazard area" means the land area covered by the flood, having a 1 percent chance of occurring in any given year. See also "100-year or 1-percent annual exceedance probability flood." The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM)" means the official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and risk premium zones applicable to the community. A FIRM that been made available digitally is called a Digital Flood Insurance Rate Map.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

"Functionally dependent use" A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Logging" means the process, work, or business of cutting down trees, storage of logs and transporting the logs to sawmill(s), or for sale or export.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than the basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured home" means a structure, transportable in 1 or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"New construction" For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"Planning department" means the planning department of the City of Kenai.

"Primary structure" means a dwelling, a building suitable for commercial use, or any structure which will be served by water or wastewater disposal systems or a fuel storage tank. This definition is applicable only in the SMFDA.

"Special Flood Hazard Area (SFHA)" see "Flood Hazard Area".

"Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building including liquid or gas storage tank, as well as a manufactured home that is principally above ground.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed 50 percent of the assessed value of the structure before damage occurred.

"Substantial evidence" means evidence a reasonable mind might accept to support a conclusion.

"Substantial improvement" means any remodeling, repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure before the improvement or repair is started or, if the property has been damaged and is being restored, before the damage occurred. This term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified or cited by the local code enforcement official, and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or State Register of Historic Places.

**Section 2.** That the City Manager, or his designee, is authorized to apply for entry into the NFIP on behalf of the City.

**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 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Introduced: July 6, 2022  
Enacted: August 3, 2022  
Effective: September 2, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Scott Bloom, City Attorney

**DATE:** June 30, 2022

**SUBJECT:** **Ordinance 3298 – 2022 Enacting Floodplain Management**

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The Council expressed its intent to participate in the National Flood Insurance Program (NFIP) earlier this year via Resolution No. 2022-13. Participation in the NFIP is a requirement to work with the US Army Corp of Engineers on the bluff erosion project. This ordinance enacts a new chapter of code within Title 14 and authorizes the City Manager to apply for entry into the NFIP on behalf of the City. City administration has been working with a FEMA Region 10 Floodplain Management Specialist to work through the process and draft the new chapter of code with provisions meeting federal regulatory requirements. The new proposed chapter was modeled after the Kenai Peninsula Borough's existing NFIP ordinances, updated to meet newer federal requirements, and customized to work within the City's existing code structure. It is intended by administration that Council will receive input from the Planning and Zoning Commission prior to enactment.

Your consideration is appreciated.



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Scott Bloom  
**DATE:** July 26, 2022  
**SUBJECT:** Ordinance No. 3298-2022 NFIP Program

---

This memorandum requests Council postpone the public hearing on Ordinance No. 3298-2022 until the Council’s August 17, 2022 meeting. The Planning and Zoning Commission will make a recommendation on the Ordinance at its August 10, 2022 meeting and a substitute ordinance will be recommended by administration after review by the Commission. Additionally, Administration is trying to coordinate with a FEMA representative to speak to the NFIP program at the Council’s public hearing at the August 17, 2022 meeting.

A motion “to move to postpone the public hearing until the regular Council meeting of August 17, 2022 to allow the Planning and Zoning Commission to make a recommendation prior to the public hearing” would be appropriate.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3299-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS AND AUTHORIZING A NON-FEDERAL REIMBURSABLE AGREEMENT TO PROVIDE PROJECT SUPPORT FOR A MEDIUM INTENSITY APPROACH LIGHT SYSTEM WITH RUNWAY ALIGNMENT INDICATOR LIGHTS (MALSR) AND ANY OTHER IMPACTS FROM THE KENAI MUNICIPAL AIRPORT RUNWAY REHABILITATION PROJECT.

WHEREAS, the MALSR and other facilities surrounding the Kenai Municipal Airport Runway Rehabilitation Project are owned and operated by the Federal Aviation Administration (FAA); and,

WHEREAS, the FAA can furnish directly or by contract, material, supplies, equipment, and services which the project requires; and,

WHEREAS, it has been determined that competition with the private sector for provision of such material, supplies, equipment, and services is minimal; the proposed activity will advance the FAA's mission; and the FAA has a unique capability that will be of benefit to the Airport while helping to advance the FAA's mission; and,

WHEREAS, the FAA will provide project support for MALSR and any other impacts from the Kenai Municipal Airport Runway Rehabilitation Project, which may include, but is not limited to technical consultation, engineering, design review, site visits, feasibility assessments, project planning, scope definition, development of costs estimate(s), development of design packages, travel in support of the reimbursable agreement program management, and procurement of long lead items, if required; and,

WHEREAS, the total estimated cost of this agreement will be \$74,722.33; and,

WHEREAS, the advance payment must be received before the FAA incurs any obligation to implement the Agreement; and,

WHEREAS, the advance payment will be held as a non-interest-bearing deposit; and,

WHEREAS, upon completion of the Agreement, the final costs will be netted against the advance payment and, as appropriate, a refund or final bill will be sent to the Airport; and,

WHEREAS, per U.S. Treasury guidelines, transactions under \$1.00 will not be processed; and,

WHEREAS, 93.75% of the costs associated with this Ordinance are grant eligible under the U.S. Department of Transportation FAA Order 5100.38D, Airport Improvement Program Handbook, Chapter 3. Section 11. 3-87.; and,

WHEREAS, approval of this Ordinance 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 City Manager is authorized to execute an Agreement with the Department of Transportation Federal Aviation Administration in the amount of \$74,722.33.

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

Airport Special Revenue Fund:

Increase estimated Revenues –  
Appropriation of Fund Balance \$74,722.33

Increase Appropriations –  
Transfer to Airport Improvement Capital Project Fund \$74,722.33

Airport Improvement Capital Project Fund:

Increase Estimated Revenues –  
Transfer from Airport Special Revenue Fund \$74,722.33

Increase Appropriations:  
ENA Runway Rehabilitation Project \$74,722.33

**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 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced: July 06, 2022  
Enacted: August 03, 2022  
Effective: August 03, 2022





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Eland Conway, Airport Manager

**DATE:** June 30, 2022

**SUBJECT:** **ENA Runway Rehabilitation Project – Non-Federal Reimbursable Agreement with FAA ATO**

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This purpose of this memo is to request authorization to enter into an agreement with the FAA Air Traffic Organization (ATO) for project support for Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR) and any other impacts associated with the ENA Runway Rehabilitation Project.

The ATO is responsible for providing safe and efficient air navigation services including the FAA owned and operated navigational aids at ENA.

As it relates to their facilities, the FAA will provide preliminary planning activities, which may include, but are not limited to technical consultation, engineering, design review, site visits, feasibility assessments, project planning, scope definition, development of costs estimate(s), development of design packages, travel in support of the reimbursable agreement program management, and procurement of long lead items, if required. The FAA will also provide any requirements and/or recommendations related to the FAA facilities impacted by the project.

The proximity of the project to the FAA facilities, the supplemental services provided by the FAA, the additional assurances, and mitigation measures in the agreement will increase the success of the project.

The agreement requires advance payment, \$74,722.33, before any FAA services are provided and any remaining balance at the end of the project will be refunded. The costs associated with this agreement, estimated, are eligible for grant funding (reimbursable) under the Airport Improvement Program at 93.75%.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-58**

A RESOLUTION ADOPTING THE UPDATED CITY OF KENAI EMERGENCY OPERATIONS PLAN.

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WHEREAS, the City of Kenai was awarded a grant from the US Department of Homeland Security passed through the State of Alaska Department of Military and Veterans' Affairs to update the City's Emergency Operations Plan (EOP); and,

WHEREAS, the City enacted Ordinance 3165-2020 accepting and appropriating funds to accomplish the update; and,

WHEREAS, revisions of longstanding City plans were needed to accommodate current disaster mitigation, response and recovery planning requirements and community response resources; and,

WHEREAS, this is an all-hazard, all-risk plan based on the National Incident Management System (NIMS) for comprehensive management of disaster emergency relief forces and disaster emergency operations, developed by the City of Kenai; and,

WHEREAS, this Emergency Operations Plan describes the system that will be used to manage the mitigation of, preparation for, response to, and recovery from natural and human-caused disaster emergencies; and,

WHEREAS, the updated version has been completed and approved by the Alaska Division of Homeland Security and Emergency Management (DHS&EM) after review from State Emergency Response Commission (SERC) All Hazards Review Committee; and,

WHEREAS, it is in the best interest of the City to adopt the updated EOP.

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

**Section 1.** That the document titled City of Kenai Emergency Operations Plan 2022 Revision, is hereby adopted by the City of Kenai.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** July 26, 2022

**SUBJECT:** Resolution 2022-58 Adopting the Updated EOP

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After evaluating the current state of readiness for emergency response in 2019, the administration concluded that an update to the City's existing Emergency Response Plan (EOP), that was created in 2007, was needed. A grant application was submitted through the State of Alaska Department of Military and Veterans' Affairs, for the US Department of Homeland Security to provide funding to update the plan. The City was awarded \$15,000 from SHSP20 grant funds, which were accepted and appropriated by Ordinance 3165-2020. A temporary employee was hired to assist in updating this plan.

In the Plan Promulgation, Adoption and Introduction section of the EOP is a comprehensive list of areas that were updated to make the plan applicable to current standards, with up to date resources. Because the existing plan was 15 years old, many areas of the plan needed revisions to make it current. An in-depth revision to the plan that will guide the preparation, mitigation, response and recovery to a natural or human-caused disaster, has been completed.

The changes were presented to our Local Emergency Planning Commission (LEPC) who proposed no changes or recommendations. The Plan was then submitted to the Alaska Division of Homeland Security and Emergency Management to be reviewed by the State Emergency Response Commission (SERC) as required. SERC's recommended changes were made for the final draft that has been provided to Council for adoption via this Resolution.

We respectfully ask for your consideration in adopting this updated Emergency Operations Plan.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-59**

A RESOLUTION GRANTING SEWER SYSTEM AND STREET IMPROVEMENT EXCEPTIONS TO KMC 14.10.080, MINIMUM IMPROVEMENTS, FOR KING COVE SUBDIVISION PURSUANT TO KMC 14.10.090, VARIATIONS AND EXCEPTIONS.

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WHEREAS, the Planning and Zoning Commission reviewed a preliminary plat for King Cove Subdivision on July 27, 2022, and recommended approval subject to certain conditions; and,

WHEREAS, Planning and Zoning Commission Resolution No. PZ2022-16, passed on July 27, 2022, recommending that the City Council approve exceptions to KMC 14.10.080(c) and (f), Minimum Improvements Required, waiving the requirement that the developer of King Cove Subdivision provide sanitary sewer lines for each lot in the subdivision and road construction for Pearson Avenue and that portion of Highbush Lane from an unnamed Court to Pearson Avenue; and,

WHEREAS, KMC 14.10.090, variations and exceptions allows for the City Council to vary or modify the minimum subdivision requirements, after a report by the Planning and Zoning Commission so that the sub-divider may develop the property in a reasonable manner while at the same time protecting the public welfare and interests of the City, surrounding areas, and general intent and spirit of the development requirements when the tract to be subdivided is of unusual shape or size or is surrounded by such development or unusual conditions that strict application of the improvement requirements would result in real difficulties, substantial hardship, or injustice; and,

WHEREAS, the Planning and Zoning Commission Resolution PZ2022-16 provided substantial findings to support the requested exceptions; and,

WHEREAS, KMC 14.10.080(e) does not require subdivisions of less than ten lots to provide City water; and,

WHEREAS, granting an exception to the requirement of KMC 14.10.080(f) requiring the provision of sanitary sewer lines to serve each lot is reasonable as an engineer will be required to meet the Alaska Department of Environmental Conservation (ADEC) regulations for on-site water and waste water; and,

WHEREAS, extending the City sewer system to the subdivision is cost prohibitive at this time; and,

WHEREAS, granting an exception to the requirement of KMC 14.10.080(c) requiring that all streets and public ways meet minimum construction standards for Pearson Avenue and Highbush Lane from the unnamed Court to Pearson Avenue is reasonable as Highbush Lane was upgraded in 2012 to support large drilling equipment to access a pad north and west of the subdivision; and,

WHEREAS, the Planning and Zoning Commission conditioned its recommendation to include an installation agreement for the upgrade of Highbush Lane from the Kenai Spur Highway to, and including, the unnamed Court; and,

WHEREAS, the Planning and Zoning Commission conditioned its recommendation for exceptions to include a note on the recorded plat that when an improvement district is formed, the real property involved will be part of the improvement district without further action by the then owner of the property in question; and,

WHEREAS, an engineering analysis will be required before the City will accept the roads for maintenance.

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

**Section 1.** That pursuant to KMC 14.10.090, the City grants exceptions to the requirement for sanitary sewer lines to each lot in the subdivision and the construction or upgrade of Highbush Lane from an unnamed Court to, and including, Pearson Avenue based on the findings stated above.

**Section 2.** That Council’s action to provide exceptions for the above requests shall be revoked if the subdivision or individual phases of the subdivision are not completed within the allowable Kenai Peninsula Borough preliminary plat time extension process.

**Section 3.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Brian Gabriel and City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Max Best, Interim Planning Director

**DATE:** July 26, 2022

**SUBJECT:** **Resolution No. 2022-59 - Exception Request for Granting a Sewer System and Street Improvement Exceptions**

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The purpose of this Resolution is to request an exception from the Council for partial road construction and sewer service for King Cove Subdivision in accordance with KMC 14.10.090.

At the Planning & Zoning Commission meeting of July 27, 2022, the Commission considered a request to grant an exception to the requirements for a portion of the roads and extension of the sewer system.

Based on the recommendation backed by substantial findings from the Planning Commission the Administration recommends approval of the exception. Development of the property in a strict application of the code would result in real difficulties, and substantial hardship. This exception would allow the applicant to develop the property in a reasonable manner with no detriment to the public welfare and interest of the city and surrounding area.

Thank you for your consideration.

Attachments:

Planning Commission packet



## STAFF REPORT

**TO:** Planning and Zoning Commission  
**FROM:** Max Best, Interim Planning Director  
**DATE:** July 13, 2022  
**SUBJECT:** PZ2022-16 – Preliminary Plat – King Cove Subdivision

---

**Applicant:** Caryn Lee Giliam  
5014 E. 145 Ave.  
Anchorage, AK 99516

**Submitted By:** McLane Consulting  
P.O. Box 468  
Kenai, AK 99611

**Requested Action:** Preliminary Subdivision Plat – King Cove Subdivision

**Legal Description:** Government Lots 4 & 5 and the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE1/4 NW1/4 NE1/4) of Section 34, Township 6 North, Range 11 West, Seward Meridian, City of Kenai, Kenai Peninsula Borough, and the Kenai Recording District

**Property Address:** Vacant

**KPB Parcel No:** 04516019

**Lot Size:** Approximately 15.04 acres

**Existing Zoning:** Rural Residential

**Current Land Use:** Vacant

**Land Use Plan:** Residential

## GENERAL INFORMATION

McLane Consulting submitted a preliminary plat on behalf of the property owner, Caryn Lee Giliam. The plat affects KPB Parcel 04901135 a resubdivision of Government Lots 4 & 5 and the NE1/4 NW1/4 NE1/4 of Section 34, T6N, R11W, S.M. AK.

The proposed King Cove Subdivision will create eight lots, Lots 1, 2, 3 and 5 (approximately 1.733 acres), and a Lots 6, 7, and 8 (approximately 1.0 acres) Lot 4 (approximately 3.00 acres).

### Application, Public Notice, Public Comment

*KMC 14.10.010 General under Chapter 14.10 Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review prior to the submittal of the plat to the Kenai Peninsula Borough Planning Department. Kenai Municipal Code (*KMC*) 14.10.060 describes the process in more detail. The plat will be reviewed first by the City of Kenai Planning and Zoning Commission and then by the Kenai Peninsula Borough's Plat Committee and Planning Commission.

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of August, 23, 2022.

## ANALYSIS

The subject parcels are currently undeveloped. Access to the proposed King Cove subdivision is provided via Mile 5.5 Kenai Spur Highway and North Highbush Lane, which is a gravel road, not maintained by the City. The subdivision is located in the Rural Residential zone, which requires a minimum lot size of 20,000 square feet. Each lot is in excess of one acre; therefore, all eight lots meet the minimum lot size for the zone.

The minimum lot width for the Residential Zone is ninety feet with the exception of corner lots which require an additional ten feet as set forth in Kenai Municipal Code (*KMC*) 14.10.70(e)(4). Each lot is greater than 145 feet wide, therefore, the minimum lot width requirement has been met.

*KMC 14.10.070(b)(2)* requires the minimum width for minor streets shall be sixty (60) feet. A thirty foot half right-of-way is being proposed for Highbush Lane which is adjacent to a thirty foot public road easement associated with the property to the west. Additionally, the unnamed Court is sixty feet wide and meets the width requirement. There is a proposed thirty foot dedication in the undeveloped Pearson Avenue fifty foot section line easement along the northern property line. Along with the adjacent northern property there is in excess of 60' of road easement.

### ***KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.***

*KMC 14.10.080(c)* All street and public ways shall be graded to their full width and to the appropriate grade, and shall be surfaced to a minimum width of thirty (30) feet in accordance with applicable standard specifications of the City, and all streets in any subdivision that the City





Planning Commission shall designate as major streets shall be surfaced to a minimum width of forty (40) feet. The cross-section of construction shall contain non-frost susceptible material to the depth of forty-two (42) inches from appropriate grade, and in the absence of any other specified depth by applicable standard specifications of the City. Such construction shall be subject to inspection and approval by the City Engineer or his equivalent under contract by the City, and shall comply with all applicable City standards for construction.

Pursuant to KMC 14.10.090 the property owner is requesting an exception/waiver to the requirements of KMC 14.10.080(c) for the installation of Pearson Avenue and the upgrade of Highbush Lane. An installation agreement for the unnamed court will be required to meet the above minimum requirements.

Relevant Conditions: Highbush Lane accessing the subdivision was improved in 2012 to access a drill pad north and west of the subdivision. It is unknown if the road meets City construction standards for inclusion into the maintenance system. An engineering analysis will be required before the City is willing to accept the road for maintenance. The road bed is greater than 30' wide and accesses one residence beyond the subdivision. The road was adequate to support large drilling equipment for well development. It should be adequate to support fire and emergency vehicles. The subdivider will include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question.

Pearson Avenue adjacent to this subdivision is an unconstructed section line easement containing an overhead electric transmission line. The construction of Pearson Avenue will not be necessary to access this subdivision. The subdivider will include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question.

KMC 14.10.080(e) Public water. In subdivisions of ten (10) lots or less, the subdivider will include a covenant on the recorded plat that when an improvement district is formed, the real property involved will be a part of the improvement district without further action by the then owner of the property in question. The plat meets this requirement.

KMC 14.10.080(f). The subdivider shall install sanitary sewer lines to serve each lot. All such sewer lines shall be constructed in accordance with regulations and requirements of, and under the supervision of the City Engineer's office or his equivalent under contract by the City if such sanitary sewers are available for connection by the said subdivider and are located within one thousand five hundred (1,500) feet of the subdivider's nearest lot line.

Pursuant to KMC 14.10.090 the property owner is requesting an exception/waiver to the requirements of KMC 14.10.080(f) for the installation of sanitary sewer.

Relevant Conditions: An existing sanitary sewer main is available for the developer 750' from the southwest corner of the subdivision at a stub out at the intersection of the Kenai Spur Highway and Highbush Lane. The subdivision is comprised of lots that are in excess of 40,000 square feet and will need to meet the requirements of the Alaska Department of



Environmental Conservation (ADEC) for on-site water and waste water systems. An engineer will providing the necessary submittals to meet the standards for the on-site systems. The cost for the connection and a system to serve this large-lot subdivision is prohibitive and may well result in the development being financially unfeasible. The subdivider will include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question.

## RECOMMENDATIONS

City staff recommends approval of the preliminary plat of King Cove Subdivision subject to the following recommendations and conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Pursuant to KMC 14.080., the City will require an installation agreement for development of the unnamed Court and that portion of Highbush Lane from the Kenai Spur Highway and the unnamed Court.
3. Staff recommends the Planning and Zoning Commission recommend the Council waive the construction requirements of Highbush Lane and Pearson Avenue per the above conditions.
4. Staff recommends the Planning and Zoning Commission recommend the Council waive the construction requirements for sanitary sewer per the above conditions.
5. Conformance with KPB preliminary and final plat recommendation and adherence to Kenai Municipal Code.
6. Include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question

## ATTACHMENTS

1. Application
2. Preliminary Plat
3. Aerial Map





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 2022-16**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT KING COVE SUBDIVISION ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from McLane Consulting, Inc. and,

WHEREAS, the plat meets Municipal Code requirements of the Rural Residential zone; and,

WHEREAS, existing street names are referenced correctly; and,

WHEREAS, access to the proposed lot is via the Kenai Spur Highway which is a paved State maintained highway; and Highbush Lane which is an unmaintained gravel street; and

WHEREAS, Water and sewer lines are located within the right-of-way at the intersection of the Spur Highway and Highbush Lane; and,

WHEREAS, the developer is requesting a recommendation for an exception to KMC 14.10.080(c) from building a portion of the subdivision roads; and,

WHEREAS, the developer is requesting a recommendation for an exception to KMC 14.10.080(f) from installing sanitary sewer to the subdivision; and,

WHEREAS, KMC 14.10.090, variations and exceptions allows for the City Council to vary or modify the minimum subdivision requirements, after a report by the Planning and Zoning Commission so that the subdivider may develop the property in a reasonable manner while at the same time protecting the public welfare and interests of the City, surrounding areas, and general intent and spirit of the development requirements with the tract to be subdivided is of unusual shape or size or is surrounded by such development or unusual conditions that strict application of the improvements requirements would result in real difficulties, substantial hardship, or injustice and,

WHEREAS, the Planning and Zoning Commission finds:

1. Highbush Lane accessing the subdivision was improved in 2012 to access a drill pad north and west of the subdivision.
  2. An engineering analysis will be required before the City is willing to accept the road for maintenance.
  3. The road bed is greater than 30' wide and accesses one residence beyond the subdivision.
-

Resolution No. PZ2022-16  
Page 2 of 3

4. The road was constructed to support large drilling equipment for well development at the drill pad northwest of the subdivision and should be adequate to support fire and emergency vehicle ingress and egress.
5. The subdivider will include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question.
6. Pearson Avenue adjacent to this subdivision is an unconstructed section line easement containing an overhead electric transmission line.
7. An installation agreement will be required for the unnamed court and that portion of Highbush Lane from the Kenai Spur Highway to the unnamed court.
8. Construction of Pearson Avenue will not be necessary to access King Cove subdivision.
9. An existing sanitary sewer main is available for the developer 750' from the southwest corner of the subdivision at a stub out at the intersection of the Kenai Spur Highway.
10. The subdivision is comprised of lots that are in excess of 40,000 square feet and will meet the requirements of the Alaska Department of Environmental Conservation (ADEC) for on-site water and waste water systems.
11. An engineer will provide the necessary submittals to meet the standards for the on-site systems.
12. The cost for the connection and a system to serve this large-lot subdivision is prohibitive and may well result in the development being financially unfeasible.
13. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

**Section 1.** That the preliminary plat of King Cove Subdivision be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Pursuant to KMC 14.10.080 an installation agreement with the city for the development of the unnamed court and upgrade of Highbush Lane from the Kenai Spur to the unnamed court.
3. Request the Council approve a waiver for Pearson Avenue and Highbush Lane from the unnamed court to Pearson Avenue, from the Kenai City Council for KMC 14.10.080(c) based on the above supporting findings 1, 2, 3, 4, 5, 6, 7, and 8.
4. Request the Council approve a waiver for sanitary sewer installation from the Kenai City Council for KMC 14.10.080(f) based on the above supporting findings 5, 9, 10, 11, and 12.
5. Conformance with KPB preliminary and final plat recommendation and adherence to Kenai Municipal Code.

Resolution No. PZ2022-16  
Page 3 of 3

6. Include a note on the recorded plat that when an improvement district is formed, the real property involved will be a part of the Improvement district without further action by the then owner of the property in question

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI,  
ALASKA, this 27th day of July, 2022.



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JEFF TWAIT, CHAIRPERSON

ATTEST:



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Meghan Thibodeau, Deputy City Clerk

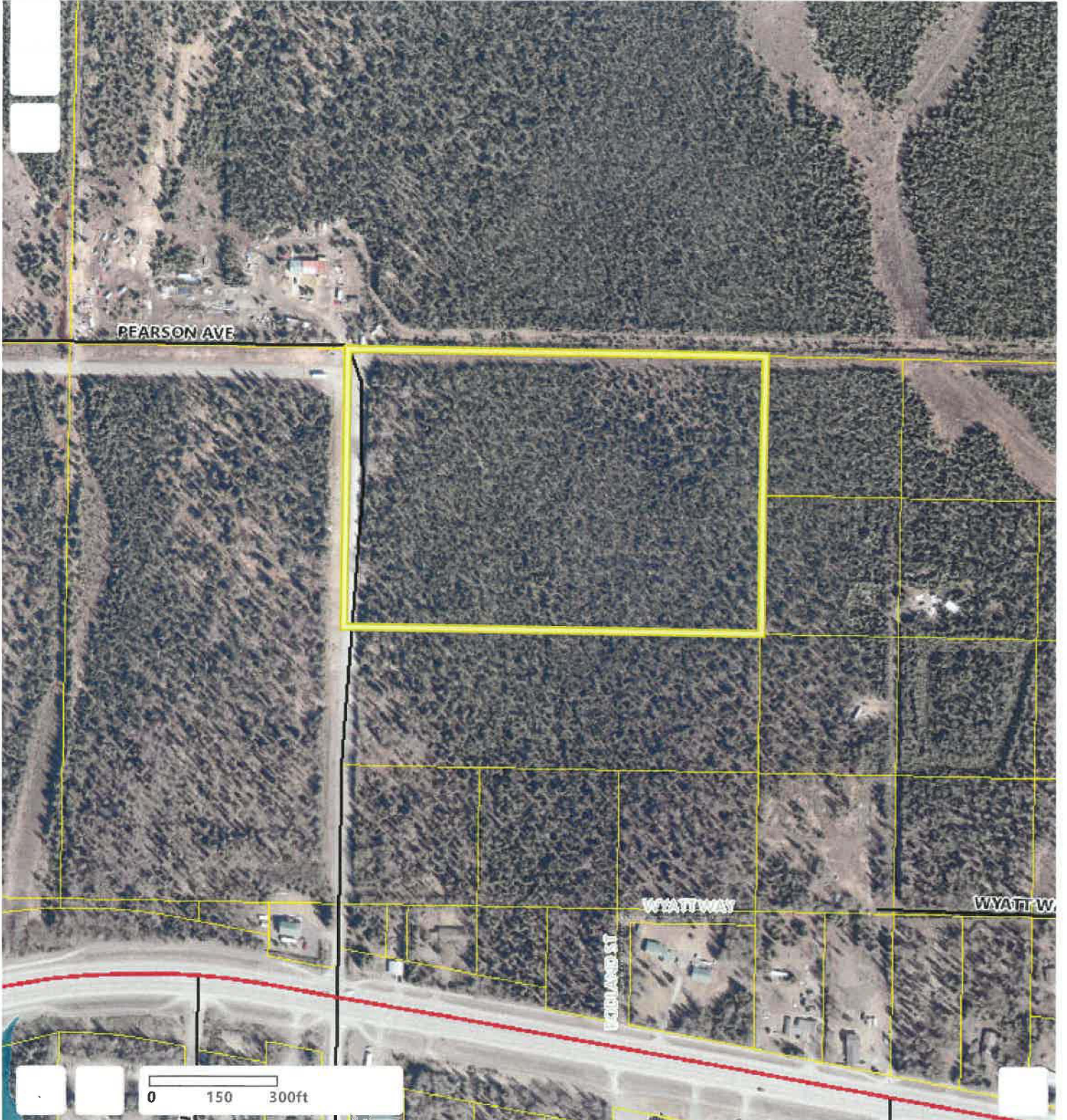
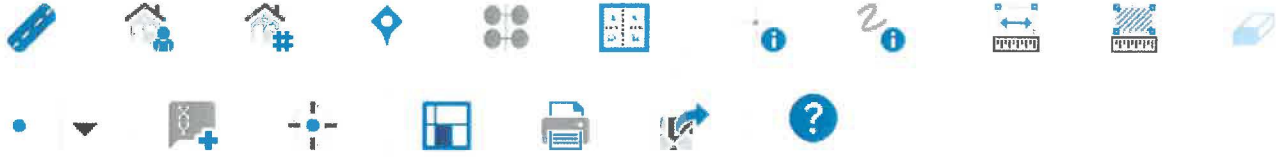


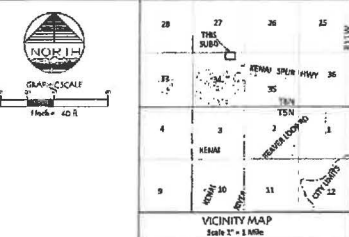
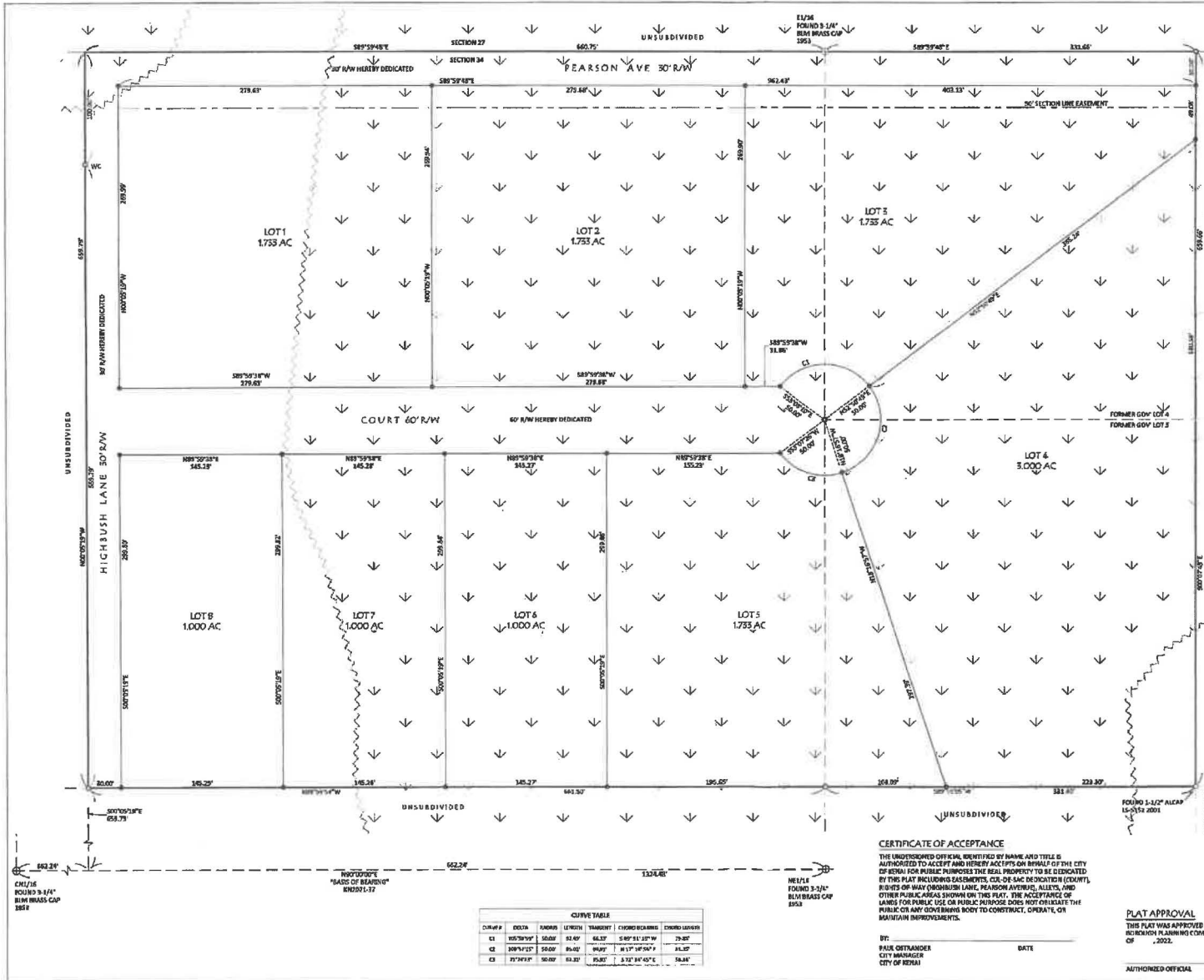
Search...

Sign In

Basic Tools

Tool Labels X





**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND I HEREBY ACCEPT THE PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

CAROL LEE GILHAM  
 5024 E 145 AVE, ANCHORAGE, AK 99516  
**NOTARY'S ACKNOWLEDGEMENT**  
 FOR: CAROL LEE GILHAM  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.  
 MY COMMISSION EXPIRES: \_\_\_\_\_  
 NOTARY PUBLIC FOR THE STATE OF ALASKA

- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 60.
  2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED ON PLOTS WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  3. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.

**WASTEWATER DISPOSAL**  
 SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. KINGS COVE FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH, ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSTRUCTION.

COPY 9, MAKEME C.E. 15530 AK DATE \_\_\_\_\_

- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
  - FOUND SECONDARY MONUMENT AS DESCRIBED
  - FOUND 5/8" x 50" REBAR w/ 1" STAINLESS STEEL CAP BS222-5
  - SET 5/8" x 50" REBAR w/ 3" STAINLESS STEEL CAP BS222-5
  - ▭ AREA SUBJECT TO INUNDATION

**CR. ALASKA**  
 Notary Seal for Carol Lee Gilham, Notary Public for the State of Alaska, Commission Expires 08/24/25.

Plot # \_\_\_\_\_  
 Met. Dist. \_\_\_\_\_  
 Date \_\_\_\_\_

**CURVE TABLE**

CURVE #	DATA	NUMBER	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	105°29'59"	50.00'	52.69'	66.33'	S 69° 51' 23" W	79.85'
C2	209°14'23"	50.00'	86.02'	90.97'	N 17° 46' 56" E	84.23'
C3	171°21'18"	50.00'	63.29'	75.87'	S 22° 34' 42" E	64.85'

**CERTIFICATE OF ACCEPTANCE**

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY (INCLUDING COUNTS), RIGHTS OF WAY (INCLUDING LANE, PEARSON AVENUE, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT PRECLUDE THE PUBLIC OR ANY GOVERNMENT BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: PAUL OTTENSANDER, CITY MANAGER, CITY OF KENAI  
 DATE: \_\_\_\_\_

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2022.

AUTHORIZED OFFICIAL: \_\_\_\_\_

**KINGS COVE**  
 A SUBDIVISION OF GOVT LOT 4 B. 5 AND THE NORTH-EAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTH-EAST QUARTER (E1/4N1/4W1/4E1/4) OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, ALASKA  
 CAROL LEE GILHAM, OWNER  
 5024 E 145 AVE, ANCHORAGE, AK 99516  
 15.000 AC. SITUATED IN THE NE1/4 SECTION 34, TOWNSHIP 3 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, CITY OF KENAI, KENAI PENINSULA BOROUGH AND KENAI RECEIVING DISTRICT, ALASKA.

DR File No. 2022-028  
 Project No. 222019  
 Scale: 1" = 40' Date: JUNE 2022 Book No.: 21-66 Drawn by: JAH



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2022-60**

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF DELL COMPUTER EQUIPMENT.

---

WHEREAS, the City solicited bids for the project FY23 Dell Equipment on July 6, 2022; and,

WHEREAS, the City advertised this bid in both the Peninsula Clarion and Anchorage Daily News on July 6, 2022; and,

WHEREAS, the City received the following five responsive bids

Vendor	Amount
Databit Inc.	\$37,958.85
CDWG	\$47,782.62
Sunflower Labs	\$48,902.74
Insight	\$52,227.10
Zones LLC	\$53,408.90

; and,

WHEREAS, Databit Inc. was the lowest responsive bidder at \$37,958.85; and,

WHEREAS, the recommendation from City Administration is to award a contract to Databit Inc. for a total cost of \$37,958.85; and,

WHEREAS, the contract is to provide Dell computer equipment which is needed for the City to conduct business; and,

WHEREAS, sufficient funds have been appropriated for this purchase.

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

**Section 1.** The Council authorizes the City Manager to execute a contract for the purchase of Dell Computer Equipment with Databit Inc. for a total cost of \$37,958.85.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 3<sup>RD</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Approved by Finance

\_\_\_\_\_





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**THROUGH:** Terry Eubank, Finance Director

**FROM:** Dan Castimore, IT Manager

**DATE:** July 26, 2022

**SUBJECT:** Resolution No. 2022-60

The purpose of this memo is to recommend awarding a contract to Databit Inc. for the purchase of Dell computer equipment.

On July 6, 2022 a bid was released and was advertised in both the Peninsula Clarion and Anchorage Daily News on the same day. This bid closed on July 25<sup>th</sup>, 2022 and the following bids were received.

Vendor	Amount
Databit Inc.	\$37,958.85
CDWG	\$47,782.62
Sunflower Labs	\$48,902.74
Insight	\$52,227.10
Zones LLC	\$53,408.90

Databit Inc. submitted the lowest bid at \$37,958.85.

The administration recommends awarding a contract to Databit Inc for the purchase of Dell computer equipment.

Council's approval is respectfully requested.

**KENAI CITY COUNCIL – REGULAR MEETING  
JULY 6, 2022 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on July 6, 2022, in City Hall Council Chambers, Kenai, AK. Vice Mayor Glendening called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

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

**2. Roll Call**

There were present:

Jim Glendening, Vice Mayor	James Baisden
Teea Winger	Deborah Sounart
Glenese Pettey	Henry Knackstedt

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

Paul Ostrander, City Manager  
Terry Eubanks, Finance Director  
Dave Ross, Police Chief  
Shellie Saner, City Clerk

**3. Agenda Approval**

Vice Mayor Glendening noted the following additions to the Packet:

- Add item D.1. **Public Hearing – Ordinance No. 3295-2022**
  - Public Comments

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Council Member Pettey **SECONDED** the motion.

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

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Sounart **SECONDED** the motion.

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

Vice Mayor Glendening 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:** There being no objection; **SO ORDERED.**

\*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 PUBLIC COMMENTS**

1. "Introduction to Executive Director" Peter Evon, Executive Director of the Kenaitze Indian Tribe.

*[Clerk's Note: Mr. Evon was unable to attend the meeting.]*

## **C. UNSCHEDULED PUBLIC COMMENTS**

Rick Baldwin addressed the Council regarding the name of the Multi-Purpose facility, stating that the name should more clearly represent its use as an Ice Rink.

## **D. PUBLIC HEARINGS**

1. **Ordinance No. 3295-2022** – Amending the Official Zoning Map by Rezoning Certain Parcels Southeast of Beaver Loop Road along Basin View Way, Kim N Ang Court, Cub Court, Ames Road, and Dolchok Lane from Rural Residential to Rural Residential-1. (Administration)

### **MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3295-2022. Council Member Pettey **SECONDED** the motion.

Vice Mayor Glendening opened the floor for public comment.

Chuck Eubank spoke in opposition to Ordinance 3295-2022 stating that he had been a resident of the subdivision for 38-years, one the first homes built in it. He felt this was a case of spot zoning which was in violation of the 14<sup>th</sup> amendment of the constitution, which provided that persons similarly located or situated should be treated alike, which is not the case as two properties adjacent currently have conditional use permits and will continue to have them; he noted his property had the same Beaver Creek frontage and would not be able to get a conditional use permit. He stated concerns with the potential increase of taxes and devaluation of the property.

Jerry Huff spoke in support of Ordinance 3295-2022 noting the rezoning process was initiated in response to an application for a conditional use permit to allow a lodge and guide serves; he noted this joined 75 properties together and represented an effort of the property owners to keep Beaver Creek as it is now quiet, peaceful and a residential neighborhood. He clarified that the neighborhood did not want to be a business area for 120-days each year; and he felt lodging and guide services in the neighborhood would lower property values as well as the livability of the neighborhood.

Keturah Costello read a letter on behalf of her mother Charlotte Coots which identified her reasons for moving into the City being the property was zoned rural residential and the regulations established in the covenants; these two items would allow the neighborhood to remain a neighborhood and be protected from business traffic, noise, congestion, litter and trespassing; we were also pleased to see a no river access sign on Dolchok. The neighborhood banned together and obtained signatures from a majority of

the property owners to rezone to prevent a conditional use permit being given for guide service and vacation lodge in our neighborhood.

Mack Padgett spoke in support of Ordinance 3295-2022 noting that Beaver Creek is what makes this a community and as a community they will continue taking efforts to avoid any more conditional use permits on Beaver Creek.

Rick Baldwin spoken in support of Ordinance 3295-2022 noting that the subdivision covenants only protected the neighbors under the covenants and enforcement of the covenants would mean neighbors suing neighbors; a rezone of the neighborhood would place enforcement in the hands of the City.

It was clarified that the process of rezoning required a majority of the landowners in the area proposed for rezoning, sign a petition; in this case there were 46 signatures which was greater than 50-percent allowing the petition to go forward to the Planning Commission; the Commission unanimously recommended Council approve the rezoning; the existing conditional use permits will be considered non-conforming use, but allowed to continue. Spot zoning was generally when it was less than two acres, the proposed rezone by definition would not qualify as spot zoning.

There was discussion regarding how the conditional permit use process could be improved.

There being no one else wishing to be heard, the public comment period was closed.

**VOTE:**

YEA: Glendening, Baisden, Sounart, Pettey, Winger, Knackstedt

NAY: None

**MOTION PASSED.**

2. **Resolution No. 2022-52** – Authorizing a Contract Award to Supply Operational Chemicals for the City's Water Treatment and Wastewater Treatment Facilities. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-52. Council Member Pettey **SECONDED** the motion.

Vice Mayor Glendening 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:** There being no objection; **SO ORDERED.**

3. **Resolution No. 2022-53** – Authorizing a Service Agreement for the Personal Use Fishery Dumpsters and Portable Restrooms. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-53. Council Member Pettey **SECONDED** the motion.

Vice Mayor Glendening 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:** There being no objection; **SO ORDERED.**

**4. Resolution No. 2022-54** – Authorizing a Service Contract Extension to Provide Refueling Services for City Facility Fuel Tanks. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-54. Council Member Baisden **SECONDED** the motion.

Vice Mayor Glendening 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:** There being no objection; **SO ORDERED.**

**5. Resolution No. 2022-55** – Amending the Facility Management Agreement for Winter Services Provided by Red Line Sports at the City of Kenai Multi-Purpose Facility. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-55. Council Member Baisden **SECONDED** the motion.

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

It was clarified that the facility improvements would be complete in time to have the ice back in by August 1, 2022

**UNANIMOUS CONSENT** was requested.

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

**6. Resolution No. 2022-56** – Approving Amendments to the Standard Lease Form for the Lease of Airport Reserve Lands Between the City of Kenai and State of Alaska, Department of Transportation & Public Facilities, Division of Facility Services-10 On Lot 4A, FBO Subdivision No. 11. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-56. Council Member Baisden **SECONDED** the motion.

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

There was discussion regarding the lease support of fire suppression efforts in our area; the City being in a strong financial position with the State; and the clear public benefit from this lease. There was also discussion regarding adopting an amended lease for that would be used for future State contracts.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of June 15, 2022. (City Clerk)

**F. UNFINISHED BUSINESS** – None.

## G. NEW BUSINESS

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

Approved by the consent agenda.

2. **\*Action/Approval** - Purchase Orders Over \$15,000. (Administration)

Approved by the consent agenda.

3. **\*Action/Approval** – Special Use Permit to Kenai Chamber of Commerce and Visitor Center to use and operate of the Moosemeat John Cabin. (Administration)

Approved by the consent agenda.

4. **\*Action/Approval** – Restaurant Designation Permit Filed by Griffin Golf LLC, D/B/A Kenai Golf Course. (City Clerk)

Approved by the consent agenda.

5. **\*Ordinance No. 3296-2022** – Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Library Materials. (Administration)

Introduced by the consent agenda and Public Hearing set for August 3, 2022.

6. **\*Ordinance No. 3297-2022** – Amending Kenai Municipal Code 7.15.090 - Disposal of Surplus or Obsolete Materials and Equipment, to Allow for the Police Department to Dispose of Certain Surplus and Obsolete Materials without Advertisement, Public Opportunity, or Procedures to Obtain the Highest Price. (Administration)

Introduced by the consent agenda and Public Hearing set for August 3, 2022.

7. **\*Ordinance No. 3298-2022** – Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)

Introduced by the consent agenda and Public Hearing set for August 3, 2022.

8. **\*Ordinance No. 3299-2022** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Non-Federal Reimbursable Agreement to Provide Project Support for a Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR) and any Other Impacts from the Kenai Municipal Airport Runway Rehabilitation Project. (Administration)

Introduced by the consent agenda and Public Hearing set for August 3, 2022.

9. **Action/Approval** – City of Kenai Police Department Appointment to the Kenai Peninsula Borough's Emergency Services Communication Advisory Board. (Administration)

### **MOTION:**

Council Member Knackstedt **MOVED** to recommend Kenai Police Chief David Ross to the Kenai Peninsula Borough's Emergency Services Communication Advisory Board and appoint Lt. Ben Langham as the alternative member to the Board. Council Member Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**VOTE:****H. COMMISSION / COMMITTEE REPORTS**

## 1. Council on Aging

No report, next meeting August 11, 2022.

## 2. Airport Commission

No report, next meeting August 11, 2022.

## 3. Harbor Commission

No report, next meeting August 8, 2022.

## 4. Parks and Recreation Commission

No report, next meeting August 4, 2022.

## 5. Planning and Zoning Commission

Council Member Glendening reported on the June 22, 2022 meeting; next meeting July 27, 2022.

## 6. Beautification Committee

No report, next meeting September 13, 2022.

## 7. Mini-Grant Steering Committee

No report.

**I. REPORT OF THE MAYOR**

Vice Mayor Glendening reported on the following:

- On behalf of Mayor Gabriel noted the Independence Day Celebrations were a success.
- Enjoyed this last year serving as Vice Mayor; and was looking forward to the upcoming year working with the Administration.

**J. ADMINISTRATION REPORTS**

## 1. City Manager – City Manager Ostrander reported on the following:

- The City was very fortunate to have the interim Planning Department Team we currently have.
- Attendance at the Kenai Peninsula Borough (KPB) Assembly Meeting on June 21, 2022 to testify in support of KPB Ordinance 2022-21, authorizing an agreement for hard rock resource extraction for the Kenai Bluff Stabilization Project.
- Meeting with Department of Transportation staff regarding lighting being installed on the Kenai Spur Highway; connecting the Unity Trail Bike Path on the other side of Beaver Loop; development of underpasses in the City to improve pedestrian connectivity.
- Reported the Slash Disposal site has had 260 visits, clearing an estimated 46-acres.
- Reported the clearing for the Dog Park fence was complete.

## 2. City Attorney

- No Report

## 3. City Clerk – City Clerk Saner reported on the following:

- Upcoming Training for the State of Alaska Primary Election.

- Alaska Municipal League Summer Conference scheduled for August.
- City Candidate Nomination Packets would be available mid-July.

#### **K. ADDITIONAL PUBLIC COMMENTS**

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

Marion Nelson reported on the upcoming show; noted an agreement had been met regarding an annual schedule; and continued efforts to find grant funding for flooring.

##### 2. Council Comments

Council Member Winger noted she had attended the Car Launch in Glacier View and reminded everyone of the importance of wearing Helmets when riding all-terrain vehicles.

Council Member Pettey noted attending the Mount Marathon Race in Seward and witnessing a new women's record and said she was looking forward to the upcoming public use fishery.

Council Member Baisden on behalf of Council Member Sounart provided schedule update for Triumvirate Theaters Tarzan show and the Kenai Peninsula Orchestra.

Council Member Knackstedt thanked Will Jarig for his vision for the waterfront, noting part of the City's vision was moving forward. He noted the success of the Independence Day Parade.

Vice Mayor Glendening thanked Parks and Recreation Department for their involvement with the Softball Tournament.

#### **L. EXECUTIVE SESSION** – None.

#### **M. PENDING ITEMS** – None.

#### **N. ADJOURNMENT**

#### **O. INFORMATIONAL ITEMS**

##### 1. Purchase Orders Between \$2,500 and \$15,000.

There being no further business before the Council, the meeting was adjourned at 7:35 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of July 6, 2022.

---

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 shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*



**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: AUGUST 3, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	99,746.20
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	9,346.76
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	93,831.09
REBORN AGAIN JANITORIAL	JUNE SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
PIPER JAFFRAY	U.S. AGENCY SECURITY	06/15/2027	638,352.22	3.09%



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3300-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FY22 BUDGET– POLICE DEPARTMENT AND ACCEPTING GRANTS FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION (AMLJIA) FOR THE PURCHASE OF BALLISTIC VESTS.

WHEREAS, the Kenai Police Department participates in a Ballistic Vest Partnership (BVP) grant program through the Department of Justice, which covers 50% of the cost of ballistic vests purchased for officers; and,

WHEREAS, the City’s current insurance company, AMLJIA, also has a ballistic vest reimbursement program, which covers 50% of the cost of ballistic vest purchased for officers; and,

WHEREAS, two ballistic vests were recently purchased for a total of \$2,252 and the two programs together will cover 100% of the cost of those ballistic vests.

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 and expend United States Department of Justice and AMLJIA grant funds in the amount of \$1,126 each for the purchase of ballistic vests.

**Section 2.** That the following fiscal year 2022 budget revision is authorized:

General Fund:

Increase Estimated Revenues -	
Federal Grants – Police	\$1,126
Miscellaneous Grants	<u>1,126</u>
	<u>\$2,252</u>

Increase Expenditures – Police Department -	
Small Tools/Minor Equipment	\$ <u>2,252</u>

**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 17<sup>TH</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced:	August 3, 2022
Enacted:	August 17, 2022
Effective:	August 17, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** July 12, 2022

**SUBJECT:** **Ordinance No. 3300-2022 Accepting Grant Funds for Ballistic Vests**

---

The police department participates in the United States Department of Justice' Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of Officer ballistic vests. The City's insurance carrier, AMLJIA, also has a grant program by which they cover half the cost of ballistic vests purchased by officers.

The Police Department recently purchased two ballistic vests for officers, at a total cost of \$2,252 and anticipates that cost to be covered 100% by the two programs.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY22 budget for the purpose they were intended.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3301-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FY22 BUDGET – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA (AK HIDTA) FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department assists the regional drug task force on initiatives with funding availability through the Alaska High Intensity Drug Traffic Area (AK HIDTA), which is funded through a Federal Government Appropriation; and,

WHEREAS, funding through AK HIDTA is available to reimburse certain overtime expenditures for the Kenai Police Officers that assist the regional drug task force or directly participate in the task force on those HIDTA initiatives; and,

WHEREAS, the overtime expense that was eligible for reimbursement from April of 2022 through the end of June, 2022 was \$5,324.07; and,

WHEREAS, overtime for these additional expenditures for drug investigations were not budgeted and the department is requesting appropriation into the FY22 overtime budget equal to the amount of the AK HIDTA funding.

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 these funds from the AK HIDTA in the amount of \$5,324.07 and to expend those funds to fulfill the purpose and intent of this ordinance

**Section 2.** That the fiscal year 2022 estimated revenues and appropriations be increased as follows:

General Fund:

Increase Estimated Revenues –  
Federal Grants – Police \$5,324.07

Increase Appropriations – Police Department -  
Overtime \$5,324.07

**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 17<sup>th</sup> DAY OF AUGUST, 2022.


---

Brian Gabriel Sr., Mayor

ATTEST:

---

Michelle M. Saner, MMC, City Clerk

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

Introduced: August 3, 2022  
Enacted: August 17, 2022  
Effective: August 17, 2022



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross – Police Chief

**DATE:** July 12, 2022

**SUBJECT:** **Ordinance No. 3301-2022, Accepting HIDTA Grant Funds**

---

The Kenai Police Department participates in the regional drug task force. Between April of 2022 and June of 2022 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$5,324.07 in overtime expenditures.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY22 budget for the purpose they were intended.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3302-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE WATER AND SEWER SPECIAL REVENUE AND WASTEWATER TREATMENT PLANT IMPROVEMENTS CAPITAL PROJECT FUND AND AUTHORIZING A CONSTRUCTION AGREEMENT AND PURCHASE ORDER FOR THE SLUDGE PRESS REPLACEMENT PROJECT.

WHEREAS, a formal Invitation to Bid was released on June 7, 2022 seeking construction services to provide for the replacement of the 40+ year old sludge press at the waste water plant; and,

WHEREAS, bids were originally due on June 28, 2022 and based on a lack of interest from contractors the due date was extended to July 22, 2022; and,

WHEREAS, two bids were received by the City, with the low bid being withdrawn at the request of the bidder, leaving Blazy Construction the lowest responsive and responsible bidder at a cost of \$1,437,913; and,

WHEREAS, the recommendation from City Administration is to award the construction agreement for the Sludge Press Replacement project to Blazy Construction for the total cost of \$1,437,913; and,

WHEREAS, this Ordinance will also appropriate contingency funding for the processing of change orders in the amount of \$72,000, approximately 5% of total construction contract, as well as \$25,000 for City Admin services, and \$143,000 for Engineering Contract Administration Services, for a total appropriation cost of \$240,000.

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:

Water and Sewer Special Revenue Fund:

Increase Estimated Revenues –		
Appropriation of Fund Balance		<u>\$240,000</u>

Increase Appropriations –		
Transfer to Wastewater Treatment Plant Improvements Capital Project Fund		<u>\$240,000</u>

**Section 2.** That the estimated revenues and appropriations be increased as follows:

Wastewater Treatment Plant Improvements Capital Project Fund:

Increase Estimated Revenues –		
Transfer from Water and Sewer Special Revenue Fund		<u>\$240,000</u>

Increase Appropriations –		
Construction		<u>\$240,000</u>

**Section 3.** That the City Manager is authorized to execute a Construction Agreement in the amount of \$1,437,913, and to issue a Purchase Order to Blazy Construction in the amount of \$1,509,913 for the



contract amount of \$1,437,913 and \$72,000 of contingency funding, which may be authorized for construction change orders during completion of the project.

**Section 4.** 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 5.** 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 17<sup>TH</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Approved by Finance:



Introduced: August 3, 2022  
Enacted: August 17, 2022  
Effective: August 17, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Director of Public Works  
**DATE:** July 27, 2022  
**SUBJECT:** Ordinance No. 3302-2022 - Sludge Press Replacement

---

The purpose of this memo is to request Council's support in awarding a Construction Agreement and corresponding purchase order for the Wastewater Treatment Plant's Sludge Press Replacement project and to provide supplemental funding in support of the project.

As Council may recall this is a primary project for the department to replace a 40+ year old piece of equipment, an existing belt press, with a new Andritz screw press. This press processes municipal wastewater sludge as one of the last steps in the treatment process prior to hauling the dewatered sludge to the landfill.

Staff has done an exceptional job of keeping the existing equipment operational while waiting for the new equipment to arrive. The Andritz Press was competitively sourced almost a year ago now, and the anticipated delivery for the new press is currently late October 2022. The contracted cost of the Andritz press is \$225,000 for equipment only.

Through development of the project, in coordination with the Engineering team, additional items in need of correction were identified in support of the project. These additional items are the reason additional funding is being requested at this time. The sludge pumps which feed the press are being replaced with this work, a new conveyor system for loading the sludge into disposal containers is now included, new air handling equipment to increase air exchanges within the space are also being completed with this work.

The Engineer's Estimate for this work was \$1,307,050 with Blazy Construction's bid totaling \$1,437,913. A second bid was received by the department in the amount of \$900,000. On July 27<sup>th</sup>, 2022 that contractor requested his bid to be withdrawn due to miscalculations on their part.

Completion of this work now is essential for the department. Parts have not been available for our existing press for some time, with failed pieces often requiring fabrication to maintain operability. This project has been identified through earlier Capital Improvement plans and is a big step in successfully maintaining our facilities and equipment. Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3303-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE WATER SEWER SPECIAL REVENUE FUND FOR OPERATIONAL CHEMICAL COSTS IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, the Public Works Department secures annual purchasing agreements for required chemicals at the City’s Water and Wastewater Treatment Plants; and,

WHEREAS, chemicals typically purchased through these agreements include Sodium Hypochlorite, Sodium Bisulfite, Lime, and polymer; and,

WHEREAS, these items were all competitively bid and the lowest bidder, Cascade Columbia’s total bid was \$28,390 in excess of budgeted amounts, approximately \$12,000 toward the wastewater plant and \$16,000 toward the water plant; and,

WHEREAS, additionally Nalco Company provides proprietary chemicals that are acquired through sole source purchase for the water department, these chemicals assist with the removal of tannins in the water for clarification purposes; and,

WHEREAS, Nalco’s pricing has resulted in costs totaling approximately \$29,000 in excess of budgeted funds; and,

WHEREAS, the Public Works Department did anticipate cost increases for these chemicals and did budget larger amounts than previous years, however the increases came in higher than expectations due to supply chain and inflationary pressures within the industry; and,

WHEREAS, these chemicals are essential for the continued safe operation of the utility to remain in compliance with permit requirements; and,

WHEREAS, providing these supplemental funds to the operational budgets for the waste water and water division will allow the department to continue operations effectively; and,

WHEREAS, the Administration is in support of this appropriation and providing the additional funds now 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:

Water and Sewer Special Revenue Fund:	
Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$57,000</u>
Increase Appropriations –	
Wastewater Treatment Plant -	
Operating, Repair & Maintenance Supplies	\$12,000

Water	
Operating, Repair & Maintenance Supplies	<u>\$45,000</u>
	<u>\$57,000</u>

**Section 2.** 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 3.** 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 17<sup>TH</sup> DAY OF AUGUST, 2022.

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

ATTEST:

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

Approved by Finance: 

Introduced:	August 3, 2022
Enacted:	August 17, 2022
Effective:	August 17, 2022



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin, Director of Public Works

**DATE:** July 27, 2022

**SUBJECT:** **Ordinance No. 3303-2022 Chemicals in excess of budgeted amounts**

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The purpose of this memo is to request Council's support in providing supplemental funding to the Water and Wastewater operational budgets to account for Chemical purchases in excess of budgeted amounts. As Council is well aware of current supply chain and inflationary concerns affecting purchases across industries, the utility has incurred a larger than anticipated cost increase on our routine annual purchases of chemicals.

Cost increases were anticipated by the department for these chemicals with the Water division's budget being increased by \$10,000 from the previous year's budget, \$108,000 in FY22 increased to \$118,000 for FY23 with the actual FY23 now anticipated to be \$163,000. The Wastewater division's FY22 budget for these chemicals was \$50,600, with FY23 budget of \$65,910 and an anticipated FY23 actual cost of \$77,910.

The department had sufficient funds to issue Purchase Orders to Cascade Columbia and Nalco Company from within the Operating, Repair and Maintenance Supplies budget to start the fiscal year and to avoid delivery delays of chemicals. This Ordinance will now provide the supplemental funding to replenish the account to allow the department to operate as anticipated throughout the fiscal year.

Staff is investigating opportunities to become less dependent on these chemical purchases. Consideration for a future capital project to install new process equipment for the creation of our own chlorination chemicals is an option, as well as testing out new water clarification chemicals to a less expensive option from our current supplier. Council will be kept informed of any progress in this area.

The additional funds being requested are necessary and imperative to our operations, providing them now is in the best interest of the City. Council's support is respectfully requested.



July 18, 2022

U.S. Department of Energy, National Energy Technology Laboratory  
Attn: Mark Lusk, EDPA Compliance Officer  
3610 Collins Ferry Road  
Morgantown, WV 26505

Dear Office of Fossil Energy and Carbon Management Personnel:

I am writing regarding the SEIS published by DOE in draft June 24th regarding the Alaska LNG Project.

A new report, published by the U.S. Department of Energy, examined the effects of Alaska LNG and its important socioeconomic benefits that would result from the completion of the Project. It is estimated that The Alaska LNG Project will create thousands of jobs for our City and outlying communities including roughly 1,000 when the project is operational. The socioeconomic benefits from the Alaska LNG would be extremely beneficial to the City of Kenai. From employment opportunities, wage increases, state and local tax revenues, payroll expenditures, and workforce growth and stability, Alaska LNG will bolster our local economy long into the future.

The Alaska LNG Project will provide our community and many other communities across Alaska with a long-term, affordable gas supply for power generation, home heating, and other needs. The Cook Inlet Basin, which supplies the vast majority of natural gas to Southcentral Alaska is a mature field and likely will not meet the energy needs of our area in the very near future. The Alaska LNG Project will provide energy security for Alaskans for decades to come. We critically need the Alaska LNG Project to deliver clean-burning and reasonably priced energy to maintain our quality of life and to provide increased economic opportunities here on the Kenai.

The Department of Energy has done a thorough and accurate assessment and demonstrated the Alaska LNG Project offers significant advantages over LNG from the contiguous United States. Over the past 7 years, the Project has been studied extensively, and all major Federal permits and approvals have been issued. It is clearly in the best interest to the residents of Kenai and the State of Alaska that the Project move forward without delay.

Thank you,

Brian Gabriel  
Mayor, City of Kenai

**MINI-GRANT STEERING COMMITTEE  
JULY 15, 2022 – 10:00 A.M.  
KENAI CITY HALL  
KENAI CITY COUNCIL CHAMBERS  
CHAIR BRIAN GABRIEL, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER & ROLL CALL**

Chair Gabriel called the meeting to order at approximately 10:00 a.m.

Roll was confirmed as follows:

Members present: B. Gabriel, S. Douthit, B. Perry

Members absent: M. Bernard

A quorum was present.

**2. AGENDA APPROVAL**

**MOTION:**

Committee Member Perry **MOVED** to approve the agenda as presented. Committee Member Douthit **SECONDED** the motion. There were no objections; **SO ORDERED**.

**3. APPROVAL OF MEETING SUMMARY**

- a. February 25, 2022

**MOTION:**

Committee Member Douthit **MOVED** to approve the meeting summary from February 25, 2022. Committee Member Perry **SECONDED** the motion. There were no objections; **SO ORDERED**.

**4. PERSONS SCHEDULED TO BE HEARD**

- a. Barry Hartman, Kenai Central High School

It was noted that the Clerk's Office had reached out to Mr. Hartman to request that he attend the meeting, but had not received a response in time before the agenda publishing date. Mr. Hartman later confirmed that he would not be available.

**5. PERSONS PRESENT NOT SCHEDULED TO BE HEARD – None.**

**6. UNFINISHED BUSINESS – None.**

**7. NEW BUSINESS**

- a. Review of Mini-Grant Application for Award
- Kenai Central High School Construction – Dog Park Ramp/House

**MOTION:**

Committee Member Douthit **MOVED** to approve the Mini-Grant application for Kenai Central High School Construction – Dog Park Ramp/House. Committee Member Perry **SECONDED** the motion.

The Committee reviewed that application and noted that the second page of the application had initially not been included but was provided later after it was requested by Chair Gabriel; the project had already been completed and dropped off at the Kenai Parks and Recreation Department. It was noted that it was probably a school project completed last semester; the project was created when a member of the Dog Park Committee requested the applicant provide something for the park.

Chair Gabriel explained the City Council's past involvement with the Dog Park project, including funding and land donations; the origins of the Dog Parks as a grassroots project were discussed.

Further discussion involved who would be reimbursed, and previous Mini-Grant applications submitted by Kenai Central High School. The Committee reviewed the Purpose statement provided on the application and considered whether the project fell under its purview, specifically the statement that grants are for start-up funding for small projects; it was noted that the Mini-Grant program was not intended for add-ons to ongoing projects. It was also noted that projects should have an immediate impact, and the installation date is unknown.

Postponement was suggested to allow Mr. Hartman to provide additional information, including who would be reimbursed and preferably pictures of the project.

**MOTION:**

Committee Member Douthit **MOVED** to postpone the Mini-Grant application for Kenai Central High School Construction – Dog Park Ramp/House to a date on or before August 26, 2022. Committee Member Perry **SECONDED** the motion.

**VOTE:**

YEA: Douthit, Perry, Gabriel  
NAY: None.

**MOTION PASSED UNANIMOUSLY.**

**8. ANNOUNCEMENTS**

Perry noted that this is his meeting, appreciation was expressed for his input.

**9. ADJOURNMENT**

There being no further business before the Committee, the meeting was adjourned at approximately 10:22 a.m.

Meeting summary prepared and submitted by:

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Meghan Thibodeau  
Deputy City Clerk



# KENAI

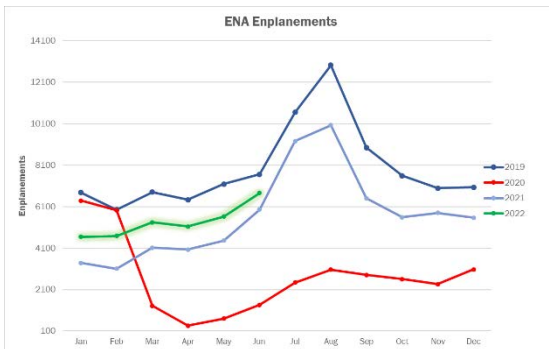
City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** July 27, 2022  
**SUBJECT:** Kenai Municipal Airport (ENA) Mid-Month Report

### Enplanements

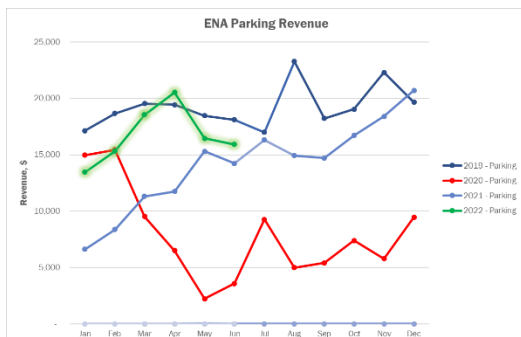
2022 passenger enplanements remain higher than the previous year, they are continuing to trend closer to pre-pandemic levels – up 28% YTD compared to 2021.



	2021	2022	% Δ
	PAX Enplanements	PAX Enplanements	
Jan	3389	4646	37.09%
Feb	3112	4695	50.87%
Mar	4127	5349	29.61%
Apr	4035	5150	27.63%
May	4464	5621	25.92%
Jun	5953	6760	13.56%
<b>Grand Total</b>	<b>25080</b>	<b>32221</b>	<b>28.47%</b>

### Parking Revenue

Parking revenue for the month of June surpassed 2021 parking revenue for the same month. Parking revenue continues to trend toward pre-pandemic numbers – up 48% YTD compared to 2021.



	2021	2022	% Δ
	Parking	Parking	
Jan	6,626	13,448	103%
Feb	8,373	15,338	83%
Mar	11,315	18,532	64%
Apr	11,757	20,530	75%
May	15,309	16,467	8%
Jun	14,236	15,920	12%
<b>Grand Total</b>	<b>67,615</b>	<b>100,235</b>	<b>48%</b>



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**THROUGH:** Dave Ross, Police Chief

**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief

**DATE:** July 6, 2022

**SUBJECT:** June 2022 Monthly Report

This month the Kenai Animal Shelter took in **42** animals. Animal intake and disposition:

DOGS:				
	INTAKE	18	DISPOSITION	11
	Waiver	11	Adopted	5
	Stray	2	Euthanized	1
	Impound	0	Claimed	5
	Protective Custody	2	Field Release	0
	Quarantine	0	Transferred	0
	Microchips	1	Other Dispositions	0
	Other Intakes	2		
CATS:				
	INTAKE	24	DISPOSITION	10
	Waiver	5	Adopted	9
	Stray	18	Euthanized	0
	Impound	0	Claimed	1
	Protective Custody	0	Field Release	0
	Quarantine	1	Transferred	0

Microchips	0	Other Dispositions	0
Other Intakes	0		0
OTHER ANIMALS:			
INTAKE	0	DISPOSITION	0
Chinchilla	0	Chinchilla	0
Rabbit	0	Rabbit	0
Other	0	Guinea Pig	0
DOA:	0	OTHER STATISTICS:	
Dog	0	Licenses (City of Kenai Dog Licenses)	13
Cat	0		
Rabbit	0		

- 1 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 10 Animals are *known* borough animals
- 13 Animals are *known* City of Kenai
- 4 Animals are *known* City of Soldotna
- 0 Animals from unknown location
- 45 Field Investigations & patrols
- 5.45 Volunteer Hours Logged
- 2 Citations
- 0 Educational Outreach

Statistical Data:

- 414 2020 YTD Intakes
- 308 2021 YTD Intakes
- 206 2022 YTD Intakes





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Terry Eubank, Finance Director

**DATE:** July 27, 2022

**SUBJECT:** Finance Department Mid-Month Report July 2022

---

In preparation for the 2022 Personal Use Fishery, the department assured all shacks were online and ready to process transactions, software enhancements were complete, the Dipnet App was updated, and City Hall was prepared for daily reconciling activities. An equipment failure on the public safety communications tower resulted in one day of system outage requiring acceptance of fees by cash. With the assistance of a local internet service provider, department staff were able to borrow replacement equipment and restore service to dipnet as well as other City facilities. Shack attendants did a great job adapting to the problem and the system was restored and has been operating without interruption since.

With the completion of the FY23 budget, the department's focus has switched to closing of FY22 and completion of the City's Annual Comprehensive Financial Report. This process includes the closing of the FY22 financial records, fiscal year-end grant reporting, and finally, financial statement preparation. The annual audit is scheduled for the week of October 10<sup>th</sup>.

The Department is recruiting for a Controller due the retirement of the City's Accountant. The application closed on July 15<sup>th</sup> after a one-week extension. Four applications were received, one applicant subsequently withdrew from consideration, one applicant did not meet the minimum job requirements, and interviews have been completed with the remaining two applicants. Reference checks are being completed for a possible job offer.

Employee open enrollment has been completed for FY2022 employee health care in conjunction with Human Resources and the City's benefits broker. The process to analyze the City's health, dental, vision, life and supplemental insurances is underway. Any recommended plan or provider changes are scheduled to be implemented by January 1, 2023.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** July 25, 2022

**SUBJECT:** Fire Department Mid-Month Report – June

Calls for service for June increased from 2021 as we prepare for Dip Net season to start. Here is the breakdown for June 2022 with a comparison to 2021.

June	2021	2022	% change
Totals	127	136	7.1%
EMS	95	105	10.5%
All Other	32	31	-3.1%
Year total	671	727	8.3%

### Training:

- 7 KFD members, 2 KPD Officers, and 3 Nikiski Firefighters, participated in a 40 hour Boat Operator Course hosted by KFD. Participants trained on Boat Operations for River and Inlet with boat handling of single and twin screw, navigation of river and open water, search patterns, and rescue operations of victims in the water.
- All shifts completed their live burns at Alaska Regional Training Center. Annual live burns are required by the FAA for the Airport to maintain its FAR Part 139 Airport Certification.

### Projects/Grants:

- We completed our Community Funding Grant which provided Vaccinations, Testing, and COVID Leave.
- We are continuing work with the Division of Forestry and US Forest Service on grants that will provide funding to mitigate dead and dying trees in the Shqui Tsatnu Creek drainage, which is the gulley between Forest Drive and Spruce Street. Also, the Beaver Loop corridor and a continued Fire Break north of Kenai that would tie in with the Sterling Fire Break and Nikiski Fire Break. All in support of the Community Wildfire Protection Plan.
- Bid was awarded to Braun Northwest for a new ambulance and we will be meeting with them to complete a pre-build at their facility in Chehalis Washington.
- The Emergency Operations Plan has been approved by the State of Alaska and is on the August 3<sup>rd</sup> Council meeting for approval.

- Annual hose testing has begun as we are required to test every section of fire hose in our fleet on an annual basis.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Christine Cunningham, Human Resources Director

**DATE:** July 20, 2022

**SUBJECT:** Human Resources Activity – June 2022

### Recruitment

Human Resources worked with multiple departments to actively recruit for the following positions: Water & Sewer Operator I/II, Planning Director, Controller, Planning Administrative Assistant III/ Code Enforcement Officer, Library Assistant, Temporary Parks & Recreation Maintenance Worker, Temporary Special Projects Administrator, Temporary Planning Director, and Temporary Planning Administrative Assistant. Applications continue to trend low, with most job postings requiring an extension to allow for a larger applicant pool.

June Recruitments	2019	2020	2021	2022
Total Recruitments	2	0	2	5
Average # of Applicants Per Position	26	0	22	7

\*Regular (Non-Temporary) Full & Part-Time Positions

### Training

Human Resources worked with Administration to prepare for an upcoming leadership development program starting in October.

### Safety

Two accidents were reported, one that resulted in property damage and one that resulted in an employee injury. A Workers' Compensation claim was filed for the work-related injury.

### Special Projects

Human Resources worked with multiple departments and the City Attorney on a City-wide update to position descriptions, completing updates to 51 position descriptions. Human Resources worked with the City's Health and Life Insurance Benefits Consultant to create a comprehensive Benefits Information Guide (BIG) to help employees become familiar with the City's benefit plans and programs. In the coming months, Human Resources will work with the Consultant and Administration to develop a communications plan to solicit employee feedback and provide information to employees in advance of open enrollment in December.

The City is currently recruiting for the following position:

- Temporary Parks & Recreation Maintenance Worker





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council





**THROUGH:** Paul Ostrander, City Manager

**FROM:** Hannah Meyer, Assistant to the Library Director

**DATE:** July 8, 2022

**SUBJECT:** Library Mid-Month Report for June 2022

### June 2022 at a Glance

Items Borrowed		Jun-21	Jun-22	2022 YTD
Physical		6,457	7,353	37,452
Digital		1,474	1,569	9,190
<b>Services</b>				
New Memberships		33	62	294
Room Reservations		42	109	698
<b>Programs</b>				
Number of Programs		16	39	170
Program Attendance		194	692	2,551
<b>Technology Sessions</b>				
Computer sessions		368	522	2,909
WiFi Sessions		4,390	7,855	42,347
Early Literacy Station Sessions		122	370	1,357

### June 2022 programming highlights

- 39 total in-person programs – 692 attendees
  - 5 Story Times (average of 17 participants per program)
  - 4 Wee Read Story Times (average of 10 participants per program)
  - 4 Lego Clubs (average of 17 participants per program)

- Closing Art Reception (30 participants)
- DIY Kites (66 participants)
- Computer Class at the Senior Center (8 participants)
- Nerf Night (17 participants)
- Raspberry Pi Club (12 participants)
- Teen Advisory Board (7 participants)
- DIY Terrariums (14 participants)
- Summer Reading Programs
  - Kickoff Party (85 participants)
  - Dissect a Squid (14 participants)
  - Dive into Space Food (40 participants)
  - Dive into Oceans and Cities (20 participants)
  - Dive into Deep Space (18 participants)
  - Dive into Cephalopods (35 participants)
  - DIY Kit monster (60 kits given away)
  - DIY Kit succulent (60 kits given away)

### **June 2022 library services highlights**

- Volunteers logged 62 hours this past month. Tasks included shelving and program support.
- Our study and conference rooms were used by 109 individuals/groups for a total of 230 hours.
- We gave out 94 meals to children 18 and under during our Summer Food Service hours in June.
- Summer Reading Program 2022 is going swimmingly! From the start of the program through early July, we've signed up 415 children, 55 teens, and 120 adults. As of June 30, we've had 8 themed programs or kits with a total of 332 participants. For more info on these events, please visit <https://www.kenai.city/library/page/summer-reading-2022>.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks & Recreation Director  
**DATE:** July 11, 2022  
**SUBJECT:** **Mid-month Report – June 2022**

---

June was a very busy month for Kenai Parks and Recreation.

- The department had seven shelter reservations for the month of June.
- Park Maintenance Tech(s) installed a new electronic scoreboard on field #2 at the little league fields.
- Parks held a volunteer planting day on June 4<sup>th</sup>. We had 8 volunteers, fire department grilled out for the volunteers after the event was over. This is the first volunteer plant day since Covid-19, we expect a better turnout in the years to come.
- Parks held a kite festival on June 4<sup>th</sup>. Estimated over 350 attendees. The event show cased the State of Alaska's largest kite.
- Parks installed three new Little Libraries at Old Town Park, Beaver Creek Park, and at the Bluff Overlook.
- Parks started installing a story walk at the Daubenspeck Family park.
- Park Maintenance Tech(s) completed hanging banners along Willow St., Airport Way, Old Town, and at the Visitors Center Parking Lot.
- Parks worked directly with KSA (Kenai Softball Association) on preparing for the Firecracker softball tournament held on July 4<sup>th</sup> weekend. A total of 56 teams attended.
  - Collectively parks worked an extra 60 hours preparing all four fields, grounds, and parking area for the tournament.
- A total of 66 beetle kill trees were removed in June.
  - 16 trees removed at the Little League complex
  - 36 trees removed at the Kenai cemetery
  - 14 trees removed at Municipal park
- The Park Director and Assistant Park Director are meeting regularly with all departments involved with operating the PU Fishery. This year will be the first year the PU Fishery's daily operations are managed exclusively by Parks and Rec.

- Crews performed several days of prep work for the upcoming personal use fishery. Tasks included signs, fencing, equipment staging, training, and organizing fee station material and supplies.
- The Park Director and a Park workers are scouting/flagging potential new trails. We are working from the City of Kenai's Trail Plan.
- Slash Site June Numbers:
  - Total of 260 visits
  - Total of 225 hours worked at site
    - 160 hours worked by slash site attendant
    - 65 hours worked by fulltime operators
  - 46.3 acres treated





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Max Best, Interim Planning Director  
**DATE:** August 3, 2022  
**SUBJECT:** **Planning and Zoning June 2022 Report**

---

### Planning and Zoning Commission Agenda Items and Resolutions

- On June 8, 2022 the Planning and Zoning Commission approved the following meeting agenda items:
  - **Resolution PZ2022-13** – Townsite Historic Review 508 Mission Avenue.
  - **Action/Approval** – Recommended the Kenai City Council approve a Special Use Permit for Kenai Chamber of Commerce and Visitor Center for the Moosemeat John Cabin.
- On June 22, 2022 the Planning and Zoning Commission approved the following meeting agenda items:
  - **Resolution PZ2022-15** – Preliminary Subdivision Plat of Kristine Subdivision Jahrig Addition.
  - **Resolution PZ2022-14** – Application for a conditional Use Permit for a Restaurant/Brewery.
  - **Action/Approval** – Recommended the City Council Approve a Resolution approving the sale of 1107 Second Street to Amy Fisher.
  - **Action/Approval** – Recommended the City Council Approve a Resolution approving the conditional donation of City Owned Parcels to the Central Peninsula Habitat for Humanity, Inc.
- On July 7, 2022 the Planning and Zoning Commission meeting was cancelled due to lack of agenda items:

### Building Permit and Site Plan Reviews

Three Landscape/Site Plan applications reviewed and approved.

### Code Enforcement

Eight 1<sup>st</sup> notice and one 2<sup>nd</sup> notice letter code enforcement cases were sent in June, 2022.  
Six initial site visits conducted.

Per BOA instructions, co-visit with animal control to 704 Poplar to verify setbacks and count chickens.

### City Council Agenda Items

- On June 1, 2022, Kenai City Council approved the following agenda items:
  - **Resolution PZ2022-40** - Approving the Divestment of the City's interest in the Deeded Thirty-Foot Public Use Easement Lying along the north boundary of Lot 35, Section 6, T5N, R11W. S.M. AK.
  - **Action/Approval** – Approved the execution of a lease of Airport Reserve Lands to Swanson Properties, LLC.
  - **Ordinance No. 3287-2022** – Conditionally donating certain City owned property to the Boys and Girls Club of the Kenai Peninsula.
  
- On June 15, 2022, Kenai City Council approved the following agenda items:
  - **Resolution 2022-5** - The City of Kenai Land Management Plan
  - **Ordinance No. 3287-2022** – Amending the official Zoning Map by rezoning certain parcels southeast of Beaver Loop Road along Basin View Way, Kin N Ang Court, Cub Court, Ames Road, and Dolchok Lane from Rural Residential to Rural Residential -1.

### City Leases

The City received three competitive land lease applications in June, 2022.





## MEMORANDUM

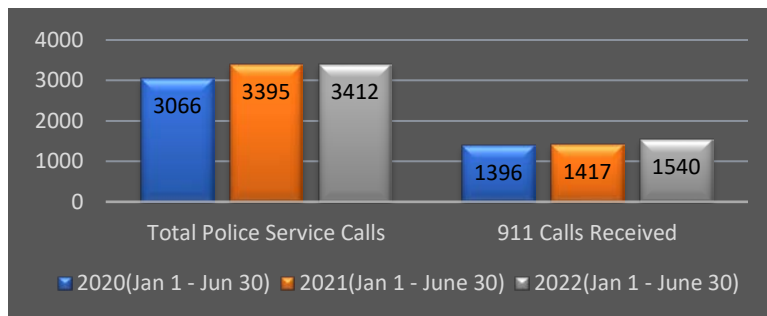
**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** David Ross, Police Chief  
**DATE:** July 12, 2022  
**SUBJECT:** **Police & Communications Department Activity – June 2022**

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Police handled 610 calls for service in June. Dispatch received 286 9-1-1 calls. Officers made 47 arrests. Traffic enforcement resulted in 235 traffic contacts and 37 traffic citations. There were 8 DUI arrests. Officers investigated 3 motor vehicle collisions in June. There was one collision involving a moose and no collisions involving drugs or alcohol.

One new KPD officer graduated from the 17 week long Public Safety Academy in Sitka. All officers attended defensive tactics training in Kenai. One officer attended a two-day trauma-informed multi-disciplinary team training. Two officers attended a week-long emergency boat operator class with KFD in Kenai. Two officers attended a four-day interviewing class in Anchorage. All Dispatchers completed online training on mental health emergencies and on stab wounds.

The Kenai Dispatch Supervisor, Stacey Day, was appointed by the Governor to the State of Alaska 911 Advisory Board. An assessor from the Oregon Accreditation Alliance came to Kenai and conducted the onsite assessment of our agency. We anticipate completion of the accreditation process in September of this year.





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** July 2022  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

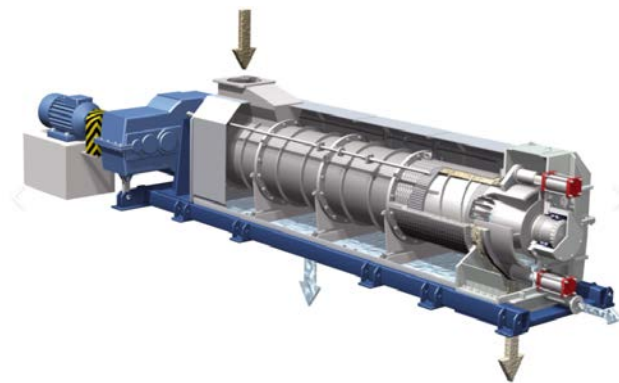
- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project has experienced extreme supply chain issues. March 8<sup>th</sup> had meeting with City Staff, FAA, and HDL Engineering to discuss alternatives. Held Meeting May 12, 2022 with Orion Construction and City personnel to discuss ongoing project issues. June 7<sup>th</sup> received confirmation from Orion that Steel Building is now on order through Superstructures, wall and roof panel submittals are in process but have *not yet been received*.
- Kenai Municipal Airport Airfield Drainage – Project consists of the replacement of approximately 500 lf of failing storm water pipelines located in the safety area off the northern end of the runway. 10/13/21 Contract Documents were executed with BMGC LLC in the amount of \$360,225. Airport staff has requested this project hold off until spring for operational concerns. Update: With the addition of Kenai Aviation to the airport the availability of runway closure times has been further reduced. Staff is working to reduce the length of the available runway for a limited period of time, three weeks range, to allow the contractor to work with minimal limitations within the project area. This will slightly delay the start of the project to allow for the required notifications to take place. A monitoring well was installed to verify water table elevation in the project area on June 6<sup>th</sup>. Conditions continue to be monitored, work anticipated to start *likely October 2022, working a revised Construction Safety Phasing Plan (CSPP) in coordination with the FAA and expecting the runway to be shortened for a period of time to allow the work to be completed*.
- Kenai Municipal Airport Snow Removal Equipment (SRE) – Update: This equipment is on order and dependent upon supply chain logistics will likely arrive in spring 2022. Update: Delivery of unit has experienced slight delays with mounting the blower head to the tractor.





Equipment is currently scheduled for Late *June completion / ship date and arrival in Kenai in July.*

- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provide an initial assessment of the current condition of the airport runway. This will include geotech work, coring numerous locations of the runway. This work will provide the necessary information to coordinate with the FAA to seek grant funding for an overall runway rehabilitation project which will ultimately include the runway, taxiways, drainage, lighting, markings, etc. Once the conditions report is received, which fiscal year the project will likely need to take place will be determinable. This initial assessment and corresponding design work to an anticipated 35% level of completion has been contracted at a total cost of \$250,000 and is expected to be completed by the end of the calendar year. Update: On August 4<sup>th</sup> HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup> HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer's Design Report (EDR) along with the draft Geotechnical Report. Staff is reviewing the documents in house in preparation for formal discussion with the FAA in February. Project remains on schedule and within budget at this time. Contract Amendment is pending to add additional services to take the project from the current Preliminary Design to completed bid ready construction documents. Ordinance 3278-2022 was approved on April 20<sup>th</sup> to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833.
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25<sup>th</sup>, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. The screw press is on order and is expected to arrive in Kenai in July. Construction Documents are now complete and a formal Invitation to Bid was released on June 7<sup>th</sup>, 2022. *Bids were originally due on June 28<sup>th</sup> but the deadline was extended to July 22<sup>nd</sup> due to a lack of bidders interested in the project. On July 22<sup>nd</sup> two bids were received, with Blazy Construction being the lowest responsive responsible bidder at a cost of \$1,437,913. Legislation is pending Council approval at the August 17<sup>th</sup> meeting.*



- Kenai Wellhouse Relocation – Contract was executed with Polar North Construction on August 4, 2021 in the amount of \$243,172.25. *Update: Polar North is nearly complete with the project. The building is now residing in the new permanent location adjacent to the trailer at the water treatment plant. As of July 26<sup>th</sup> the contractor has approximately two weeks of work remaining at the new site, demolition the old foundation is now complete, and capping of the old well is pending. We are anticipating a small change order for additional grading and fill materials above contract which council may see at a later date. All in all the project has been a success and the new storage facility will be well used by the department.*
- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. HDL has completed on site evaluations and are nearing completion of three sites to receive upgrades. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. *Update: After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Update: Design documents are at 65% and continue toward 95% completion. Expecting bid ready construction documents in August 2022.*
- Mission Avenue Water Main – HDL is developing documents to address a water main that is nearing the bluffs edge along Mission Ave. This project will isolate a portion of the main in this area in anticipation of the piping eventually eroding down the bluff's edge. Installation of several new valves and relocation of two individual services are required with this work. Documents are pending completion, and will be released for Bids immediately after they are received and reviewed. The project will attempt to wait until spring for contractor's to start work if the conditions allow. Project Documents are at 100% completion. Project is being released for bid on March 10<sup>th</sup> with bids due on March 31<sup>st</sup>. Resolution 2022-12 was approved at the last meeting which completed a budget transfer to allow the project to be bid. Work will take place as weather allows in the spring. Resolution 2022-24 to award a construction contract to Fosters Construction is in the packet for April 20, 2022 council approval. Work is expected to take place in May/June. Foster's Construction is actively providing submittals and work is schedule to begin approximately June 13<sup>th</sup>. *Update: This project is now complete and the water main has been successfully abandoned in place. New valves and hydrants in place with Right of Ways restored. Completing closeout paperwork with Contractor.*



- Bryson Ave. Bluff Erosion Repair – Project was released for Construction Bids on July 29, 2021 with bids due on August 19, 2021. Fosters Construction was the winning bidder at a cost of \$309,775. Contract documents were executed with Fosters on September 20, 2021 and work began immediately. As of October 13, 2021 work is largely completed with the exception of topsoil and hydro-seed which will wait until spring. Change Order 1 was executed on December 27, 2022 in the amount of \$69,397.50 bringing the total contract amount to \$379,172.50. Project will be complete after top soil and seed work are completed in the spring. *Update: 6/7/21 Engineer is coordinating with Contractor, topsoil was delivered to site and did not meet specifications. Update: project is now complete, topsoil and hydroseed have been placed.*
- Multi-purpose Facility – The Building Maintenance Department went through the Ice Rink and pressure washed all of the algae that has been growing on the steel beams. Nelson Engineering was also able to come out and assess the structure and condition of the rusting. Formal report was received on October 6, 2020. Staff began repair work on the ice rink starting May 2<sup>nd</sup>, An aerial lift is being used to apply 100 gallons of Ospho rust reformer and 200 gallons of POR15 rust preventive finish coating to the steel elements within the ceiling. Staff continues working on ventilation improvements with planned upgrades to exhaust fans pending, to assist with humidity control. *Update: All planned coatings have been completed including the larger main support beams and fire sprinkler risers. Work will continue on mechanical system upgrades, rink was given back to Parks & Rec July 21<sup>st</sup> to start the process of placing ice by August 1<sup>st</sup>.*
  - USACE Bluff Erosion – Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. Design services are expected to run approximately twelve months to provide bid ready plans and specifications. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On August 11, 2021 the City Manager and Public Works Director met and walked the project site with representatives from the Army Corp of Engineers including the Regional Commander in charge of the project. Project kickoff meeting with Engineers was conducted on August 19<sup>th</sup> at 3:00pm. On August 29<sup>th</sup> the Data Collection Plan was received. Detailed work plan has been received by HDR, Data Collection of existing site condition is now complete. On October 4, 2021 a project meeting was held providing updates on data collection progress. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. Comments were received by the Corps over several days with a formal response to questions provided back to the Corps on February 9<sup>th</sup>. On February 10<sup>th</sup> a meeting was conducted with the Corps, HDR and the City to discuss review comments. On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. This allows Corps staff to bill time to the project in support of our efforts. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. On March 25<sup>th</sup> meeting with USACE reps where full team of Corp reps are being introduced to the project in anticipation of providing full project review support. 65% Docs are on track for receipt by May 11<sup>th</sup> from HDR Engineering. 65% Design Docs were received ahead of



schedule on April 28<sup>th</sup>. Staff and USACE counterparts are actively reviewing the documents. The documents have been uploaded to the City website under the Public Works page and are available for review by the public. Below is one example of proposed wall section. *Update: Value Engineering Workshop was conducted with USACE on June 21-24 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop will be incorporated in a plan set on July 29, 2022. The next step will be moving into Advanced Technical Review (ATR) with the Corp as documents continue toward 95% design. The project is tracking toward an April 3, 2023 Invitation to Bid release for Construction with an anticipated Construction Contract award anticipated in May/June 2023.*

- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. *Update: the Cemetery site has been fine graded and grass seed and fertilizer placed. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Additional sites will be available in the summer 2022 after installation of HEA power and irrigation well have been installed. HEA is developing design documents for City approval to bring in a 100amp electrical service to the property from off of Second St. Update: Procurement documents for Fencing and Asphalt is in progress.*
- Recreation Center Improvements – The Public Works Department released an RFP on November 18, 2021 with proposals due on December 10, 2021 to provide professional AE services for the Kenai Rec Center. This project will provide a code assessment of the facility, architectural drawings for a complete roof replacement of the facility, and mechanical / electrical drawings for the replacement of aging HVAC equipment. *Update: Resolution 2022-06 was approved at the 1/19/22 council meeting to award a design agreement to K+A Design Studios in the amount of \$92,085. Design agreement has now been executed and project meetings are set to begin in mid-February. Resolution 2022-09 within the February 16<sup>th</sup> packet is combining funding from several smaller projects into this one larger one. Update: On March 21<sup>st</sup> the design team provided the code assessment for the facility identifying several issues which are under review by Public Works Staff. Update: Design is running behind schedule and bid documents have not yet been received as of July 26, 2022.*
- Kenai Fire Department Flooring Replacement – This project will be replace aging flooring materials within the station. Based on the age of the facility and previous encounters with asbestos, a Proposal Quote Request was released on 12/1/21 with proposals due on 12/10/21 to sample and test for asbestos containing materials within the proposed work area. Contract was awarded on 12/20/21 with a Notice to Proceed granted on 1/11/21 with report due back to City on 2/14/22. The results of the testing will determine our next course of action. If asbestos is discovered steps to conduct abatement will need to be completed prior to replacement of flooring materials. The testing costs are \$4,112 at this time. May 18<sup>th</sup> council meeting has an Ordinance requesting an additional \$20,000 in supplemental funding to complete abatement and allow the project to proceed. *Update: Supplemental funding approved and request for quotes is in progress to complete the asbestos abatement previously identified.*



- Visitor Center Roof Replacement – Request for Proposal Documents are pending to obtain professional services to provide bid ready construction documents for the planned roof replacement at the Visitors Center. RFP release is anticipated for late January 2022 to provide for shingle replacements during the summer months 2022. Update: A Proposal Quote Request was released on January 25<sup>th</sup> with proposals due on February 15<sup>th</sup> to provide Bid Ready Construction documents for this project. Council can expect to see legislation in March awarding the design agreement. Update: K+A Architecture was the successful proposer and 95% design documents were provided for staff review on May 31, 2022. *Invitation to Bid for construction was released on 6/21/22 with bids due on 7/19/22. Two bids were received and were both well in excess of budgeted amounts. Project is unable to be awarded at this time and will be adjusted slightly with the intent of rebidding 1<sup>st</sup> quarter 2023.*
- DOT Kenai Spur Highway to Sports Lake Rd – In speaking with representatives from DOT on June 10, 2021, it is my understanding this project will likely be released for construction bids in late fall 2021 for an anticipated construction start of Spring/Summer 2022. This project is intended to continue the widening of the roadway similar to the previous project that extended to approximately Swires Rd. *Nothing new to report at this time.*
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. *Nothing new to report at this time.*
- Kenai Dog Park – Public Works Director has been coordinating with representatives from the Dog Park Committee. A formal meeting has been scheduled for April 19<sup>th</sup> to discuss path forward. Committee also has a planned presentation scheduled for the Council meeting on April 20<sup>th</sup>. Additional land was granted for the park, and staff is working with volunteers to get the additional area staked and cleared. Currently \$63,000 of funding is available for the project. Update: Surveying services through McLane's Consulting have been contracted, communications with Dog Park representatives, volunteers, and Parks & Recs is ongoing. *Update: the new fence line has now been cleared of trees and stumps. New fence line has been staked, public works streets department has been working on project with an excavator scheduled for delivery August 1<sup>st</sup> to excavate out the pavilion pad, install pathway and culvert. Volunteers are anticipated to construct the framing of the pavilion with the City pouring the concrete pad. Fireweed fencing is expected on 2<sup>nd</sup> week of August to reinstall fence in permanent location.*



- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Update: Contract documents have been executed, geotech soil borings have been completed, site survey work has begun. *Wildwood Drive 65% design docs were received on July 14, 2022 for review. Projects will not be ready for bid release this season and will be released for bids first quarter 2023.*
- Little League Restrooms – Public Works Staff has started on the Scope of Work for the planned new restroom facilities at the ball fields on South Spruce St. In coordination with the Parks & Rec Director, design services will be secured to finalize bid ready construction documents. Current anticipated release for Construction Bids is late summer. A Request for Quotes for design services was released on May 5<sup>th</sup> to provide bid ready documents to construct three new restrooms adjacent to the existing snack shack. Update: No proposals were received by the City for this release, comments from firms were everyone is too busy with work for this small of a project. We will modify our delivery requirements so work may be completed into the fall / winter with a spring 2023 construction start expectation. *Project is now back on street awaiting bids with an extended delivery date into next spring. Multiple firms have downloaded the documents.*





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Astrea Piersee, Administrative Assistant III

**DATE:** July 7, 2022

**SUBJECT:** **June 2022 Monthly Report**

The Kenai Senior Center experienced an increase in attendance for the bi-monthly video visits with Social Security Administration representatives. These bi-monthly meetings are not only attended by area seniors but by others in the community. Many of the individuals attending these in-person visits seek additional information and assistance by the Centers personnel and are provided outreach as to what the program provides. Other highlights this month included planting parties, a Father’s Day luncheon, and a Senior Prom. This dance was a collaborative effort between the Kenai Senior Center and the Soldotna Senior Center. The Center was also host to a visit from the Anchorage Bowl Chamber Orchestra.

As we move further from Covid-19, we are seeing increases to in-person services such as Congregate meals, transportation and Center based activities. Home-delivered meals still maintain previous years totals.

	2022	2021
Home Delivered Meals	2000	1867
Individuals	99	104
Dining Room (Congregate) Meals	582	380
Individuals	98	94
Transportation (1-way rides)	221	0
Individuals	19	0
Grocery Shopping Assistance	10/22	0
SIGN-INS VIA MySeniorCenter©		
Writers Group	26	38
Caregiver Support Group	4	16
Growing Stronger Exercise	276	265
Tai Chi Class	52	43
TOPS Weight Loss Class	28	25
Bluegrass & Music Sessions	51	36
Card Games	104	79
Wii Bowling	29	0
Arts & Crafts	23	0
Total Event Sign-ins *	1658	1269
Individuals *	167	171
Vintage Pointe Manor Vacancies	0	

\* (not including home meals clients)

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW**  
**COUNCIL MEETING OF: AUGUST 3, 2022**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
AEROSIMPLE	FY23 TRACKING SOFTWARE	AIRPORT	SOFTWARE	6,000.00
YUKON EQUIPMENT	HEATED WINDSHIELD	SHOP	OPERATING SUPPLIES	3,111.62
ALASKA LIBRARY NETWORK	ANNUAL CONTENT ACCESS	LIBRARY	BOOKS	2,897.50
BRODART	ANNUAL BOOK RENTAL	LIBRARY	BOOKS	6,282.00
KENAI CHAMBER OF COMMERCE	JULY 4TH SPONSORSHIP	LEGISLATIVE	GRANTS TO AGENCIES	2,600.00
ALASKA MUNICIPAL LEAGUE	FY23 MEMBERSHIP DUES	LEGISLATIVE/MANAGER	DUES & PUBLICATIONS	8,083.50
SADLER PROPERTY MANAGEMENT	FY23 VINTAGE POINTE REPAIRS	CONGREGATE HOUSING	PROFESSIONAL SERVICES	4,800.00
EDOCSALASKA	FY23 LASERFICHE ANNUAL SUPPORT	CLERK	SOFTWARE	13,745.00
BSI EQUIPMENT	CONVEYOR CHAIN	SHOP	OPERATING SUPPLIES	3,974.20
PENINSULA CLARION	FY23 COUNCIL MEETING ADS	CLERK	ADVERTISING	5,000.00
PENINSULA CLARION	FY23 ELECTION ADS	CLERK	ADVERTISING	2,600.00
CODE PUBLISHING COMPANY	FY23 CODE UPDATES, SUPPLEMENTS	CLERK	PROFESSIONAL SERVICES	3,500.00
NEOGOVS	FY23 ONLINE RECRUITMENT SOFTWARE	HUMAN RESOURCES	SOFTWARE	5,145.07
ENNIS-FLINT	THERMOPLASTIC PAVEMENT MARKING	A/P IMPROVEMENTS	CONSTRUCTION	3,300.40
PENINSULA PUMPING	PORTABLE TOILETS AT PARKS	RECREATION	RENTALS	3,520.00
US DIGITAL DESIGNS	FY23 STATION ALERTING FEE	FIRE	REPAIR & MAINTENANCE	5,214.76
DR. ANGUS WARREN	FY23 PHYSICIAN SPONSOR	FIRE/COMMUNICATIONS	PROFESSIONAL SERVICES	7,000.00
VERIPIC	FY23 DUES	POLICE	SOFTWARE	3,998.00
NELSON ENGINEERING	KENAI WELLHOUSE ENGINEERING	W/S CAPITAL IMPS	CONSTRUCTION	11,106.00
AIRPORT EQUIPMENT RENTALS	EXCAVATOR RENTAL	VARIOUS	CONSTRUCTION	5,200.00
E.S.R.I.	FY23 ARCGIS RENEWAL	VARIOUS	SOFTWARE	3,759.00
ALASKA MAP COMPANY	FY23 GIS SERVICES	P&Z	PROFESSIONAL SERVICES	6,000.00
STAMPS.COM	FY23 POSTAGE	NON-DEPARTMENTAL	POSTAGE	3,500.00